

This Draft: proposed for dialogue among civil servants on Professional Ethics & Responsibilities of Civil Servants' on 1st January 2011 in Goa, India:

Charter of Administrative Ethics and Responsibilities

Preamble

Since the exercise of administrative ethics and responsibilities by civil servants is critical to the stability of the democratic structure, harmony, peace, welfare and prosperity of citizens, it is exigent to have a defined Code of Administrative Ethics and Responsibilities. Such a code would be elucidated for the knowledge of citizens, the values that underlie their functioning and decision making, the standards of service expected and general norms of behaviour.

Basis for Administrative Ethics and Responsibilities

The Principles of the Charter of Human Responsibilities and York Willbern's six fold classification of Public Moralityⁱ, could form the foundation for drafting a Charter of Administrative Ethics and Responsibilities. He prescribes

1. Basic honesty and Rule of law to inculcate public faith in civil servants.
2. Avoiding the use of one's office for private benefit or gain.
3. Commitment to service dimension and procedural fairness while dealing with citizens.
4. Ethic of democratic responsibility, where all decision as far as feasible could be made with the consent of the people.
5. Ethic of public policy determination ie. the use of ethical values for making of public policies rather than using economic determinism or utilitarianism alone. ⁱⁱ
6. Ethic of compromise and social integration in multi religious pluralistic societies, where quintessential constitutional values of equality of race, gender, freedom of religion, press & speech will trump other values.

From this foundation one can proceed to draft a Charter of Administrative Ethics and Responsibilities, which is subject to debate, discussion and amendment.

I – ADMINISTRATIVE RESPONSIBILITIES

Core Values as a foundation for Culture of Responsibility

- Civil Servants could --have respect for and cultivate democratic and constitutional values such as equality, justice, plurality, fraternity and secularism in all forms of legislation, policy advice, service delivery and evaluation.
- Promote values of loyalty, neutrality, transparency, diligence, punctuality, effectiveness, impartiality, and other values that may be specific to the public services of individual countries as suggested by the United Nations though its various declarations and covenants.

- Forster an administrative culture of credibility, transparency, accountability, performance and efficiency with a transcending vision.

Professional Responsibilities

- Civil Servants could --endeavour to give policy inputs to political executive without fear or favour based on scientific inputs, updated research, reason and based on professional competence and values.
- Provide policy inputs in conjunction with International and National Human Rights regime and should generally promote economic egalitarianism, upliftment of the economically and socially underprivileged and welfare of all irrespective of caste, creed, gender, race or colour.
- Limit their role to policy advice and not policy making, by taking special care to avoid personal, parochial or communitarian benefit.

Ethics & Organisation Goals

- Civil Servants could endure regular and updated training for themselves, especially for those involved in bidding and contracts.
- Lay emphasis on substantive ends and goals of the welfare state, rather than means and procedures of administration.
- Define or orient individual goals in line with organisational goals to find self actualisation in the profession.
- Establish a mechanism for issuing and reviewing Standards of Conduct, publishing informal advisory opinions, receiving financial disclosures, reviewing the nominations of senior officials. ⁱⁱⁱ
- Develop training programmes, with an emphasis on professionalism and ethical conduct; and provide assistance to departments to administer and review their own ethics programmes.
- Embrace the merit principle in setting up career structures from recruitment to promotions. ^{iv}
- Inform superiors about abusive, dishonest or objectionable behaviour or activities by colleagues and be ready to take responsibility for all their actions.

Ethics in Public Management

- Civil Servants could avoid loss and damage to public property and make public services profitable where feasible through introduction of economy, efficiency and effectiveness in public services operations.
- Orient the functioning of Public Administration such that societal peace and harmony is not disturbed.
- Promote a kind of national coalition of business, academia, education, media and civil society organisations to promote higher ethical standards throughout society.
- Sensitize the media in highlighting ethics and responsibilities in public life.
- Invest public money in education at all levels, with an emphasis on promoting ethical, human, constitutional and civic values.

II. ADMINISTRATIVE ETHICS

Core Values in Public Service Delivery

- Civil Servants could cultivate respect for the dignity of each citizen who is directly or indirectly affected by delivery of goods and services.
- Cultivate respect for human rights, especially of the underprivileged, those ignorant about the law and those without formal education in all their dealings with administration.
- Have a pleasant and courteous demeanour in actions and speech, towards citizens irrespective of class, caste, colour, race, gender or any other considerations.
- Avoid any discrimination based on religion, community, race, class, gender etc in recruitment, promotion and career advancement in civil services.
- Be responsive to the needs of citizens and reduce hardships to citizens especially senior citizens, disabled or daily wage labourers.^v
- Reduce red tape, procrastination and legalistic behaviour and deal with citizens in a humanistic manner.
- Provide the public with benefits that are due, enforce the rule of law, ensure public responsibility and accountability, set an example, improve professional performance incrementally, and promote democracy.^{vi}
- Establish and elucidate high standards of integrity and propriety in public services so as to sustain respect and faith in public services.
- Ensure that vital public services pertaining to education, health, nutrition, housing, and food, reach the socially disadvantaged and the economically poor, so as to help them fulfil their human potential.

