

The virtue of rule-following: an Aristotelian analysis

DOI: https://doi.org/10.35683/jcm20_7.135

JC PAUW

University of South Africa, Department of Public Administration and
Management

koos.kerneels.makpou@gmail.com

ORCID: <https://orcid.org/0000-0001-6900-688X>

ABSTRACT

Although rules are central to public administration, opinions range widely on how they should be regarded. Especially those who subscribe to New Public Management believe that rules should not be the central concern. The opposite view holds that rules lie at the heart of public administration. This article uses Aristotle's idea of the mean between extremes as a conceptual tool to mitigate the opposition between rule followers and rule denigrators. The middle ground is the virtue of rule-following. The method is conceptual and uses an analysis based on Aristotle's virtue ethics to portray the virtue of rule-following in our time. Five elements stand out in Aristotle's definition of virtue: character, choice, the mean, rationality and the person of practical wisdom. These can be used today to support the virtue of rule-following in public administrators.

Key phrases

Nicomachean Ethics; public administration; rules; the virtue of rule-following; virtue ethics; virtue and New Public Management

1. INTRODUCTION

Covid-19 provided the occasion for the proliferation of rules and regulations in public administration. This is a good time to ask how appointed officials should deal with rules and regulations.

The answers of Public Administration scholars to this question range widely. Some stress rule-boundedness and some reject the idea of being rule-bound in the wake of books such as *Reinventing Government* (Osborne & Gaebler 1992). An example of the latter is the

following: 'Individuals in public administration ideally should not be appliers of rules and algorithms but persons that are able to think for themselves and have proper judgement' (Tholen 2011:36). An internet meme (ifunny.co nd: Internet) maintains: 'The law is not a moral compass. The people who hid Anne Frank were breaking the law. The people who killed her were following it'. This view points to the fact that rules can become ends in themselves (De Vries & Kim 2011:6). Officials then measure their performance solely by the degree that rules have been followed. From the same collection where Tholen (2011) is found, but on the opposite side of the spectrum, comes the following: 'It is one of the basics of Public Administration that public servants are expected to fulfil their duties according to the regulations and laws. Generally speaking, the public service law in most countries identifies the major duties and obligations of appointed public servants. Max Weber (1991) has already stressed that their behaviour is first and foremost rule-bound' (De Vries & Kim 2011:16). The reader will be able to discern from the title of this article towards which side of the spectrum I find myself. However, the answer to the question of whether the appointed official should be mostly rule-bound or mostly innovative requires a subtle and articulated approach. It will not do to simply introduce the rule *Thou shalt obey the rules*. This is not about a rule, this is about virtue. This conceptual article will show how deep the difference is.

The article will scratch at the surface of the idea-structure of a very articulate and sophisticated thinker, the Greek patrician Aristoteles (henceforth "Aristotle") (385-322 BC), when he deals with the virtues in his *Nicomachean Ethics* (1952, 1999 and 2014). I follow Aristotle in form, but not in content as far as the virtues he deals with are concerned. The unfashionable virtues he describes are the established virtues of a polity before the Christian and democratic revolutions. 'Aristotle takes himself not to be inventing an account of the virtues, but to be articulating an account that is implicit in the thought, utterance and action of an educated Athenian' (Macintyre 1981:138).

The virtue of rule-following is mentioned a few times in legal literature (McGinnis & Rappaport 2014; Schauer 2013), but not precisely in the way it is explicated here. In the case of McGinnis and Rappaport, the term is used to characterise a certain hermeneutic called *Originalism* as virtuous, because it advances rule-following by judges. Their piece also suggests a point that is of interest to this article, namely that those who care about rules will care about keeping them up to date.

2. DEFINITION OF RULE AND OTHER CONCEPTUAL PRELIMINARIES

In this section, two things must be clarified. The nature of rules and the connection between rule-following and rule-making.

A rule is an impersonal (non-private) general prescript applicable to different situations, which tell us what we must do in those situations, such as *Drive on the left side of the road*, and/or what we must not do, such as *Do not cross the uninterrupted line*.

