

Ethics in Administration

- 1.0 Introduction
- 2.0 Ethics: Meaning
- 3.0 Ethics in Administration
- 4.0 Importance of ethics in Administration
- 5.0 Determinants of ethics in administration
 - 5.1 The historical factors
 - 5.2 The socio-cultural factors
 - 5.3 Legal-Judicial factors
 - 5.4 Political factors
 - 5.5 Other factors
- 6.0 Elements / Important aspects of ethics in administration
- 7.0 The Nolan Committee in Britain on ethics in administration
 - 7.1 The Nolan Committee's Seven Principles of ethical conduct
- 8.0 OECD & Ethical Governance
- 9.0 Conclusion

1.0 Introduction:

The social and political institutions are reflections of society and its values. An efficient and technologically sound administrative machinery, unless it maintains the highest standards of personal integrity, probity and rectitude at each level of bureaucracy, does not serve the public, but it services a self-perpetuating and exploitative system. Ethics and good governance support each other for stability of society. Ethics in administration is a set of rules and regulations governing public employees' behaviour which is important for gaining and maintaining trust and support from the citizens. Ethics in administration essentially refers to customary values and rules of conduct in public administration. A society looks for values like selflessness, integrity, objectivity, accountability, openness, honesty and leadership among the institutions and individuals those are entrusted with administrative responsibility.

2.0 Ethics: Meaning

The word ethics is derived from the Greek word ethos which means way of living. Ethics is a branch of philosophy that is concerned with human conduct. It consists of a code

of conduct of human beings living in a society. Ethics examines the rational justification for our moral judgements ; it studies what is morally right or wrong, just or unjust. Together, they combine to define how individuals choose to interact with one another. Ethics is a set of standards that society places on itself and which help guide behaviour, choices and actions.

Ethics refers to well founded standards of right and wrong that prescribe what humans ought to do usually in terms of rights, obligations, benefits to society, fairness or specific virtues. It also imposes the reasonable obligations to refrain from doing certain wrong things. Ethical standards also include the virtues of honesty compassion and loyalty. Chester Barnard has described the ethical conduct or moral behaviour as “ governed by beliefs or feelings of what is right or wrong regard less of self- interest or immediate consequences of a decision to do or not to do specific things under particular conditions”. The definition of social ethics embraces a set of norms, assessments and opinions, which are characteristic of a group of people. Ethics are standards of conduct. These standards can be applied to personal behaviour. Ethics distinguish between the right and wrong ways directing behaviour in our personal and professional life.

Ethics and morals are intimately related. Moral standards are expressed in terms of values as a framework that should be endorsed and followed. Ethics are based on morals and they provided specific norms that should guide one’s conduct in concrete interactive situation. As governance involves several stakeholders who have to interact with each other and the government in the process of governance there is a need for a framework of norms or rules (codified norms) that guides the interaction. There are two major theoretical orientations regarding ethics: Universalistic theory of ethics and consequentialist theories of ethics. The former has been articulated by Emanuel Kant. Several scholars contributed to consequentialist theories. The central postulate of the consequenstilist theory is that each individual has to assess the consequences of his/her action for the other(s). Consequences have to be seen in terms of potential harm (for life, livelihood), dignity of the person, fairness and autonomy. In today's context we also have to include consequences for environment.

3.0 Ethics in Administration:

‘Ethics’ denotes the professional code of morality in civil service. They constitute the moral character of civil servants. They regulate the conduct and behaviour of different categories of civil servants. They provide ‘rule of the game’. The code of ethics consists of

traditions, precedents, and standards which have to be kept up by the civil servants. The civil servants are expected to set up high moral standards not only for themselves for the community at large, particularly, in the context of the growing importance of administration and its impact on the society.

We may establish a definition of “administrative ethics” using the words: norms, legal regulations, assessments of public administration officials, public service. Public service ethics are a prerequisite to, and underpinning of public trust, and are a keystone of good governance. Public service is a public trust. Citizens expect public servants to serve the public interest with fairness and to manage public resources properly on a daily basis.

