

THE INTEGRITY AGENDA IN THE NEW NORMALITY

Delia FERREIRA RUBIO*

Fighting corruption is not just an instrumental issue limited to modifying legal frameworks and putting a stop to impunity. The fight against corruption aims to control power, prevent abuses, and apply the corresponding sanctions for the common good, the protection of the rights and freedoms of individuals, the strengthening of the rule of law, and the improvement in the quality of democracy.

A global vision of the current world discussion allows us to detect a converging dialogue in various sectors and multiple spaces towards what I call a renewed Integrity Agenda in which the fight against corruption is part of it.

The pandemic has served as a catalyst to consolidate and connect debates and efforts that were dispersed and that today converge in the ideas of “rebuilding better” and “new normality” that guide the post-Covid programs and projects of multilateral credit organizations, international organizations, and countries.

Among the nodal points that converge in this trend we can mention the OECD work on integrity in the public sector;¹ those of the World Economic Forum with special emphasis on the private sector in line with the notion of *stakeholders’ capitalism*;² the renewed attention to the concept of “purpose” and “public value” of companies;³ the hierarchy of Compliance discipline towards the *Integrity beyond Compliance* model.⁴ Along the

* Doctor of Law from the Universidad Complutense de Madrid. President of Transparency International.

¹ OECD, “Anti-Corruption & Integrity Hub”, <https://www.oecd.org/corruption-integrity/>.

² World Economic Forum, “The Future of Trust and Integrity”, http://www3.weforum.org/docs/WEF_47529_The_Future_of_Trust_and_Integrity_report_2018.pdf.

³ <https://yourpublicvalue.org/>.

⁴ World Economic Forum, “Ethics and Integrity Beyond Compliance. Agenda for Business Integrity. October 2020.”, http://www3.weforum.org/docs/WEF_GFC_on_Transparency_and_AC_pillar1_beyond_compliance_2020.pdf.

same lines is the work of the Global Compact⁵ and the United Nations 2030 Agenda.⁶

Regarding, specifically, the fight for transparency and against corruption, the Integrity Agenda is clear in the 2030 Strategy of Transparency International⁷ and in the work of the Open Government Partnership and its campaign: *Open Response, Open Recovery, Open Renewal*.⁸

There are many aspects in which convergence can be seen in the Integrity Agenda. A good example is the search for transparency regarding the final beneficiaries —real owners— of the companies. Knowing who is who makes it possible to follow the path of money in cases of corruption, illicit campaign financing, and money laundering, as well as detecting possible conflicts of interest that constitute the prelude to corruption.

For years, this was a claim from civil society organizations. Today it is a common agenda⁹ that includes governments both at the national level,¹⁰ as well as in international platforms such as the Open Government Alliance¹¹ or the G20.¹² Organizations that bring together the business sector —such as the World Economic Forum,¹³ and *B-Team*—¹⁴ have also com-

⁵ United Nations, “Uniting Against Corruption. A Playbook on Anti-Corruption Collective Action”, http://ungccommunications-assets.s3.amazonaws.com/docs/publications/2021_Anti-Corruption_Collective.pdf.

⁶ United Nations, “Sustainable Development Goals. 17 Goals to Transform our world”, <https://www.un.org/en/exhibits/page/sdgs-17-goals-transform-world/>.

⁷ Transparency International, “Our Strategy. Holding Power to Account – A Global Strategy Against Corruption 2021-2030”, <https://www.transparency.org/en/the-organisation/our-strategy>.

⁸ Open Government Partnership, “The pandemic has shown just how easily things can break down. But it also offers the opportunity to build them back up, better and stronger”, <https://www.opengovpartnership.org/campaigns/open-renewal/>.

⁹ Transparency International, “Hundreds of Academics, Civil Society Groups and Business Leaders Join Call for UN General Assembly to end Anonymous Shell Companies”, <https://www.transparency.org/en/press/ungass-2021-hundreds-join-petition-to-end-anonymous-shell-companies>.

¹⁰ Transparency International, “Historic Anti-Corruption Measures Become Law”, <https://us.transparency.org/news/historic-anti-corruption-measures-become-law/>.

¹¹ Open Government Partnership, “Overview”, <https://www.opengovpartnership.org/policy-area/beneficial-ownership/>.

