CHAPTER ONE

WHAT IS IMPORTANT IN PUBLIC SERVICE?

Examining ethics and the profession, Part One argues that ethics and genuine professional success go together in public service. It is the job itself—the ambiguous, complex, pressured world of public service—that presents special problems for people who are committed to doing the public's work and who want to do the right thing. Facing up to the ethical demands on public managers starts with biting the bullet: public service ethics is different from ethics in private life. The reason is that democracy is sustained by public trust—a link forged by stern ethical standards and expectations. This chapter concludes with a diagnostic exercise and a case study that highlight the contending values and cross-pressures in everyday judgment calls.

Public managers' identity and capacity for decision making and innovation are entangled in ethics, and rightly so, because public service is an instrument for managing our society's complexity and interdependency. The concern with ethics and demands on managerial responsibility extends beyond academic halls to government corridors, public interest groups, and professional associations. Much of the action in the past forty years—for example, the race by many jurisdictions and professional associations to adopt or tighten ethics codes—has translated into new challenges for public managers. Public expectations and formal standards today demand that managers undertake sophisticated ethical reasoning and apply rigorous ethical standards to decisions and behavior.

Why Me?

Ethical concerns target public managers for three main reasons. First, ethics is important in its own right. Second, having public power, authority, and accountability in a democracy in effect means that the public service's smooth functioning depends on trust **WEB**. The third reason is the widespread public perception that public service generally falls short of the higher standards of behavior that the public demands.

WEB   **Public Service Poster**

Need for Public Trust

If there is anything unique about public service, it begins with the idea that public service is a public trust. This idea can be traced back in the United States at least to colonial times and is the first item in the federal Principles of Ethical Conduct for Government Officers and Employees, first issued by executive order in 1989. It also can be identified at other times and in other cultures. More than a decade ago, for example, the Organization for Economic Cooperation and Development (2000a) declared, "Public service is a public trust . . . Fair and reliable public services inspire public trust. . . . Public service ethics are a prerequisite to, and underpin, public trust, and are a keystone of good governance." A coalition of nonprofits and philanthropies, The Independent Sector (2004) agrees: "As a matter of fundamental principle, the nonprofit and philanthropic community should adhere to the highest ethical standards because it is the right thing to do. As a matter of pragmatic self-interest, the community should do so because public trust in our performance is the bedrock of our legitimacy."

Public agencies rely on trust for the ability to govern effectively through voluntary compliance. Most citizens in democracies prefer compliance over compulsory obedience. All mainstream segments of the political spectrum in the United States share this preference. They assume that ethics, trust, and government power are linked. President Ronald Reagan affirmed his faith in this proposition in 1987 by declaring, "The power of the presidency is often thought to reside within this Oval Office, yet it doesn't rest here. It rests in you, the American people, and in your trust. Your trust is what gives a president his powers of leadership and his personal strength" (Reagan, 1987).

Broadly speaking, **trust** is defined as the expectation of right behavior. Different analysts add different shadings to what trust means in public service. For some, trust refers to the public's belief that activity in the public sector will promote shared values and interests and respond to public needs (Newell,

Reeher, and Ronayne, 2008). In another version, "Trust is the expectation that arises within a community of regular, honest, and cooperative behavior, based on commonly shared norms, on the part of other members of that community" (Francis Fukuyama, quoted in Rheault, 2007). A third formulation takes a relational view founded on reciprocity and mutual interdependence: "Trust exists when one party to the relation believes the other party has incentive to act in his or her interest or to take his or her interests to heart" (Cook, Hardin, and Levi, 2005, p. 2). Notice that these different definitions all turn on belief, mutuality, and predictability.

Trust involves thinking, emotion, and behavior, and trust applies to relationships among and expectations about individuals and formal institutions. People's trust may not even always be directly tied to personal experience. A 2009 Gallup poll found that trust in one's neighbors varies with income, education, race, and age but not gender (Pelham and Crabtree, 2009).

Intensifying value conflicts contribute to the erosion, recognized years ago, that has been dubbed the **confidence gap.** This came to symbolize a pervasive erosion of trust and confidence in government and public institutions, paralleling attitudes toward all institutions (Lipset and Schneider, 1987). The public assessment is that perceived wrongdoing plagues society, from corporate corridors to city halls, from academia to the media, and from churches to popular charities. No segment is immune.

Public trust in government started its downturn in the early 1960s. Figure 1.1 shows that public trust continued its plunge through the 1970s and the events of Watergate. In August 1974 an incumbent president, Richard M. Nixon, resigned for the first time in American history. The negative spirit, which President Jimmy Carter dubbed "moral malaise," continued. The celebrated turnaround in the early years of the Reagan administration was modest compared with the earlier, steep decline, and ultimately many high-level officials left the Reagan and following administrations under an ethics cloud. Every U.S. administration since Harry Truman has run, at least in part, on cleaning up the ethics mess of its predecessor.

Shrill **partisanship, divided government,** widely held beliefs about **corruption** and the triumph of **special interests,** and increasing complexity and risk, coupled with perceptions of deceasing governmental capacity, have all played a part in diminishing trust over the past several decades. The part that individuals' widely publicized fancies and foibles played is less clear.

Trust in government declines during economic downturns and climbs during economic growth. Perhaps this explains why the impeachment of President Bill Clinton did not jolt the general direction of the trend shown in Figure 1.1. Public trust seems to be related to general optimism. The Pew Research Center

FIGURE 1.1. PUBLIC TRUST IN GOVERNMENT, 1958–2010
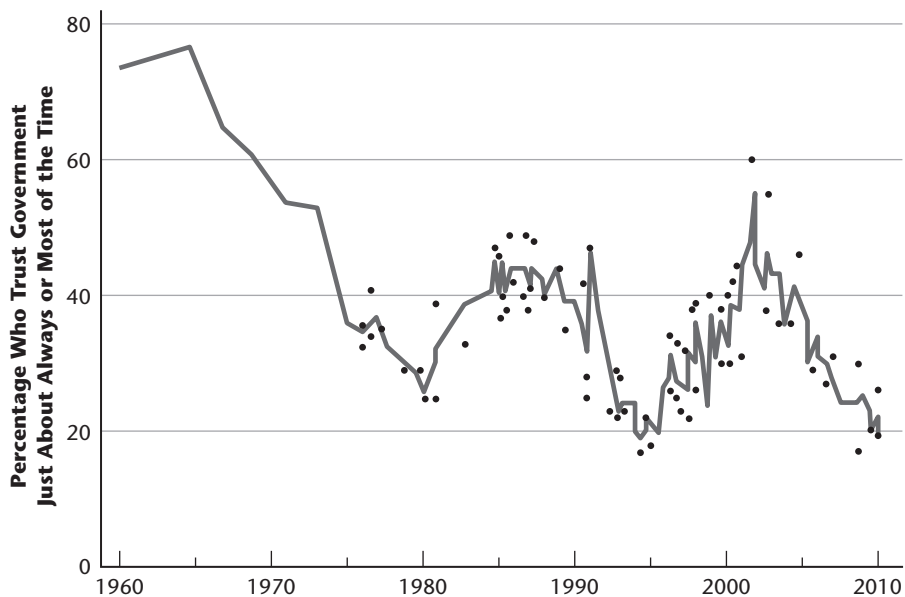
Note: From 1976 to 2010, the trend line represents a three-survey moving average with individual data points shown.

conducted major studies of public opinion and trust (or, more accurately, distrust) of government in 1997–1998 and 2010. Its conclusion is that "there is no single factor that drives general public distrust in government . . . There is considerable evidence that distrust of government is strongly connected to how people feel about the overall state of the nation" (Pew, 1998, 2010a).