Democratic values such as equality, law, justice, rights and freedom have moral connotations and require a strong commitment from civil servants. Civil servants are duty bound to uphold these values. There is an urgent need to acknowledge the moral basis of governance. Civil servants have an obligation to serve the public.

Ethical Governance as a neutral concept never existed. At every stage in human civilization ethical questions haunted the rulers/state agencies. However there appears to be a broad consensus as what constitutes ethical governance which became part of governance apparatus like rule of law, equality, corruption free governance etc.

Paul H Appleby (in his book *Morality and administration in Democratic Government*) preferred the expression ‘morality’ to ‘ethics’. He argues that morality and administration cannot be separated. He remarked, “it is not merely bigger government that ultimately matters; what is significant is that morality in administration alone could ensure better government. One would not doubt that the morality in administration is sustained by patience, honesty, loyalty, cheerfulness, courtesy, and like traits”. He delineated the following attributes of a moral administrator:

1. A sense of responsibility
2. Skills in communication and personnel administration
3. Ability to cultivate and utilize institutional resources
4. Willingness to engage in problem-solving and to work with others as a team
5. Personal confidence to initiate new ideas
6. Prefers to be influenced by public needs, interests and sensitivities rather than resorting to the use of raw bureaucratic power.

4.0 Importance of ethics in Administration:

Individual is the basic unit of society. Individual behaviour determines the nature and structure of society and the values surrounding it. Here comes the role of ethics which guides the human action to establish peaceful, cooperative and healthy society. The importance of ethics in administration can be explained in the following manner:

- To check the arbitrary actions of Civil Servants
- To promote the sense of administrative responsibility
- To establish and promote the good relations between the citizen and civil service
- To preserve and promote social wellbeing, public interest, and common good
- To control that part of administrative power and discretion which cannot be controlled by formal laws methods and procedures
- To improve the efficiency and effectiveness of administrative process
- To strengthen the legitimacy and credibility of public administration
- To foster and maintain high morals among all categories of civil servants

5.0 Determinants of ethics in administration:

The levels of ethics in governance are dependent on the historical, social, economic, political, legal-judicial factors of the country. Ethics evolves over a long period of time and is influenced, during its nurturance and growth by a variety of factors.

5.1 The historical factors—the history of a country marks a great influence on the ethical character of the governance system. The long legacy of unethical practices in governance is likely to enhance the tolerance level for administrative immorality. The forces of probity and immorality co-exist in all phases of human history. Precedents and traditions set by the top administrators, ministers and legislators also play an important role.

5.2 The socio-cultural factors – The administrative class emerges from the society itself. Naturally, therefore, the mores values and behavioural pattern prevalent in the society are likely to be reflected in the conduct of administrators. It is unlikely to expect the administrators will be insulated from the orientations and norms evidenced in society. The family system and the educational system are influential instruments of socialisation. If these institutions underscore honesty and ethics, the impact on the mindset of citizens is likely to be highly positive and powerful.

Religion also plays significant role in influencing the work ethics of its people. Protestant ethics mainly focuses on hard work, which has helped several Christian societies to enhance their per capita productivity. While, Judaism has valued performance of physical labour by its followers. The Hindu and Islamic societies have generally considered physical labour to be of lower rank than the mental work. These are subjective issues but make for an interesting study.

5.3 Legal-Judicial factors- A neatly formulated law, with a clear stress on the norms of fair conduct and honesty, is likely to distinguish chaff from grain in the ethical universe. An efficient and effective judiciary with fast-track justice system will prove to be a roadblock to immorality in public affairs. Conversely, a slow moving judiciary with a concern for letter rather than the spirit of law will dither and delay and even help the perpetrators of crimes by giving them leeway through prolonged trails and benefits of doubt. Likewise, the anti-corruption machinery of the government with its tangled web of complex procedures unintendly grants relief to the accused who are indirectly assisted by dilatory and knotty procedures.