¹² United Nations, “G20 High-Level Principles on Beneficial Ownership Transparency”, https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Beneficial-Ownership-Transparency/G20_High-Level_Principles_on_Beneficial_Ownership_Transparency_2014.pdf.

¹³ World Economic Forum, “World Economic Forum submission United Nations Special session of the General Assembly against corruption”, https://ungass2021.unodc.org/uploads/ungass2021/documents/session1/UNGASS_submission_World_Economic_Forum_PACI_GFC_final.pdf.

¹⁴ The B Team, “Ending Anonymous Companies: Tackling Corruption and Promoting Stability Through Beneficial Ownership Transparency. The Business Case”, <https://bteam.org/assets/reports/B-Team-Business-Case-Ending-Anonymous-Companies-Report.pdf>.

mitted themselves to this effort, since the concealment schemes of the real ownership of the companies affect the business climate and put at risk the legal responsibility of the company for its value chain. The confluence in this Integrity Agenda is a step forward, but civil society remains vigilant and reports on the implementation of these commitments.¹⁵

But beyond the institutional modifications aimed at consolidating an integrity system in which all social actors operate, it is essential to address as a longer-term objective, the necessary cultural changes that will make this integrity system sustainable and solid as a framework for coexistence.

In this sense, the convergence in the Integrity Agenda is linked to a phenomenon that, although it has emerged clearly in public opinion studies for years, has become more acute because of the global emergency unleashed by covid: the lack of confidence. Confidence is a central element to being able to face an emergency; it is a condition of resilience. Without trust in leadership, society loses the capacity for coordination and collective action. Without trust in others, solidarity becomes even more difficult.

Studies like Latinobarómetro¹⁶ and the Barómetro de Confianza from Fundación Edelman¹⁷ show the constant deterioration of trust in institutions and social leadership in general, with institutions and political leaders as the ones that generate less trust in citizens. The focus on politics made us lose sight of the fact that interpersonal trust was, in many cases, even lower than what we had in politicians.

The mistrust climate affects governability, deteriorates the rule of law, compromises democracy and respect for rights and freedoms, dismantles and fragments societies, and generates the perfect breeding ground for the populism of all political stripes. The demand for urgent solutions in the face of emergency and the fear generated by uncertainty create a climate conducive to the concentration of power and the suspension of controls, as was verified in 2020 when many governments used the pandemic as an excuse for the abuse of power.¹⁸

¹⁵ Transparency International, “Access Denied? Availability and Accessibility of Beneficial Ownership Data in the European Union”, <https://www.transparency.org/en/publications/access-denied-availability-accessibility-beneficial-ownership-registers-data-european-union>.

¹⁶ Latinobarómetro, “Informe 2018”, https://www.latinobarometro.org/latdocs/INFORME_2018_LATINOBAROMETRO.pdf.

¹⁷ Edelman, “The Edelman Trust Barometer 2021”, <https://www.edelman.com/sites/g/files/aatuss191/files/2021-03/2021%20Edelman%20Trust%20Barometer.pdf>.

¹⁸ Transparency International, “Why fighting Corruption matters in Times of COVID-19”, <https://www.transparency.org/en/news/cpi-2020-research-analysis-why-fighting-corruption-matters-in-times-of-covid-19>.

Trust is the mortar that gives strength to a community. Without trust, we live in a climate of insecurity and suspicion: we must be on guard and defensive, collective construction is increasingly difficult, uncertainty complicates the possibility of forecasting and planning. The attention is focused on “everyone for themselves” in the present without projection of the future, neither personal nor collective.

At the root of the problem of mistrust in institutions and leaders is a lack of interpersonal trust. In my opinion, the phenomenon originates in the rupture of the basic ethical consensus of society: When it is not clear what is right and what is wrong; when there is no difference between what is and what should be; when there is no consensus on what we will tolerate and what is intolerable; when there is no agreement on what the social models are.

This breakdown of ethical consensus is clearly manifested in what I call the *Cambalache* culture, in reference to Discépolo’s famous tango.¹⁹ Composed in 1935, it seems a description of the current situation, where everything is the same and nothing is better, where merit has no value, where being honest is the same as being a thief, where privileges are the other side of clientelism. These are societies in which the lack of integrity becomes structural and systemic operates as a model or justification for dishonesty and generates a climate of resignation and relativism that encourages individualism. Politically, this *Cambalache* culture explains why impunity prevails in matters of corruption, why the corrupt continue to win elections to the sound of the argument “They steal, but they work” or “They steal, but it piles up”. In this climate, there are no incentives for transparency, access to information, independence, and effectiveness of controls, nor to restore the notion that officials (elected or appointed) are public servants who must be accountable.