Here is a more complete definition:

Rules are shared understandings among those involved that refer to enforced prescriptions about what actions (or states of the world) are required, prohibited, or permitted. All rules are the result of implicit or explicit efforts to achieve order and predictability among humans by creating classes of persons (positions) who are then required, permitted, or forbidden to take classes of actions in relation to required, permitted, or forbidden states of the world (Ostrom & Ostrom 2011:126).

The rules to which the public official must adhere range from the very general such as the Constitution and very general policy such as democratisation, through particular Acts and their regulations, to departmental prescripts, to office-bound standard operating procedures, and then on the end of the spectrum: street-level routines. Sometimes the things we must do or not do under rules are to make rules. So, rules for rules or we can call them meta-rules, exist and are quite important in the public sector. Where an Act authorises a member of the executive authority to issue regulations, the requirements for these are set out in the authorising Act if that Act is well written. Should the regulations not comply with the legal requirements, they are *ultra vires* and may be declared null and void. The same figure applies to the relationship between Acts and the Constitution, and lower down in the hierarchy in the case of policies and delegations.

Moral/ethical rules or prescripts, assuming for the moment that there should be such things, have the characteristic that they are used to judge not only actions and attitudes but all other rules (including constitutions, Acts and regulations) as well. This includes the prescripts of moral systems. So, some moral rules are meta-rules and are used to judge the ethics of moral systems. It is hard to imagine a person today who will not feel free to make moral judgements about the rules of Nazi ethics. There are two major moral meta-rule systems. Deontology that judges according to overarching pre-existing prescripts (Alexander & Moore 2021), and Consequentialism that judges attitudes, actions, decisions and rules by their consequences (Sinnott-Armstrong 2019). What is paradoxical and perhaps counter-intuitive about this article, is that it promotes rule-following without subscribing to Deontology. We find ourselves in the sphere of Virtue Ethics. We are also dealing with public administration and not ethics in general.

Those who denigrate rules should understand that rules are valid for whole categories of people and that where a rule cannot be adjusted to suit the individual, equity is achieved in terms of that particular rule. That is the meaning of saying that a rule is non-private in our context. Thompson (1992) made this point from a different angle, albeit controversially, in his differentiation between government ethics and personal ethics: 'Personal morality originates in face-to-face relations among individuals, and it aims to make people morally better. Political ethics has more modest aims. It arises from the need to set standards for impersonal relations among people who may never meet, and it seeks only to make public policy better by making public officials more accountable' (Thompson 1992:256). For this article, I am not primarily interested in moral or ethical rules, or deontology. Virtue Ethics is for us a way to avoid them and the difficulties they bring about. (Virtue Ethics as an approach has made a come-back in Philosophy over the last six or seven decades. The philosopher Elizabeth Anscombe heralded this in 1958 by her paper "Modern Moral Philosophy". (Anscombe 1958). However, the big impetus was provided by Alasdair MacIntyre's book *After Virtue - a Study in Moral Theory* (MacIntyre 1981).)

Back to the preliminaries: Whether you must just follow rules or may also be required to make them, is of course a function of your position in the bureaucratic hierarchy. The higher you are the more you become a rule-maker, but nobody is as high as to be above the law. So, rule-following is not only required at the lower rungs of the ladder. As pointed out above, those who make rules must follow rules, for example, the rules laid down in legislation for the making of regulations by the executive.

The question thus arises about the relationship between rule-making and rule-following and whether the skill to make rules and the virtue to follow rules may not be the same thing. Such a virtue could conceivably be called the virtue of rule-management. However, rule-following is more basic than rule-making. You first learn to obey rules as a child, and then as an adult making progress in your career. Hence the old saying quoted by Aristotle in his *Politics* 1277^b ¹(Jowett's translation), 'he who has never learned to obey cannot be a good commander' (Aristotle 1952:474). In this, he follows his teacher, Plato, who makes a similar point in connection with "slavery to the laws" (Annas 2018:23).

So, we can separate the virtues of rule-following and rule-making even though they share important features. The second is parasitic upon the first. (A lawless person making rules for

¹ These numbers, such as 1277^b, are widely used and refer to the page numbers of a classical edition of Aristotle's works prepared by Immanuel Bekker in the 19th century.

others to follow will probably be a despot.) It is therefore not necessary to deal extensively with rule-making here.