5.4 Political factors- The political leadership perhaps the single most potent influence on the mores and values of citizens. The rulers do rule the minds, but in a democracy particularly, all political parties, pressure groups and the media also influence the orientations and attitudes on moral questions. The administrative system cannot remain immune to the levels of political morality. Criminalisation of politics and politicisation of bureaucracy is the root cause for the decline of ethical standards in administration.

5.5 Other factors:

In addition to the above mentioned factors the following factors also play an important role in influencing the ethics in administration.

- Communication patterns in the administrative system
- Effectiveness of disciplinary action on the civil servants
- Ethical standards and values existing in the society
- The soundness of service conditions of civil servants particularly salary
- Dynamics of internal relations
- Soundness of training programmes organized to promote the professional consciousness among administrators

- Attitude of general public towards the administrators

Ethics is also integral to public administration. In public administration, ethics focuses on how the public administrator should question and reflect in order to be able to act responsibly. Strategic implementation and commitment to change with proper communication channels and having ethical safeguards in place are expected to enhance the application of ethical guidelines.

6.0 Elements / Important aspects of ethics in administration:

Integrity: An administrator would undertake an administrative action on the basis of honesty and not use his power, position and discretion to serve his personal interest and the illegitimate interests of other individuals or groups. Integrity is much more than financial honesty.

Responsibility and accountability: An administrator would not hesitate to accept responsibility for his decisions and actions. He would hold himself morally responsible for his actions and for the use of his discretions while making decisions. Moreover, he would be willing to be held accountable to higher authorities of governance and even to the people who are the ultimate beneficiaries of his decisions and actions.

Loyalty to the nation: A civil servant while performing his duties would keep in view the impact of his action on his nation's strength and prestige. They should have in their minds a concern and respect for their nation which automatically raises the level of service rendered and the products delivered.

Efficiency: an administrator would ensure the highest standards of quality in administrative decisions and actions and would not compromise with standards because of convenience or complacency. In a competitive international environment, an administrative system should faithfully adhere to principle of efficiency and quality management

Impartiality: impartiality means acting solely according to the merits of the case and serving governments of different political parties and the general public equally well and in the same spirit. In practice, impartiality often requires public servants to refrain from opinions, positions or actions that demonstrate a bias toward or against a particular cause or course of action, including the defence of government policies. Apolitically impartial public service supports the government of whichever political

party the electorate chooses.

Neutrality: political neutrality is an essential ingredient of civil service in a democratic setup for integrity the efficiency of administration. It means that the civil service should give free and frank advice to the government impartially and without any political consideration. It also means the implementation of the decisions of the government by the civil service faithfully whether such decisions were in consonance with their advice or not.

Dedication to public service: Spirit of service and sacrifice is an essential ingredient of public services and public officials should feel inspired that they are working for a national cause. They should realize the importance of noble mission of serving the people. An attitude of dedication to the set goals of organisations should be an indispensable trait of the top leaders. It is not just performing development linked administrative duties; it is taking action and encouraging people to take action required to bring about structural changes and growth in the economy. This needs to be supplemented by their belief in the organisational goals.

Compassion: an administrator, without violating the prescribed laws and rules, would demonstrate compassion for the poor, the disabled and the weak while using his discretion in making decisions. At least, he would not grant any benefits to the stronger section of society only because they are strong and would not deny the due consideration to the weak, despite their weakness

Devotion to the duty (work commitment): an administrator would be committed to his duties and perform his work with involvement, intelligence and dedication. This would entail a respect for time, punctuality and fulfilment of promises made. Work is considered not as a burden but as an opportunity to serve and constructively contribute to society.

Justice: those responsible for formulation and execution of policies and decisions of governance would ensure that respect is shown to the principles of equality, equity, fairness, impartiality and objectivity and no special favours are doled out on the criteria of status position, power, gender, class, caste and wealth.