The decline of public trust, coupled with scandal in places high and low, catapulted ethics onto the national political stage but not to center stage. Public and media attention to ethics tends to be scandal driven and short-lived. National Gallup polls have long asked, "What do you think is the most important problem facing this country today?" From April 1990 on, usually less than 10 percent of respondents answered with some variant of an ethical issue. Given the circumstances surrounding presidential impeachment, it is not surprising that responses peaked in excess of 15 percent in 1998 and then returned to their usual level. More recent responses ranged from a high of 6 percent in March 2006 to a

low of 3 percent in March 2011. Similarly, the Harris polls for 1997 to 2010 show that ethics, integrity, and values are on the front burner for very few citizens. These data suggest that when the noise of scandal subsides, our attention turns to business as usual, meaning concerns such as jobs, prices, and national security.

Although government in the abstract generally is mistrusted by the American public, a trust deficit does not necessarily describe all U.S. governments. Although Americans expressing a "great deal" or "fair amount" of trust in their state governments fell to a low of 51 percent in 2009 (down from 67 percent for 2004 to 2008), this low still represents a majority (Jones, 2009a). Trust in local government remains stable, with about 70 percent of respondents to Gallup polls admitting to some level of trust since the beginning of this century. Pew surveys (2010a) find a rise in the percentage of people saying that all levels of government have a negative effect on their daily lives. Federal and state governments' positive ratings fell below majority levels over the years from 1997 to 2010. A declining majority (64 percent in 1997 versus 51 percent in 2010) sees local government's impact as positive. The fact that most ethical fouls in the United States occur at the local level is simply a matter of arithmetic: most governments, officials, and employees are local.

WEB **State of Moral Values in the United States, 2002–2011**

We tone down our response to polls and headlines by allowing for the political mileage gained by moaning about moral decay. It is a favorite pastime. Usually only a minority of Americans are content with the moral and ethical climate in the country and the great majority is dissatisfied (rating as "poor" or "only fair") on Gallup's polls from 2002 to 2011 **WEB**.

Yet one must admit that the overall level of trust in government nationwide suggests that citizens believe that much has gone wrong.

Global Glance

Governments and other authoritative institutions around the globe also face a confidence gap. A 2008 survey in nineteen nations with 59 percent of the world's population (World Public Opinion, 2008) found that

> most publics expressed low levels of trust in their government to do what is right and this low trust appears to be related to the perception that governments are not being responsive to the will of the people . . . Interestingly, publics rated their governments as poor in all of the western democracies. Majorities say they trust their government only some of the time or never in Britain (67 percent), France (64 percent), and the United States (60 percent).

The United Nations issued its Vienna Declaration on Building Trust in Government in 2007. Its preamble states, "Today, building trust in government is a worldwide concern. When people do not see themselves and their interests represented by their political leaders and their government, trust is compromised and the general public interest is undermined."

Honesty, Integrity, and Competence

The public regularly gives poor marks to elected political leaders in general on ethical dimensions such as honesty and integrity. Career public servants probably are painted with the same brush. There simply are not enough hard data to separate confidently the public's assessments of elected officials from ratings of public managers and evaluations of public managers in state and local service from those in federal service. Data only infrequently focus on career professionals. For example, Gallup's polls asking about the honesty and ethical standards of selected professions do not distinguish among levels of government, and these polls include only a few public service professions.

The wording of some questions may draw out responses about competence rather than trustworthiness. As a result, the data may reflect the public's perceptions about efficiency and competence rather than trust. The Pew Research Center's study presents the public's general assessments of performance for different levels of government (2010a). The study does not mention satisfaction with actual interactions with public agencies, which often projects a very different picture (Goodsell, 2004). These problems highlight the care that is needed in interpreting public opinion surveys.

Public confidence in and experience with the ability of government to perform and handle problems are judgments about competence, a matter different from judgments about ethical behavior and trustworthiness. Yet many citizens and commentators believe that public perceptions about trust and competence are related. A 2006 U.N. report on Nigeria's justice system ties the two together: "By far the most harmful and destructive effects of corruption are on the rule of law, in particular when the efficiency and effectiveness the criminal justice system, which should be seen as the epitome of integrity, are undermined" (United Nations Office on Drugs and Crime, 2006, p. 1). The follow-up report does the same (United Nations Office on Drugs and Crime, 2010). A U.S. study found "higher perceptions of trust in cities where there are higher perceptions of ethical behaviors" (Feldheim and Wang, 2003–2004, p. 63).

In February 2011, during a severe budget crunch at all levels of government and battles over public employee unions in several states, 42 percent of respondents to a national survey said they felt very or somewhat positive toward federal

employees, and 47 percent expressed a positive feeling toward state and local government employees (NBC News/Wall Street Journal, 2011). The survey did not probe the reasons behind the responses. Was it perceptions about ethics, competence, or perhaps a relative or neighbor and knowing the human face of government? Because public trust is believed to be related at least in some part to public perceptions of ethical practice, energies shift to improving the ethical practice, posture, and reputation of public service.

Higher Standards

Fundamentally there is an ethical core to public service. Given the power, resources, and uneven sharing of benefit and harm in public life, we cannot afford to lose sight of what is right.

The nobility and burden of public service is this: the public expects public service to operate on a higher ethical plane than other activities do. The standards are higher in public service than those associated with personal morality or with the private sector. In addition, the public insists that public servants conform more strictly to the standards.

The Latin word *virtu,* which means excellence, summarizes the demands made on those in public service by public opinion, philosophical tradition, historical experience, and professional identity. The interaction of trust, confidence, and governmental integrity is evident in law and regulation in the United States and other countries. It is conspicuous in governmental codes around the world, and world public opinion mirrors it. It is written into professional standards, and public sector professionals write it into their codes.