3. RULES LIE AT THE HEART OF PUBLIC ADMINISTRATION

The working environment of appointed public officials is filled with rules. To live a good life as an official – in fact, to be a virtuous official – officials must know how to deal with rules: they must exhibit the virtue of rule-following. For Aristotle, the good life (happiness) and the virtues are intertwined (MacIntyre 1981:139-140).

The behaviour and acts of public administrators are first of all rule-bound (De Vries & Kim 2011:16). This view, with which I agree, links public administration to bureaucracy as the concept was worked out by Max Weber (1978, 1991). The two are not identical, of course. The New Public Management movement of the previous century, now in its very late middle age, (Hood & Peters 2004), tried to delink them as much as possible, but without lasting success - Olsen speaks of 'decades of bureaucracy bashing' (Olsen 2005:2). Max Weber (1978) identified rules as one of the characteristics of bureaucracy. He claims: 'Binding authority is claimed through a fourfold rule-bound hierarchical relation: between citizens and elected representatives, between democratic legislation and administration, within administration, and between administration and citizens as subjects (as well as authors) of law' (Olsen 2005:3; Weber 1978). In the quoted article and in work with March (March & Olsen 2013), Olsen argues convincingly to establish the role of rules in public administration in a democratic context. Olsen does not claim originality and refers to at least 15 authors who lie in the same vein. Rules tend to increase action capabilities and efficiency (March & Olsen 1989). Rules make it possible to coordinate many simultaneous activities in a way that makes them mutually consistent and reduces uncertainty, for instance, by creating predictable time rhythms through election and budget cycles. Rules constrain bargaining within comprehensible terms. They enforce agreements and help avoid destructive conflicts (Olsen 2005). Rules streamline decision-making. Say, somebody offers you a gift. If there is a rule that precisely specifies the difference between gifts and bribes, you can decide without further ado whether to accept or not. Rules reduce the necessity for many a meeting. Finally, who really thinks that that there should be public procurement without rules? The consequences are too ghastly to contemplate.

Two very general "external" considerations regarding the place of public administration in society, *pace* Chuck Fox and Hugh Miller (Miller & Fox 2007), also underlie the centrality of rules in public administration. The first is that appointed officials are not rulers with a high degree of discretion, but rather public servants. They must therefore act under the discipline

of lawful prescripts made by the legislator, and in the case of regulations, the political executive. We cannot do away with the idea that appointed officials who do not act according to the wishes of the political executive do not act according to the wishes of the electorate. Olsen writes 'representative democracy requires the use of hierarchy' (Olsen 2005:2) - the hierarchy where rules act as arteries to connect the executive authority in its relationship with the legislature with the street level official and all those in between. Rules also bring stability in the bureaucracy in situations where executives change. After all, the rule of law is the rule of rules. Secondly, rules, being impersonal, facilitate equal treatment of persons in the group relative to the purview of the rule. 'Bureaucratic rules, contribute to democratic equality because they are (relatively) blind to the wealth and other resources of the citizens they serve' (Olsen 2005:9).

There is a third more speculative reason: Subjecting human conduct to constitutive rules has been widely portrayed as part of processes of democratisation and civilisation (Olsen 2005:8). Hegel interestingly sees the state as the highest form of social existence: 'the state is mind objectified' (Hegel 1952:80 (par 258)). In such a view the bureaucracy and its rules are much more than just an instrument in the hands of the executive authority.

Abiding by the law is not the duty of the appointed official only: it applies to all citizens. One must not forget that Aristotle was a student of Plato's, who conceived the ideal polity as one governed by laws. He did this both in the *Republic* of his middle period and in the *Laws*, his last work (Annas 2018). 'In the Republic he takes for granted that in an ideally virtuous city virtuous people will be law-abiding, that virtue develops through being law-abiding and that falling away from being law-abiding will be reflected in weakened and degenerated character' (Annas 2018:21). Three aspects should be noted in the context of our article: The first is the linking of virtue with abiding by the law, which resonates with our title. The second is that Plato deals with virtue as excellence of character (being a good person) in very general terms, whereas we will be looking at a particular virtue, in a particular context, namely rule-following by the public servant. The third - to which we will return - is the main point of Annas' article: according to Plato, the laws must be obeyed strictly, but also understood, so that they are obeyed in the right spirit (Annas 2018: 19).