Ethics and Standards of Service

- Civil Servants could --streamline all public services delivery through instrumentality of e-governance, GPS and other technologies to reduce hardships faced by citizens in availing services.
- Proactively suggest enactment of legislation for preventing and dealing with corruption; and public redressal of grievances pertaining to corruption.
- Make available performance of government servants, details of their assets on websites on a regular basis.
- Make available information regarding tendering process for execution of public works, public-private partnership and privatisation on websites of respective departments, to promote transparency in administration.
- Refuse awards or rewards from corporate houses, so as to be above board in public dealing.
- Be proactive in solving problems concerning public.
- Avoid misuse of authority for personal ends and victimisation of subordinates or members of the public for any reason.

- Elicit Citizens' satisfaction by informing them of expected service standards, including time duration for delivering a service.
- Establish effective feedback mechanism for reporting deficiency in service delivery, which also informs about remedial action initiated.
- Publicise their duties and responsibilities through properly thought out and accessible Citizens Charters and other mechanisms.
- Establish transparent and participatory practices at all levels of administration.
- Constantly endeavour to improve their competency to deal with tasks assigned to them.
- Improve public services through creative thinking, and adoption of best practices.
- Focus on stated and measurable outcomes, rather than only on financial inputs.
- Solve problems of people effectively such that these problems do not recur within reasonable time.
- Strictly enforce quality standards in the manufacture and marketing of food and food products, and initiate strict action against those involved in adulteration of food stuffs.

Ethics and Substantive Democracy

- Civil Servants could disclose complete information to the public as required and mandated by and in the spirit of Sunshine Laws such as Right to information.
- Keep out of decisions where personal or family interest are concerned.
- Become personally accountable and liable for action over which one has control and involves misuse of power and loss to public.
- Modernize the public service, emphasizing service quality, efficiency, economy, effectiveness of public services, such that in improving the instrumental aspects of performance and professionalism, the civil services can attain the goals of substantive democracy.
- Constantly endeavour through thought and action, towards achievement of the goals of the welfare state and ensure that all citizens, especially the poorest of the poor, have the freedom to live the kind of life they cherish.

Ethics and Ecology

- Civil Servants could promote awareness of eco friendly and environmentally sustainable practices in agriculture, housing, manufacturing, infrastructure development, sewage and garbage management. power generation, mining, transport and tourism industry.
- Establish strict norms and regulatory mechanisms for controlling emissions and air, water and soil pollution by various industries.
- Ensure that allocation of resources especially land, water, forests, farmlands is done with ample precaution and strict regulatory safeguards, without radically altering the natural ecological balance.

- All decisions critical to public interest, especially those pertaining to large scale acquisition of land, livelihood, major development projects, regional planning and all activities affecting natural resources, could be made only with consent and participation of the affected communities.
- Ensure that resources which are created through the collective labour of civilisations over centuries are not mortgaged to corporates and multinationals.
- Unite on regional level and draw up comprehensive plans for sustainability and survival of the subcontinent in general, and small island nations and communities in particular, to combat regional climate change.
- Pool country's intellectual, financial and ecological resources and energies to implement regional plans for sustainability and survival and structure a periodic assessment of the same and reorient the strategy from time to time.

Dealing with conflict of values

While dealing with conflict between various values enshrined in the Charter of Administrative Ethics and Responsibilities, the thumb rule could be that strategies and actions promoting human welfare, societal peace and ecological sustainability should prevail. Though dealing with problems associated with public administration and the delivery of goods and services is by no means a simple task and civil servants are bound to face complex value conflict, impatient and at times fickle minded citizens, shortage of resources, legal and judicial hurdles, the role of public servants is to adopt a democratic and pluralistic approach founded on the core value of basic honesty, coalesced together by constitutional and human values.

There may be tremendous professional and personal challenges facing civil servants especially in poor and developing nations. Even in these circumstances there are examples of civil servants who have resisted the temptation of corruption, nepotism and selflessly served the public. As the United Nations studies have remarked, they are worthy reminders, that public service performance and integrity are an integral part of democracy, good governance and development.

Finally the ethics in Public Administration cannot be an island within the sea of societal corruption and decline in values. It has to be part of an overall effort to cleanse the corporate sector, the education system, defence forces, professional, civil society and community based organisations, and entire political and administrative culture of a country.