Values in Public Service

An ethical value is a deeply held belief about right and wrong action and a gauge of what is important. Another useful definition holds that values are "judgments of worth that guide decision-making and action" (van der Wal and de Graaf, 2006–2007, p. 51). As ideals held dear (or valuable), ethical values are yardsticks for ethical behavior that draw on both emotion and reason. But not all values are ethical values, and particular values are not necessarily associated with ethical behavior.

Some are virtues—the habits of ethical action embedded in moral character that underlie ethical behavior and translate abstract, ethical values into customary, observable behavior. Virtues are labels for behavior that needs no justification but is widely considered admirable in its own right. Many ancient

traditions stress personal virtue, and Plato wrote of four: courage, wisdom, justice, and moderation. In Buddhist teachings, "Good men and bad men differ from each other in their natures... Wise men are sensitive to right and wrong" (Bukkyo Dendo, 1987, p. 264). In Exodus 18:21, Moses's father-in-law advises Moses to form his "management team" for the desert trek this way: "Provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers."

Some values are so widely shared that they underpin behavioral **norms,** or standards or rules specifying proper conduct in certain circumstances. Yet widespread agreement on a norm does not necessarily translate into general obedience to it. For example, more than 92 percent of respondents in Gallup's 2010 national poll agreed that adultery ("married men and women having an affair") is morally wrong. This behavior topped the list among the sixteen different behaviors polled (Saad, 2010; as a point of reference, note that sex between an unmarried man and woman was judged as morally wrong by 38 percent of the respondents; two CBS News/*New York Times* polls in 2009 reported 32 to 37 percent answering that sex before marriage is wrong). Other polls show similar results: that fidelity is a widely shared ethical value. Yet if we add surveys on sexual behavior to media reports about adulterous politicians, entertainers, and sports celebrities, violations of the norm are obvious.

Because not all values are ethical values, observers of the managerial scene draw up their own rosters of essential values and virtues. A roster may relate to generic modern management, focus specifically on public sector management, or center squarely on democratic ideals. In the democratic mode, Stephen Bailey, an influential figure in twentieth-century public administration, selected optimism, courage, and "fairness tempered by charity" (1964, p. 236). The list has gotten longer since his time. For public administrators, ASPA's Code of Ethics emphasizes serving the public interest, legal compliance, personal integrity, impartiality, transparency, competence, the values on Bailey's list, and still others. The Independent Sector (2004) lists "commitment to the public good" and "accountability to the public" as the first two in a set of nine values.

Principles are values with an action component. The Preamble to the U.N. Convention Against Corruption specifies "the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of rejection of corruption." Great Britain's Seven Principles of Public Life in Chapter Nine outline another set of principles.

Are public management's typical values different from the values in business management? The answer is important because of the historical and current influence of business management and techniques on public administration.

The idea that the values associated with public service are different from those common in business is embedded in our political culture. Whether this view condemns public service for inefficiency or condemns business for personal profit depends on the historical period and political climate. In *The Shame of the Cities* (1904), the influential **muckraker** Lincoln Steffens wrote, "The commercial spirit is the spirit of profit, not patriotism; of credit, not honor; of individual gain, not national prosperity; of trade and dickering, not principle" (p. 7).

The answer also helps to clarify dominant values in the public sector. This very question assumes that the realm of work can be separated from and is different from the personal sphere, the type of organization affects ethical norms, and people sort or compartmentalize the values relevant to a particular setting. Some readers may respond that the same moral standards and ethical values apply to all people in all organizations all of the time. Other readers object: the differences are trivial compared to the weight of the core similarities.

Empirical evidence now provides some answers. One study of executives in the federal government and in business found that the values are different (Posner and Schmidt, 1996). A more recent examination of organizational decision making in the Netherlands lays out the different views and also finds a good deal of overlap in organizational values **WEB** (Van der Wal and Huberts, 2008). The public sector features impartiality and dedication, while profitability and efficiency characterize business organizations.

WEB Values Defined

We see that the traditional value pattern of public administration persists. Accountability, rule of law, impartiality, truthfulness, and similar values dominate. This raises questions about the argument put forward by Van Wort (1998) and others that long-established public sector values and business values are converging because of the influence of either the **New Public Management** (NPM) or **postmodernism.**

Some public sector scholars and practitioners argued that NPM really means transforming the value set customarily associated with the public sector (Kolthoff, Huberts, and van den Heuvel, 2007). The NPM draws on W. Edwards Deming's (1982) **Total Quality Management** and David Osborne and Ted Gaebler's (1992) **Reinventing Government.** NPM calls for a transformation of management priorities, style, and relationships. It is based on a customer-service model in which the values of customer satisfaction, efficiency, effectiveness, and innovation or risk taking (entrepreneurship) rule. They rule, some argued, by underplaying the conventional but still vital values in public administration such as accountability and the constitutional basis of public administration.

Postmodernism means a far-reaching reappraisal of modern assumptions about culture, knowledge, identity, and more. As a critique of the modern fixation

on the scientific method and its notion of objectivity, the idea generally means that so-called realities are social constructs, as are categories and classifications. Implying profound change for the workaday world, postmodernism "is marked by a blurring of public and private lives as well as an increasingly fine line separating the three economic sectors [public, private, and nonprofit]. As a result, the ethical rules that apply to different facets of life and work are being challenged, necessitating a rethinking of the moral boundaries and rules governing professional behavior" (Schultz, 2004, p. 279).

Evidence from the World Values Survey points to value changes in post-modern societies generally. There is no reason to expect that public and business managers are immune. Ronald Inglehart and Christian Welzel (2005) found that many core values are linked and therefore can be shown along two dimensions of cross-cultural variation: the traditional versus secular-rational values and survival versus self-expression values. At low values, the two dimensions share an emphasis on human constraint, compared to the emphasis on human choice at the high values on the dimensions (Welzel, 2006; Inglehart, 2009).