4. VIRTUE AND SPHERE

Public administration is a practice with a history and traditions. MacIntyre (1981) conceives practices as cooperative, socially founded activities that possess their particular standards of excellence, according to Rapp (2020). Every practice has a history (MacIntyre 1981) and the standards of excellence of the practice are moulded by all those persons who have

previously participated in the practice. Virtues then get defined in reference to such a practice (Rapp 2020). The virtue of rule-following is an example of such a virtue within its sphere of public administration.

What does it mean for public sector ethics if rules are central in public administration? Does it mean there is one master rule: *Follow the rules*? Such deontology is suitable only for parody. A better question from a totally different approach to ethics, namely Virtue Ethics, is: *If rules are central, who is the good public servant?* To be more precise: *Who is the virtuous public servant?* Answer: They who possess the virtue of rule-following. Is there any other occupation for which we can posit this as the chief virtue?

Aristotle is quite clear that different occupations, as well as different spheres or objects, go with different virtues, which is natural because the Greek word translated as *virtue* is the word that they also used for *skill*. Curzer speaks of 'role virtues' (Curzer 2018:124). In discussing citizen virtues in the *Politics*, Aristotle uses the analogy of sailors on a ship where a suite of skills or virtues (rowing, piloting and so on) are needed to maintain the welfare of the collective. 'Now, sailors have different functions ... and while the precise definition of each individual's virtue applies exclusively to him, there is ... a common definition applicable to them all' (Aristotle 1952:473 (1276^b)). So, there are a plethora of virtues, many of which must still get their names. It also explains the limited selection in the *Nicomachean Ethics* listed by Curzer as cited below.

Further, when discussing the virtue concerned with riches, Aristotle states at 1120^a in the *Nicomachean Ethics*: 'any particular object is put to best use by a person who possesses the virtue proper to that object' (Aristotle 1952:366). The following formulation in 1106^a fits our purpose even better: 'every virtue both brings into good condition the thing of which it is the virtue and makes the work of that thing be done well' (Aristotle 1952:351). It may perhaps be objected that Aristotle's discussion of the virtues is really about the moral virtues and that my introduction of a more limited role virtue misses the point by using the word "virtue" for what may be a technical skill. This would not be correct. The resources used and the responsibilities of public administration make it morally obligatory for officials to be excellent.

Curzer lists 13 spheres each with its relevant virtue and vices: from physical risk to scarce goods (Curzer 2018:115). The list clearly comes from high society. Aristotle chooses to focus on spheres such as great wealth, honour and accomplishment, but before we get too censorious, we must remember that the first virtue he discusses is courage on the battlefield. High society put their lives on the line for the city-state. Be that as it may: each occupation has its virtues and rule-following is the main virtue of the public servant.

5. THE MEAN BETWEEN TWO (2) EXTREMES

It is well known that Aristotle favours behaviour that represents a mean between extremes. The virtues of character have thus been analysed by Aristotle in his *Nicomachean Ethics* as means or the intermediate. The virtue of courage, for example, is the mean between the vices of cowardice and rashness (Aristotle 1952:361 (1115^a)). This virtue lies between the vices of defect (cowardice) and excess (rashness). It is not insignificant that Aristotle focuses on courage in battle. This is a signal of the upper class to which he belonged. The upper class colours his entire *Nicomachean Ethics*.

When considering rule-following by the public official then, two extremes must be avoided for rule-following to be virtuous. The first extreme or vice is rigid rule-following which is an excess, and the other vice is total permissiveness which is an extreme lack or defect of rule-following. This is parallel to Olsen's remark on criticisms that public administration is not bureaucratic enough, and on the other hand that it is excessively bureaucratic (Olsen 2005:5). The best way lies somewhere in between: somewhere around the mean between the extremes.

That the two mentioned extremes concerning rule-following are not acceptable, is not controversial; so, I will not expand much. A public service where rule-following is absent runs the danger of being a law unto itself, unable or unwilling to carry out the wishes of the electorate as articulated by the government in laws and policies. Such a public service is self-righteous and lacking in the virtue of humility (compare Schauer 2013). Ignoring rules undermines probity and makes corruption probable. Officials who lack the ability to follow rules will also not be bothered by bad or unjust rules, because these are ignored anyway. So, a paradox will appear: very permissive systems will be rigid in their rule regimes. (A testable conjecture!)