In Conclusion

The quantum of power, appropriated and exercised by the State in its political and administrative dimensions, is unprecedented in human history. Nation states through their administrative embodiments often tend to use this power to transgress human freedoms and dignity. Every effort therefore, has to be made to protect the individual against state power, and claim the space for individuals and civil society. This is especially vital given the context of nations being led by leaders of diminutive stature, and governments

with relatively low credibility and vision. Civil society and professionals in particular, could engage with issues of governance and initiate a dialogue to assess and strategise towards our common destiny. The task of reforming civil services cannot be left exclusively to the temporal whim of either civil servants or government appointed commissions. There is an urgent need to ‘deepen and expand the dialogue in our collaborative search for truth and wisdom’, as the Earth Charter suggests, in trying to arrive at an instrument of governance that is increasingly democratic and accountable.

The initiative of drafting a Charter of Responsibilities for Civil Servants will certainly involve discontent among civil servants, given their entrenched interests and reluctance to let go. We have to consider long term interest of society vis a vis the short term interests of civil servants. The multidimensional crisis – political, societal and ecological, needs high quality public leadership and effective government and a collective strategy ^{vii} not only to manage our routine administration, but to ensure the very survival of our planet in the long run. To this end, bureaucratic decision and policy making has to be guided by constitutional principles and fundamental moral values that define the ethos of the nation.

ⁱ York Willbern's six fold classification of Public Morality as quoted in Cox et al.

ⁱⁱ As prescribed by Cox et al.

ⁱⁱⁱ As suggested by United Nations.

^{iv} As suggested by UN Agencies.

^v The senior citizens, the disabled and the indisposed cannot endear the callousness of a government set up which rarely has a place to sit, no proper ventilation, the dust, the delays and the depressing attitude of civil servants. The majority of the poor, who constitute daily wage labourers have to forfeit their wages each time their ordeal of visiting a government office is extended.

^{vi} As suggested by United Nations Agencies.

^{vii} Gerald Caiden University of Southern California in his paper The Essence of Public Service Professionalism presented at the Colloquium on Promoting Ethics in the Public Service, held from 8-10 December 1997, in Brasilia, says that never before has civilization required such high quality public leadership and effective government.

References:

Agarwal, Ankit. *Corruption In India: A Billion Dollar Industry*. <http://trak.in>

Armstrong, Elia. 2005. *Integrity, Transparency and Accountability in Public Administration: Recent Trends, Regional and International Developments and Emerging Issues*. United Nations. New York. <http://unpan1.un.org/>

Barman, Abheek. *The First Thing To Downsize*. Economic Times. 26th August. Bennett, Coleman and Co.Ltd. Mumbai.1998.

Bhattacharya, A K. *Reducing India's Bureaucracy*. Business Standard. New Delhi, August 12, 2009.

Charter of Responsibilities. Children and Youth International Conference. Brazil. 2010.

Clammer, John. *Invitation to a Dialogue*. Unpublished concept note circulated for the Workshop on Rights, Responsibilities and Professional Ethics: Dialogical Explorations Of New Horizons of Theory and Practice. Indian Business Academy, Bangalore, 14th December 2010. United Nations University, Tokyo.

Cox III, Raymond W, Susan J Buck & Betty N Morgan. *Public Administration in Theory and Practice*. Pearson Education. Delhi: 2005.

Ethics and Responsibility Programme. *Towards Cultures of Responsibility and Universal Declaration of Human Responsibilities. Presentation of Background, Strategy and Action Plan*. Fondation Charles Leopold Mayer pour le Progres de l'Homme.

Figueirêdo, Carlos Maurício & Marcos Nóbrega. Ethics in public administration and in the exercise of citizenship, the role of the Brazilian audit courts as accountability agencies. The Pernambuco audit court case. <http://www.enelsyn.gr/papers/>

Gilani refuses to cut size of bloated bureaucracy. The Peninsula. 18 June 2008 <http://archive.thepeninsulaqatar.com/>

Henry, Nicholas. *Public Administration and Public Affairs*. Prentice Hall of India. New Delhi, 2001

Indian bureaucracy ranked worst in Asia: Survey. The Times of India <http://timesofindia.indiatimes.com>

Mollah, Md. Awal Hossain & Md. Nizam Uddin. *Combating Corruption In Bangladesh: Some Strategies*. United Nations Public Administration Network.

Pakistan's Corrupt Bureaucracy. The Nation June 6, 2009. Pakistan. <http://www.nation.com>

Report on Indian Bureaucracy March 26, 2009. <http://escapefromindia.wordpress.com/>

The anti corruption resource centre. Pakistan. <http://www.u4.no>

Twelfth Report Citizen Centric Administration Second Administrative Reforms Commission Government Of India.

United Nations. *Professionalism and Ethics in the Public Service: Issues and Practices in Selected Regions*. New York: Department of Economic and Social Affairs Division for Public Economics and Public Administration. 2000.

United Nations. *Promoting Ethics in the Public Service*. Department of Economic and Social Affairs Division for Public Economics. New York, 2000.

Zakiuddin, Almas. *Corruption in Bangladesh: An Analytical and Sociological Study* Transparency International - Bangladesh Chapter. <http://www.ti-bangladesh.org>