With the long list of values that has accumulated over thousands of years, it is hardly surprising that the relative importance of particular values rises and falls. The OECD points to value change in the first decade of the twenty-first century **WEB**. Almost twice as many governments identified transparency as a core value in 2009 compared to 2000.
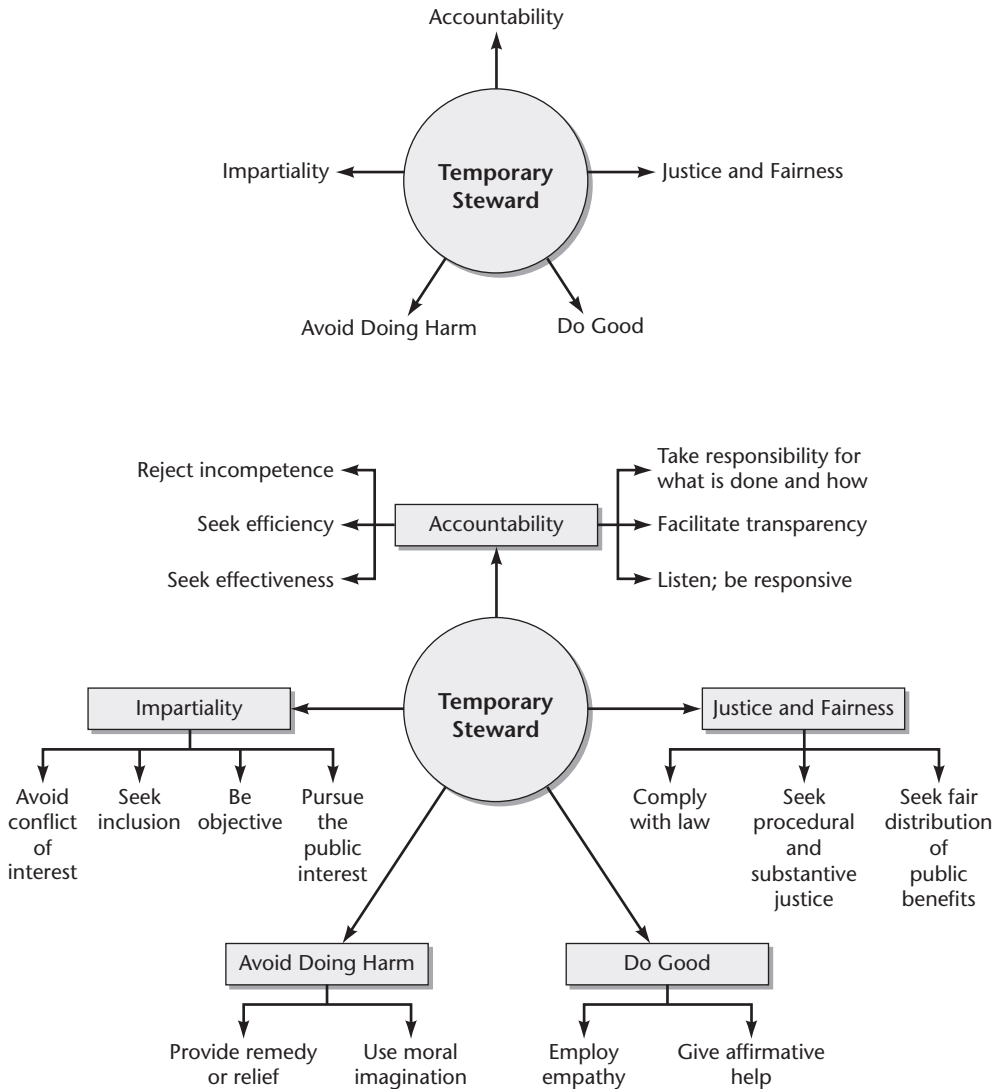
> **WEB** **Frequently Stated Core Public Service Values in OECD Countries**

The consensus is that particular values are of special concern in public service. They are part of the answer to the question, "Why me?" These values support principles of action that distinguish public service from other work environments. Although this is easy to say, it is difficult to do; there are so many values, principles, duties, and rules.

Figure 1.2 captures the more prominent values and the actions that the values trigger. We limit the foundational values to five for easy recall: accountability, impartiality, justice and fairness, doing good, and avoiding doing harm. Accountability is at the top, to highlight the value that is especially critical in a democracy. To our mind, these five flow logically from the definition of public servants as temporary **stewards** of public authority.

A public servant is a fiduciary or temporary steward of public power, resources, and trust. As such, public servants exercise public power and authority. Their positions are neither theirs to own nor to keep. For our purposes, the meaning of **stewardship** is to preserve the value of an asset, community, or interest over time and safeguard the public's interests, along with future choices and opportunities. "Value" here is thought of in broad terms and refers to more than

FIGURE 1.2. CORE VALUES AND ACTION PRINCIPLES

Accountability

Impartiality ← **Temporary Steward** → Justice and Fairness

Avoid Doing Harm   Do Good

Reject incompetence ←   → Take responsibility for what is done and how

Seek efficiency ← **Accountability** → Facilitate transparency

Seek effectiveness ←   → Listen; be responsive

Impartiality ← **Temporary Steward** → **Justice and Fairness**

Avoid conflict of interest | Seek inclusion | Be objective | Pursue the public interest

Comply with law | Seek procedural and substantive justice | Seek fair distribution of public benefits

Avoid Doing Harm   **Do Good**

Provide remedy or relief | Use moral imagination

Employ empathy | Give affirmative help

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financial value. A more formal definition of *stewardship* is "the willingness and ability to earn the public trust by being an effective and ethical agent" and "signifies the achievement of both effectiveness and ethicality" (Kass, 1990, pp. 113, 129).

Each of the five values is bedrock—a foundation for principled action by the temporary steward—and together they represent the common core of public service. This approach calls on Aristotle's "mean" in which balance is sought among seemingly incompatible values or priorities. The values are moderated by the multiple duties operating together in an interaction that triggers derivative values such as prudence and temperance. For example, doing good (or beneficence) is moderated by justice/fairness and accountability. Calling for taking care of the dependent and vulnerable, doing good is constrained by law and agency mission. Justice and fairness are bundled together because the distinction is variable and the two terms are often used interchangeably.
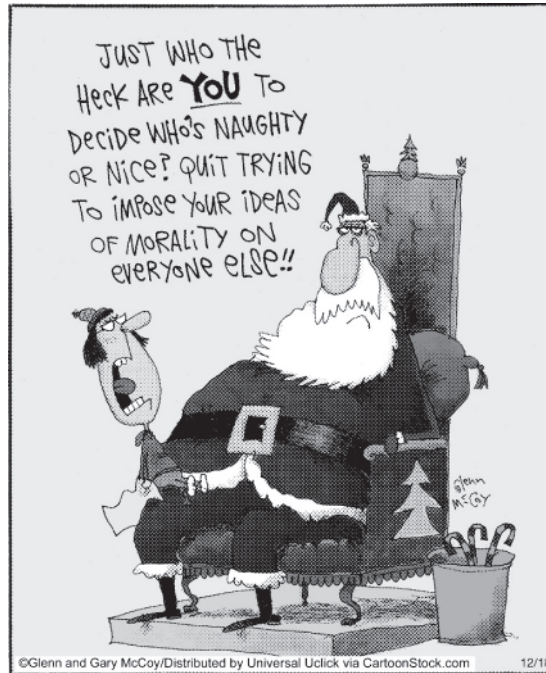
Figure 1.2 presents the five core values and seventeen ethical principles or guides to ethical action. These "intermediate-level concepts" (Bebeau and Thoma, 1999) are relatively concrete applications to day-to-day activities on the job. They are the middle ground in a three-tiered construct and fall between the highly abstract (see the discussion of Kohlberg in Chapter Six, for example) and specific standards of conduct (Chapter Eight).