Authors belittling rule-following, such as Tholen (2011) whom I quoted in the introduction, typically commit two fallacies: firstly, that applying a rule does not overall require "proper judgement" and secondly that the public official is properly regarded as some sort of entrepreneur. Saccharine and self-congratulatory terms such as *creativity*, *discretion* and *innovation* are popular and most probably abound in Master of Public Administration (MPA) classes. The ability-complex to innovate, to create, to take initiative and not to be rule-bound is highly prized among Public Administrationists. Especially among those who adhere to the New Public Management. It is part of their self-image that they have these abilities associated with entrepreneurship or at least can foster it among their students. However, it is dangerous to believe your own propaganda. This ability-complex is not necessarily a virtue. In any case, the entrepreneurial model of public administration is not what it used to be.

As an introduction to the opposite vice, namely rule-rigidity, a few words on discretion are necessary. Discretion is power, and having power is having discretion. So, an argument that someone should be able to exercise discretion is an argument that that person or group, say, street-level bureaucrats or the official sitting in your MPA-class, should have power. This might be one of the motives for the popularity of the New Public Management. However, one must not be naïve in calling for discretion. More power to the street-level bureaucrat could mean less power in the head office and less equal treatment of citizens, more power to the municipal official could mean less power to the voters, more power to the technocrat could mean less power to everybody else. The unlimited discretion of appointed officials leads to technocracy.

One form of discretion is the discretion to interpret rules since few rules are so precise as to never require interpretation. This is a topic on its own.

Let us deal with the extreme on the other side of the mean, the one opposite to permissiveness: In the absence of the rule-following virtue, government can be smothered in red tape and execution can grind to a halt due to excess in rule-following. Strong arguments against rule rigidity exist. I will divide them here into arguments relating to officials and arguments relating to rules. Officials display the vice of rule-rigidity in a bureaucracy in the pejorative sense of the word. Their only concern is compliance without regard for the consequences. The people whom I am supposed to serve can suffer, and I have no qualm about that since I stuck to the rules - even in the format of output targets. Here we also find malicious compliance (Scanlan 2018). The official who practices rule-following in excess will putatively not distinguish between different rules as to their origins and scope, because rules are to be followed blindly. In the worst case, there is no difference between a constitution and an internal office arrangement, and both are everlasting. In contrast, the official possessing the virtue of rule-following will be sensitive to the need of keeping rules up to date and appropriate.

Rule-rigidity is also not indicated due to the inherent weakness of rules. Schauer spoke of the error-producing characteristic of rules (Schauer 1991). According to him, prescriptive rules can be either potentially or actually under- or over-inclusive: their denotation can include too little or too much. The reality of public administration shows too much variation and complexity for all good action to be subsumed under, and be prescribed, by rules. For example, a public financial management Act authorises the spending of 2% of the annual budget in emergencies without the normal approvals. If officials would decline to finance something in an emergency situation because it will take the emergency spending to

2,0001% for the period, the rules are taken much too seriously. In addition, some rules can lack logic, contradict other rules or be unjust. Then it would contra-indicated to follow them.

6. DECIDING THE INDIVIDUAL CASE IS NOT THE POINT

Some ethical systems attempt to provide a rule or rules that we can apply in every situation to know what we must do to act morally. Kant famously holds that we must ask whether the maxims of our actions in any individual case can serve as universal laws. In other words, should the rule we follow be everyone's rule? (Kant 2002(1785)). However, Aristotle's idea of the mean is not a meta-rule prescribing that we should take the middle road in each case. It does not say, to take the point to the absurd: that we must adhere to rules by 50%. Absolutely not. The difference between Aristotle's virtue ethics and other ethical systems is almost impossible to grasp for intellectuals in our time. We think of ethics as a guideline for what we - or rather others? - should do in a specific difficult case: for example, what the consequences would be or what our ethical system prescribes. According to MacIntyre (1981:141), there is very little mention of rules in Aristotle's ethical works. He rightly calls this 'the most obvious and astonishing absence from Aristotle's thought for the modern reader' (*Ibid*).