The institutional response and the social reaction to corruption depend, partly, on the strength of the basic value consensus. When these consensuses are weak or broken, they increase the tolerance and indifference of the citizenry towards corruption. Corruption is a global phenomenon that can and does occur in any country, even in those perceived as transparent according to Transparency International’s Corruption Perceptions Index;²⁰ the difference between countries depends on the reaction to cases.

¹⁹ Discépolo, Enrique Santos, *Cambalache*, <http://www.discopolintango.com.ar/letras/letra/c/cambalache.htm>.

²⁰ Transparency International, “Corruption Perceptions Index”, <https://www.transparency.org/en/cpi/2020/index/nzl>.

Basic ethical consensus, when solid, not only lays the foundation for the reaction against corruption but also operates as ordering channels for the conduct of social actors, preventing corruption, even in the absence of a specific legal regime.

When these basic social agreements about what is right and what is wrong are broken, historically, the response that societies have sought is to heteronomously impose these norms in a process of *legalizing* ethics,²¹ endowing with the force and coercibility of law certain elementary behaviors. This is how public ethics laws arose in many countries. It was necessary to say with the force of law that officials must act with “honesty, probity, rectitude, good faith and republican austerity”.²² Something as obvious and elementary as that. And despite having laws and sanctions, some public officials do not understand it and judges who help them.

In the case of the United Kingdom, the first legal norm of public ethics was the result of the investigation carried out by the Nolan Commission into a series of corruption cases that had occurred in parliament. In the note elevating the recommendations of the Commission, Lord Nolan —its president— says: “...the changes that have occurred over the years in the roles and work environment of politicians and other public servants have led to *confusion about what is acceptable behavior and what is not*.”²³ Precisely the rupture of this basic ethical consensus that governs the conduct of social actors.

The Integrity Agenda requires the reconstruction of trust based on a renewed basic ethical consensus and in this task one of the main obstacles we face is the relativization of the value of truth that characterizes postmodernity. We live in the age of post-truth, fake news, the manipulation of facts, the “alternative facts” narrative. At a time when Deep Fake and anonymity in social networks hide and misrepresent the true identity of the other, social dialogue becomes more difficult and even aggressive, uncertainty, suspicion, and the generation of bubbles of self-confirmation increase as a mechanism to overcome the feeling of vulnerability. At the political level, these characteristics of social dialogue favor the manipulation of citizens and allow some

²¹ Ferreira Rubio, D., “Marco Teórico” in Rodríguez Chang, R (Compilators), *Ética Parlamentaria en Centroamérica y República Dominicana*, IIDH, Costa Rica, 2021, [https://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/20CC01F4B2B5901B05257DE300613D36/\\$FILE/13867.pdf](https://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/20CC01F4B2B5901B05257DE300613D36/$FILE/13867.pdf).

²² Argentina: Ley 25.188 about Public Ethic, article 2, section b), <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/60847/texact.htm>.

²³ Lord Nolan, “Standards in Public Life. First Report of the Committee on Standards in Public Life”, <https://webarchive.nationalarchives.gov.uk/20131205113448/http://www.archive.official-documents.co.uk/document/cm28/2850/285002.pdf>.

actors to intensify social fragmentation and confrontation in the friend-enemy logic, so favorable to populist leadership.

The demand for transparency is linked on a more instrumental level with the need to reconstruct the truth as the central axis of the ethical consensus that will serve as a solid base for the generation of trust.

The concept of transparency comprises two equally important aspects: integrity and information. Both information and integrity are central to the prevention and punishment of corruption. Integrity mandates behavior and information enables participation and control.

The Integrity Agenda that aims to rebuild trust includes the need for clear rules that order coexistence in a more just, inclusive, democratic society that respects freedom, equality, and the rights of its members. If we abandon the *Cambalache* culture and renew the agreement on the value of the word, reciprocal respect, honesty as a duty, transparency as a rule, and integrity as the guiding principle of our conduct, then we will have taken an important step in building a better future.

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