The many actions in Figure 1.2 necessarily depend on the virtue of courage to move theory into practice. Effectiveness (assessed relative to the agency's mission) and efficiency are shown as ethical because of the understood or spoken promise to serve as stewards of public resources. So too is competence, based on the promise to do the job for which one is hired. Transparency is listed under accountability because it is a means of achieving external accountability.

The fundamental ethical prescription to do no harm is not enough in public service; rather, the public servant is directed to do the right thing in the right way. Admittedly, sometimes the action principles may seem to demand moving at the same time in different directions. When this happens, priorities and judgment kick in to move the decision maker toward creativity and leadership.

Figure 1.2 should not misdirect us into rigidity. The point is to reflect on the many demands made on public servants, not to fix them in place for all time and for all of public service. Readers are invited to participate by selecting the core values that are most important to their own understanding of public service and then use them to reconfigure the graphic. Figure 1.2 helps us see how reasonable, ethical people may arrive at the same place or understand how people may get to different places. There is no predetermined primacy, and this is less a prescription than a discussion.

Why not select a single roster of ethical values? A short list—plain dealing and direct—would be more compelling and maybe more appealing. But it

FIGURE 1.3. ETHICS IMPOSED

JUST WHO THE HECK ARE **YOU** TO DECIDE WHO'S NAUGHTY OR NICE? QUIT TRYING TO IMPOSE YOUR IDEAS OF MORALITY ON everyone eLSe!!

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Source: Glenn and Gary McCoy. Reprinted by permission of Cartoonstock.com

also would impose an authoritarian, even imperial stamp that contradicts the very meaning of ethics (see Figure 1.3). The answer lies in what ethics itself is all about:

- Ethical action is in part reflective, based on thought and reason as well as emotion.
- Ethical action is principled and draws on sound values.
- Ethical action means making normative judgments, and that means choice.

The Trouble with Values

People are not required to be consistent, so their values do not necessarily fit together. Values also may not be identical across different policy areas. Also, priorities among values change, responding at least in part to the current problems and discontents that people face.

Where ethics and government are concerned, variation, change, and inconsistency characterize public views. The majority opinion in the United States for much of the past decade has favored governmental activism on behalf of promoting "traditional" values. Yet many citizens call for a reduced role for government and complain about government's intrusive and negative impact on society, the economy, and citizens' lives. Although many Americans judge government to be ineffective, almost three-fifths indicate that its policies have a "significant effect on the moral values" (Gallup, 2006). Many Americans also want the very government that they distrust to take an active role in promoting what they call "traditional" values (Saad, 2011b.).

WEB   **The Meaning of Moral Values**

Values may be associated with moral character or policy choices. For better or worse, language lacks the precision of mathematics. As it turns out, most Americans mean the moral character of the candidates when they say that "moral values" are a very important factor in their deciding how to vote. A candidate's character (truthfulness and integrity, for example) is important to a large majority of the public, but this does not necessarily imply support for or opposition to particular policy positions (Harris Poll, 2008) **WEB**. Because analysts and pundits often mean the issues and policy choices, experts and ordinary citizens may talk right past each other.

For Adults Only

The hallmark of a mature adult is the capacity to tolerate ambiguity, uncertainty, and complexity—not necessarily liking it, mind you, but just tolerating it. This is the decision-making context of public service, and it demands ethics, maturity, a solid sense of self, and a receptive frame of mind. The case at the end of this chapter illustrates these points.

Competing Ethical Claims

Rival claims devour a public manager's time, attention, and loyalties. Competing values and duties in modern life pull everyone in different directions, and physical mobility disrupts ties that once upon a time lasted a lifetime. Ask the multitasking city manager or the ranger for the National Park Service who gets transferred from Yellowstone to the Statue of Liberty. Competing values are an inescapable feature of public managers' workaday world. The Internet, smart phones, and other technological comforts let competing demands invade every arena, every moment. These pressures can fragment thinking and even

shatter undisciplined managers who exercise no selectivity about what needs their attention.

Discriminating discipline is imposed by the manager's priorities; they specify what is important to attend to and when. Choices among priorities and responsibilities are made with an eye to **roles**—the sources of operative ethical responsibilities—that define one's own behavior and that of others in different circumstances. By contrast, the acknowledged driver in business is the bottom line: a business either makes a profit or it does not. The public sector's multiple bottom lines are far harder to measure than profit. To complicate matters further, blurred boundaries and intermingled activities are reconfiguring the public sector's new reality.

Different perspectives stress different ideas and responsibilities, but all feature many varied roles and responsibilities. More than three decades ago, Dwight Waldo (1981) encompassed just about all of them in his unranked catalogue of twelve spheres of ethical claims on the public servant: the U.S. Constitution; the law; the nation, country, or people; democracy; organization-bureaucratic norms; profession and professionalism; family and friends; self; middle-range collectivities such as class, party, race, union, interest group, and church; public interest or general welfare; humanity, world, or future; and religion or God.

WEB **Right at Ground Zero**

This is a lot to absorb all at once, and an analytical handle may be useful. Michael Harmon's "theory of countervailing responsibility" organizes opposing aspects of administrative responsibility into three types: the political, professional, and personal. "Action that is deemed correct from the standpoint of one meaning might very well be incorrect or irresponsible from the standpoint of another" (1990, p. 154). Therefore, tension is built into administrative life **WEB**. Harmon (p. 157) defines each type:

- *Political responsibility:* "Action that is accountable to or consistent with objectives or standards of conduct mandated by political or hierarchical authority."
- *Professional responsibility:* "Action that is informed by professional expertise, standards of ethical conduct, and by experience rooted in agency history and traditions."
- *Personal responsibility:* "Action that is informed by self-reflexive understanding; and emerges from a context of authentic relationships wherein personal commitments are regarded as valid bases for moral action."

Competing claims and interests are inevitable once the public service role is defined as distinct and different from other roles. The distinction—the separation itself—is what induces conflict. Formed in 1894 to promote government reform,

the National Municipal League (now the National Civic League) recognized this years ago: "Having a conflict is not, in and of itself, evil, wrong or even unusual. Conflicts may be ethnic, cultural, emotional, nostalgic, regional, financial or philosophical" (Weimer, 1990, p. 16). This realistic perspective suggests that we also take just as realistic a look at the many-sided public managers who live a rich, complex life and enjoy job, family, friends, community, and other attachments.

The Ethical Claims of Five Different Roles

Figure 1.4 lays out the five primary clusters of roles with which managers cope. When using this figure to assess the roles you play and the seriousness of competing ethical claims, avoid a simplistic trump; although there may be strong reasons for opting for one role over another, they need not be ethical reasons. A role defines the capacity in which the public manager is acting and the behavior suitable to it. Each role signals different bundles of concerns, values, and behavioral norms, and each is marked by a mix of ethical claims, or duties. Some duties are **responsibilities**, meaning self-imposed, voluntary, and informal. Other duties are **obligations** that are formal, externally imposed, and enforced through legal or other sanctions. The fact that both types of claims confront managers evokes the enduring distinction between law and ethics. Responsibilities tend to be broad, even diffuse; obligations, if only for enforcement purposes, tend to be narrow and clearly defined.