For Aristotle, the question is not what we should do, but what we should be. If we follow this line, the question is not what precisely the public servant must do in a specific situation; the question is what kind of person the public servant must be. Virtue ethics is about character.

One of the dilemmas of the professional purveyor of ethics is that people normally know what is right and wrong. Aristotle assumes that as well. Thus, there are cases where we just know that a certain course of action, attitude or feeling is wrong. In a, perhaps neglected, passage in the immediate context of Aristotle's definition of virtue in 1107^a of the *Nicomachean Ethics*, he dismisses the need to philosophise about things that every properly educated person knows are wrong: passions, for example of spite, shamelessness, envy, and '... in the case of actions, adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad' (Aristotle 1952:352). There is thus no need for overarching ethical prescripts covering every case, and one must concentrate on those things that are really in need of analysis. These are the virtues. If Aristotle had lived today, he would probably have been surprised to learn that officials have to be trained to eschew corruption.

Aristotle is further very explicit in the beginning of the *Nicomachean Ethics* that the reader (or listener) should not expect all the answers. Aristotle knows how complicated life is. He says at 1094^b: 'Our discussion will be adequate if it has as much clearness as the subject-

matter admits of, for precision is not to sought for alike in all discussions' (Aristotle 1952:339). He goes on to say that a certain maturity is needed before one can be properly educated in "political science". (For him there is no wall between what we call ethics and political science. To be good means to be good (and happy!) in the polity.) So, neither will we learn precisely what to do in our situation by studying the *Nicomachean Ethics* nor can we expect to become ethical public servants based on a week-long training session in a nice hotel. What we need to become is virtuous. That is a long-term project as will become clear if we study his definition of virtue below.

7. THE DEFINITION AND ITS APPLICATION

We will now summarise and furl the preceding considerations under Aristotle's own definition.

He provides his definition of virtue at the end of 1106^b of the *Nicomachean Ethics*:

Virtue ... is a [1] state of character, concerned with [2] choice, lying in the [3] mean, i.e. the mean relative to us, this being determined by a [4] rational principle, and by that principle by which the [5] man of practical wisdom would determine it (Aristotle 1952:352).

Let us analyse the virtue of rule-following as it could manifest today in terms of the elements of this definition. We must keep in mind that the five elements are all intertwined in practice.

[1] The right kind of rule-following is ingrained in the character of the virtuous official. It is not an episode, but a disposition. Weber (1978) as cited by Olsen (2005) also underlined how important it is that administrators are socialised into an ethos of rule-following. This virtue or lack of it forms the basis of our judgement whether we regard someone as a good or poor official. The official who has painstakingly acquired the virtue of rule-following will deal with the rules in the best way and to the best effect for the state, displaying neither defect nor excess. The virtue as part of the official's character will *cause* the right choice (Aristotle, Barnes & Kenny 2014:72; Macintyre 1981:140). This is a radical idea. If we are deontologists, we tend to think that correct choices in the field of rules will result from our following appropriate meta-rules for rules. In applying those, the specific case would have to be analysed in terms of appropriate rule application. Aristotle cuts right through this and holds that the person who has the virtue of, in our case, rule-following, will make the right choice for the end to be followed. In the previous section (6) we discussed how strange to our ears Aristotle's ideas might be. Next: Virtue as a character trait is acquired through education, practise and following examples of virtuous officials. Institutional memory in the public service is therefore not only about technical matters, it is also about virtue. Curzer

identifies four elements of acquiring virtue in Aristotle: habituation, teaching, nature, and goods of fortune (Curzer 2018:122-124). Habituation is pithily expressed at 1106^a of the *Nicomachean Ethics*: 'it is by doing just acts that the just man is produced and by doing temperate acts the temperate man' (Aristotle 1952:351). We can choose acts to develop our virtuous dispositions (Curzer 2018:108).