7.0 The Nolan Committee in Britain on ethics in administration

The Committee on Standards in Public Life was sometimes referred to as Nolan Committee after its first Chairman, Lord Nolan, was set up in 1994. It is not a parliamentary

committee but reports to the Prime Minister. Its terms of reference are to "examine concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations for changes in present arrangements which might be required to ensure the highest standards of respectability in public life." In 1997, the Committee's terms of reference were extended by the Prime Minister Tony Blair "to review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements". The Committee's terms of reference were further clarified in a House of Lords written Parliamentary Question on 28th February 2013 to explain that the Committee's remit means it "*can examine issues relating to the ethical standards of the delivery of public services by private and voluntary sector organisations, paid for by public funds, even where those delivering the services have not been appointed or elected to public office.*"

7.1 The Nolan Committee's Seven Principles of ethical conduct

The Committee has published Fourteen Reports so far. The First Report of the Committee (Published on 11 May, 1995), drew up the Seven Principles of Public Life as a re-statement of the general principles of conduct underpinning public life, and stated that:

- All public bodies should draw up Codes of Conduct incorporating the Seven Principles;
- Internal systems for maintaining standards should be supported by independent scrutiny;
- More needed to be done to promote and reinforce standards of conduct in public bodies, in particular through guidance and training, including induction training.

These *Seven Principles of Public Life*, popularly known as the 'Nolan principles' which are included in the Ministerial Code are as follows:

- Selflessness – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- Integrity – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might seek to influence them in the performance of their official duties.
- Objectivity – In carrying out public business, including making public appointments,

awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on objective criteria.

- Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness – Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- Honesty – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership – Holders of public office should promote and support these principles by leadership and example.

Governments and international agencies draw their attention to developing and maintaining high standards and values, ethics and conduct in public administration as an important measure for combating corruption. These are regarded as essential components of ethical architecture of public life. The Organization for Economic Cooperation and Development (OECD) called for an ethical infrastructure referring to a range of tools and processes for regulating or checking undesirable behavior and/or providing incentives to encourage good conduct of public officials.

8.0 OECD & Ethical Governance

It is instructive to note in this context the eight point charter evolved by the OECD. These are:

- a) Political commitment for ethical governance
- b) Creation of Effective legal framework,
- c) Evolving an Efficient accountability mechanism,
- d) Need for evolving workable codes of conduct,
- e) Professional socialization mechanisms (including training),
- f) Creation of supportive public service conditions,
- g) Need for a central ethics coordinating body,
- h) Need for an energetic civil society able to act as a watchdog.

Practicing ethics may sound odd but yet it calls for internalized values. This is especially true for the higher echelons of administration. For such mission to succeed good and strong leadership is necessary. Thus, ethical governance is plausible with ethical politics besides internalized practices, consensual conducts, conception of systems and organizational structures.

The context for ethical governance presupposes innovative approaches. In a way, ethical public administration can be reality, according to Bilhim & Barbara Neves with the following requisites:

- Accountability Tools
- Conduct Codes
- Monitoring Mechanisms (e.g. internal and external questionnaires)
- Development of Supportive Structures (to encourage ethical conduct and to reward those who act morally)
- Implementation of Audit Methods at Inter-governmental level
- Professional Socialization (e.g. formation, awareness and training)
- Introduction of whistle-blowing systems (in a careful way)
- A stronger appeal to the active participation of citizens (through an open condemnation of bad practices)
- Listing of Leadership Responsibilities & Auditing
- Assertive Communication

9.0 Conclusion:

All modern governments suffer from the persistent preoccupation with procedures and functional rationality to the exclusion of ethical values and standards. Ethical concerns and dilemmas in governance can be taken care of through appropriate laws, rules, regulations and conscience as source of ethical guidance. Responsive and clean Administration depends on adherence by the employees in public service to ethical standards and the basic principles of constitution, such as rule of law. The solution for the problems of probity in governance lies in curbing the menace of corruption and increasing information sharing and transparency in government through means like Right to Information and Citizen's Charters etc.