The personal role involves self, family, personal beliefs, and community affinity and is the stuff of daily life and emotional bonds. Although its ethical claims are self-imposed, they are still typically compelling. Sometimes this personal role is conceived as an arena protected from intrusion, regulation, or scrutiny and so is confused with "the private" and privacy. This confusion breeds misunderstandings about role boundaries. To illustrate, President Chester A. Arthur is quoted as saying, "I may be president, but my private life is nobody's damned business" (Hochschild, 1998, p. 76).

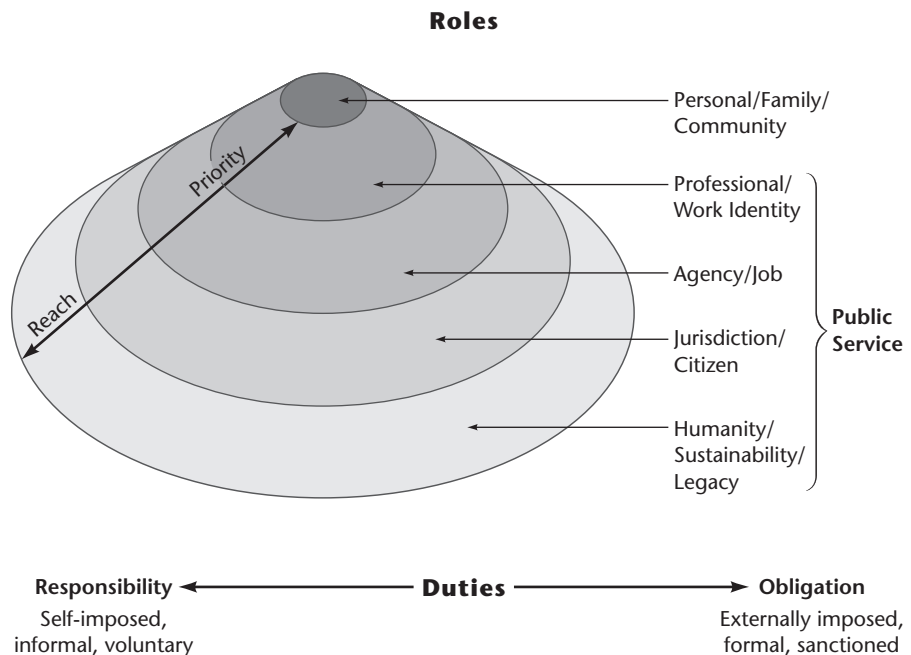Although many Americans value privacy and stress the informal responsibilities associated with the personal role, the equation of personal and private simply does not hold up historically or today WEB. Individual, familial, and community obligations have long been written into law and backed by serious sanctions, from

WEB **Public? Private? Examining the Theory**

the ancient Code of Hammurabi and the Book of Leviticus through today's inheritance, divorce, child abuse, right-to-die, and other laws.

FIGURE 1.4. ROLE DIAGNOSIS

Roles

Personal/Family/
Community

Professional/
Work Identity

Agency/Job

Jurisdiction/
Citizen

Humanity/
Sustainability/
Legacy

**Public
Service**

Priority

Reach

Responsibility ←————————— **Duties** —————————→ **Obligation**

Self-imposed,
informal, voluntary

Externally imposed,
formal, sanctioned

→ Begin by assessing the roles you play and the seriousness of competing ethical claims.

→ A role defines the capacity in which one is acting and the behavior befitting it.

→ No simplistic trump, please; while there may be strong reasons for opting for one role over another, they need not be ethical reasons.

Credit: Graphic by Brian Baird Alstadt.

By comparison, the bundle of claims evoked by one's part in humanity is more abstract, by definition more inclusive, usually self-generated, and often less forceful. Figure 1.4 illustrates the reach or scope of duties as inversely related to their priority and depicts the typical pattern of behavior: the more immediate and personal claims are more compelling (or salient to behavior).

This line of reasoning emphasizes the distinction between the formal obligations imposed by virtue of working in public service and the responsibilities customarily associated with roles outside the profession, agency, or jurisdiction. Figure 1.4 depicts public service as potentially including all but the personal domain.

Public service has trended toward transforming responsibilities into obligations and obligations into legal requirements through the adoption of enforceable standards of conduct. A public service role often is associated with legal obligations, in the sense that minimum claims are specified in written rules and enforced through legal or administrative provisions and penalties. Commonly formalized through accountability mechanisms, serving the public interest and legal compliance are central and customary, but by no means the only ethical duties in public service. Some professional associations, such as the International City and County Managers Association and the American Institute of Certified Public Accountants, self-police members' adherence to formal obligations; other associations, such as the ASPA and the Government Finance Officers Association, reject enforcement while articulating relatively broad duties.

Given the differences between public service and other roles, as well as among ethical claims, conflicts are bound to turn up the pressure. Each of the five primary role clusters has numerous facets, and all five are interrelated, sometimes directly and other times filtered or mediated through intervening claims. The many different parts we play in our daily lives create many responsibilities and obligations. Do these different roles—child, parent, spouse, sibling, friend, neighbor, taxpayer, employee, public servant, citizen, and patriot—apply to you? Do they make different claims on you? Do these claims sometimes conflict? For example, did you ever have to be in two places at the same time? How about the face-off between an emergency at work and your child's game you promised to watch?

Although public leaders cannot reasonably be required to abandon other relationships and affiliations, they nonetheless are obliged not to use public positions to serve their personal role. This is what **conflict of interest** is all about. For example, being a parent does not make hiring your child (**nepotism**) right; owning a business does not wipe out obligations to the town. The separation of public from personal life in modern organizations reinforces a central ethical duty to avoid conflicts of interest that injure or appear to undercut independent, impartial, objective judgment. (The positive version of this is to serve the public interest.)

Following the trail of attachments and commitments to their primary source helps us to understand and meet different claims. For this reason, Figure 1.4 is a tool for role diagnosis. Role diagnosis stands guard against conflicts of interest. This tool asks, "What hat am I wearing?" and "What are my obligations?" It is a good first cut into a dilemma. But beware! Role diagnosis is too crude to be used alone. Ethical problems are not solved by a simple-minded winner-takes-all approach. One role may not automatically and thoughtlessly cancel all the others without seriously damaging them.