[2] When an official is confronted with a rule and can act, a choice must be made. Deliberation and desire are involved. Deliberation leads to the desire to perform the act (Curzer 2018:107). The virtuous official desires to do the right thing. Aristotle sets the bar high. If you have to overcome your desires to do the right thing, you are not yet virtuous. If the correct decision was made, indications are that the deliberation was sound and the desire was virtuous. So, the virtue of rule-following is about the tendency to make the right choices where rules are concerned. Choice implies responsibility. The introduction of the aspect of deliberation excludes the possibility that virtuous commitment to rules would lead to officials not being able to think for themselves and have proper judgement.

[3] Virtuous officials aim at the intermediate in their desires and choices. We have already discussed the fact that the virtue of rule-following implies a class of choices between permissiveness and rule-rigidity. The mean represents an inclination (and not an instance) of a specific type: the inclination to avoid the extremes; and to avoid the extremes reasoning is required (see the next point). The fact that Aristotle describes the mean as relative to us is very interesting. The mean is particularistic, but it does not imply that he is a relativist, since he is working from the notion that people belonging to a certain sector of society must behave appropriately with regard to their standing. He also at times holds people of all cultures to the same objective standards (Curzer 2018:110). "Relative to us" does mean, however, that the mean cannot be calculated in general impersonal terms. (Remember our definition of *rule* as *impersonal (non-private) and general* in section 2 above?) So, there is no straightforward rule to calculate the mean. Our own situation as public officials, but also the situation of the public and of our executive authorities, must feature in the deliberation to find a solution lying in the mean. This is another reason why there cannot be rules for finding the middle as we, perhaps, might look for. Next: Aristotle (1952:352) wrote in the *Nicomachean Ethics* 1109^a: 'To the mean in some cases the deficiency, in some cases, the excess is more opposed'. The virtue we are discussing is closer to the vice of rule-rigidity than the vice of permissiveness.

[4] The deliberation leading one to choose should be rational, that is, in terms of a principle (in the translation of Ross (Aristotle 1999)), or better: in terms of a reason (MacIntyre 1981:143). Virtuous officials understand the reasons for their actions. In line with Annas' interpretation of Plato's *Laws*, we may call such virtue "educated" (Annas 2018). Aristotle's emphasis on the reasonable part of virtue resonates with what, in Plato, Annas calls 'educated law-abidance as part of civic virtue' (Annas 2018:19). Again: This principle (Ross) or reason (MacIntyre) is not a general theoretical rule, but a practical one. Rule-following as a virtue, therefore, requires thinking and deliberation in the form of finding and having reasons for action. It requires knowledge and intelligence and the ability to bring the correct reasons for our choices into account. To repeat: Virtuous rule-following is not mindless as some would suggest. It is the opposite.

[5] The principle to be followed is the principle that a person of practical reason would choose. In our case, we would say that the principle followed should be one that an official possessing the virtue of rule-following would follow. This is circular to our modern mind because virtue as practical wisdom is introduced as an element of the definition of virtue. Some would tend to think like that because modernity lives as if there is no past. However, when Aristotle wrote, there already were many admirable predecessors. (MacIntyre's chapter 10, *The Virtues in Heroic Societies* is apt (MacIntyre 1981:114-122)). The same applies, we hope, to us as contemporary public administrationists. Many an office has its heroes and heroines - some for their technical prowess and stamina, some for standing up to the politicians. Being a public servant means being part of a tradition and a community of practice. Aristotle is not busy with a boot-strap operation. He starts from the validity of the form of life in which he finds himself and which he unpacks in ethical terms. Transpose this to an office in the public service today and it becomes clear that without exposure to women and men of practical reason to follow the example of, our virtue will not come to fruition.

8. CONCLUSION

Rule-following is central in public administration. What would be the best way to express this in prescriptive terms? Five words: *Follow rules, but not blindly*. I have shown that an Aristotelian account in terms of a virtue offers a very plausible method (or even theory) of exploring how officials should deal with rules. I have made a case for considering rule-following as one, and perhaps the most important, public administration virtue next to virtues such as integrity, care, humility, and justice. The structure of Aristotle's thinking about the virtues in his ancient Greek patrician context provides us with an instrument of understanding. It is impressed upon us that a middle way between permissiveness and rule-

rigidity is possible, provided officials think; that virtue is a long-term issue; and that a virtuous ethos is essential. Walking with the Peripatetic One is certainly no waste of time.

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