Getting It All Together

Evidence of the strains caused by vying claims is all around us, especially when it comes to family. Sura IV of the Quran (iv. 1–14) opens with an appeal to the unity of mankind and respect for mutual rights; it goes on to speak of sacred family relationships and their implications for rights, property, and inheritance. The Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations on December 10, 1948, as "a common standard of achievement for all peoples and all nations," identifies rights and responsibilities on many levels: the individual, family, community, society, state, and humanity. According to Article 16(3), "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State." Clashes are predictable with Article 29(l), which declares, "Everyone has duties to the community in which alone the free and full development of his personality is possible."

Our thinking about ethics often lags behind social realities. "We are still . . . thinking in terms of a society in which organizations are rather small and weak, and in which the family is the dominant institution" (Kenneth Boulding, quoted in Boling and Dempsey, 1981, p. 13). Although the family remains a forceful institution in the United States, extended families, tribes, and even nuclear families are no longer the sole or even dominant relationship in which one lives one's full life. The market economy, physical mobility, geriatric medicine, and other developments have seen to that. Other institutions, relationships, and roles exert a strong pull on modern managers, who must find a way through the maze of competing claims and loyalties or be immobilized.

No Simple Override

Fixing exclusively on a single value or role-generated ethical claim is a simple way out. But this fix may do serious damage to excluded contenders. One value or duty rarely trumps another. There is danger in justifying an action in the name *of* a greater good or higher authority rather than taking action *for* the sake of that purpose. The first invokes authority in order to empower the doer and fails to distinguish the deed done from the good being sought. The second pursues the good by exercising its spirit. Doing your duty with public power behind you is heady enough.

Personal Integrity

The tensions aroused by competing ethical claims can jeopardize personal **integrity,** that is, keeping oneself integrated and whole, in balance, and ethically

sincere. The core of personal integrity is ethical values, not self-indulgence. Supporting authentic, unbiased convictions—holding the high ground—is a measure of a manager's skill and character. It also is widely praised. A manual for local administrators—magistrates in seventeenth-century China—advises, "An official's first consideration is maintaining his integrity" (Huang Liu-Hung, 1984, p. 141).

To genuinely live up to the duties reflected in Figure 1.2 is to exercise integrity as an ethical steward in public service. "The ideal of personal integrity describes a condition where individuals can hold multiple realms of judgment in tension while keeping some coherence in their actions and lives" (Dobel, 1990, p. 355). Integrity is more like a web than a hierarchical structure, which is "too static and rigid to account for the way individuals live their lives and keep moral coherence" (Dobel, 1990, p. 355).

Integrity is tested by realities. Uniform or static perspectives do not help public managers keep their integrity. Instead, integrity requires principled flexibility under fluid circumstances. We are left with ambiguity and choice, which is precisely the point of ethics. The normative rules of ethics help us make choices that demand the exercise of reasoned judgment bolstered by intuition (gut feel) and emotion.

Ethics, Democracy, and Professionalism

Professional public administration in the United States is more than a century old and, over that time, it has adapted to new demands, adjusted to new truths (social, economic, organizational, and technological), and absorbed new values. By way of example, turn to the U.S. Constitution, and compare the dissonant definitions of what is fair in the Fourteenth Amendment (equal protection clause) and the Sixteenth Amendment (income tax). In the former, fair means treating everyone identically and in the latter, it means treating people in different circumstances differently.
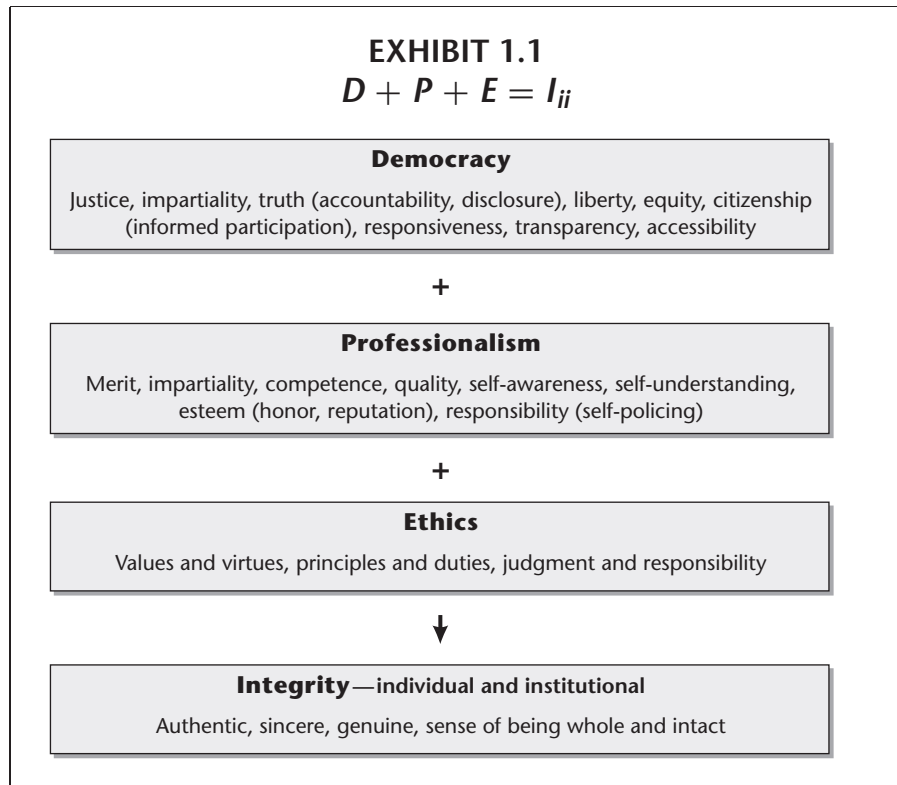
WEB Diagnostic: What Shape Are We In?

Today's public service is a mix of often clashing values and the action principles they underwrite. All operate at the same time and in tension with one another **WEB**. Because public managers—and services and policies—cannot and should not swing like a pendulum from one to the other, they daily find themselves reconciling the values and balancing the claims.

A public position itself is ethically neutral—used for good or bad, right or wrong—until people use it—or abuse it—for something other than solving "people problems" and meeting the mission. To the question, "What is important

to an ethical public manager?'' we propose three core answers: ethics, democracy, and **professionalism.** These combine to protect and promote individual and institutional integrity. Exhibit 1.1 lists the many values and virtues associated with each.

EXHIBIT 1.1

$$D + P + E = I_{ii}$$

> **Democracy**
>
> Justice, impartiality, truth (accountability, disclosure), liberty, equity, citizenship (informed participation), responsiveness, transparency, accessibility

$+$

> **Professionalism**
>
> Merit, impartiality, competence, quality, self-awareness, self-understanding, esteem (honor, reputation), responsibility (self-policing)

$+$

> **Ethics**
>
> Values and virtues, principles and duties, judgment and responsibility

$\downarrow$

> **Integrity**—individual and institutional
>
> Authentic, sincere, genuine, sense of being whole and intact

---

The point here is to reflect on the many demands made on public managers, not to fix them in place for all time and for all of public service. In fact, the many alternatives invite you to add your own preferences, delete ours, or shift choices to other categories. The set of values claimed by OECD members **WEB** is one alternative to Exhibit 1.1. Another option is the list of values adopted by the Independent Sector (2004).

WEB **Frequently Stated Core Public Service Values in OECD Countries**

Why incorporate democracy in this take on public service ethics? The answer is that democracy is the practical reality and operational framework for public service in the United States. Democracy calls on the values of impartiality,

justice, the rule of law, liberty, equality, and human dignity. It also points to the importance of accountability and transparency. ASPA's code urges, "Recognize and support the public's right to know the public's business," and, "Promote constitutional principles of equality, fairness, representativeness, responsiveness and due process in protecting citizens' rights."

Professionalism is also part of the answer because credentials and expert knowledge are so important in modern life and governance and to our self-image. How many of us think of ourselves as a professional in one walk of life or another? Does anyone we know admit to setting the personal goal of acting unprofessionally? Professionalism calls on the values of excellence, quality, competence, and merit. Professions tend to be (1) self-regulating and self-policing, (2) marked by a common body of expert knowledge, (3) populated on the basis of credentials and expertise rather than blood lines or wealth, and (4) a source of members' autonomy from the employing organization.

Ethics checks self-serving or arbitrary behavior and substitutes instead many duties. Ethics is about having an independent place to stand. It is the capacity for making systematic, reasoned judgments about right and wrong and to take responsibility for these judgments. Ethics is about decisive action; it is no armchair activity. But it is a special kind of action, rooted in moral values and principles that express what is right and important—values and virtues like justice, compassion, honesty, loyalty, and even old-fashioned ones such as humility, temperance, and prudence. Ethics is action that you can defend publicly and comfortably, and the action should be something you and the community can live with.

Public service is about power. This means that it is also about survival. The key to the ethical professional's survival is personal integrity, which means taking a sincere and principled ethical stand. Integrity is important for its own sake, yes! But it is important also because it is necessary as a building block of public confidence and trust in a democracy. And a public servant's own integrity is one of the few things he or she can take away from the halls of public service and into "civilian" life.

So now we have the formula shown in Exhibit 1.1: $D + P + E = I_{ii}$ (institutional and individual).

Here are many values and principles, and they surely lead responsible leaders to different conclusions and contradictory actions. That is what a dilemma is all about. The burden and beauty of ethics is you cannot just download an app to substitute for personal judgment and responsibility.

So the bottom line is clear. For public managers, the formula serves as a reminder exercise public power as a temporary trust, without privilege, and with

an eye on personal and organizational integrity. This power should be cut off from personal perks so that the public interest dominates. The next two chapters develop this argument further.

The following case study speaks to the ethical content and personal burden of exercising public power and authority.

Case: In the Line of Duty

Tony Harrison

I have been a reserve deputy sheriff for nearly twenty years in the Sheriff's Office in Canadian County, Oklahoma, which includes the western part of Oklahoma City. As a commissioned police officer with full arrest powers and authority to carry a weapon when off duty, I patrol the streets just like any paid deputy. Many agencies around the country depend upon reserve officers, who should be distinguished from civilian employees and civilian volunteers. ''Civilians have long taken on administrative or menial duties for the police—there are volunteer programs at some 2,100 departments nationwide, according to the International Association of Chiefs of Police—and some departments, including in New York City, use auxiliary officers for traffic control, beat patrols and other duties'' (McKinley, 2011).

I like this unpaid position, and ''giving back'' to my community is satisfying and important to me. It takes only about sixteen to twenty-four hours a month and the state requires only annual training in firearms.

One August night several years ago, I covered a midnight shift so that another deputy could take the night off. Within thirty minutes I was on I-40 west to patrol the western sections of the county in a car marked ''Deputy Sheriff'' and with emergency lights and equipment. As I approached the underpass at Czech Hall Road, I observed a police car from the City of Yukon moving at high speed, with lights on, and heading away from the city. Knowing that he was in pursuit was an educated guess based on years of experience.

Attempting to assist the Yukon police officer, I immediately crossed the center medium of the interstate and exited onto Czech Hall Road. I did not have direct radio contact with the other officer and so immediately notified my dispatcher, who attempted to contact the Yukon Police Department. Although the technology exists to enable one police agency to talk to another, I would have had to switch my radio to the Yukon channel and then lose communications with my department's dispatcher.

Within a minute I was behind the Yukon police officer, ready to assist. The pursuit had now entered a rural part of Oklahoma City, but we were approaching the city of Mustang, also in Canadian County. I knew that, by

Yukon Police Department policy, the other officer could not perform a tactical vehicle intervention (TVI). In a TVI, the front quarter panel of the pursuing police car contacts the rear quarter panel of the fleeing vehicle. The police vehicle then steers into the fleeing car and, when the fleeing vehicle's rear end begins to turn, the police vehicle accelerates and pushes the fleeing car around 180 degrees. This is a technique in which I had been trained and my department allows us to use it. So, because I wanted to end the pursuit as safely as possible, before we entered a more densely settled area, I concluded that the best idea was to take over as primary pursuer and try to TVI the fleeing yellow Volkswagen.

As the pursuit continued, I assumed the position of primary pursuing police unit behind the car. As I began to establish a safe area for the maneuver, the fleeing vehicle moved left of center on the two-lane road, effectively thwarting me. At this point, I didn't know why the person was not stopping. I asked myself: *Should I continue to pursue the vehicle?* Decision made, I continued as the primary officer in the pursuit and began to use the TVI in order to end this before we entered Mustang and the situation became more dangerous.

As I tried to locate a safe area for the maneuver, the fleeing vehicle moved left of center on the two-lane road and again blocked the attempt. To prevent the fleeing vehicle from turning onto State Highway 152, a Mustang police car had set up a roadblock south of their city limits. The vehicle drove around the roadblock and onto the five-lane undivided state highway. After a third unsuccessful try, I successfully completed the TVI and the Volkswagen stopped in the middle of the highway. The entire pursuit for 5.5 miles had lasted only seven or eight minutes.

When the pursuit ended, there were four police officers on the scene. This count includes me and the Yukon officer on the driver's side, and another two walking up to the passenger side. As the other officers and I exited our cars and approached the vehicle, I was within feet of the driver's side door. I instantly observed the driver staring with what many people call the ''1,000 yard stare.'' I knew something was wrong by the look of a person just looking off into nowhere.

Although it was past midnight and dark, I could see inside the car; the driver's side window was open. Immediately I observed a young female passenger in a blood-soaked tee shirt slumped against the passenger door. I noticed the driver's hands moving quickly in front of his body. I had only a moment to figure out the situation. Could this be a medical call in which the driver is having a seizure? Having no way of knowing for sure, I continued approaching the car. Then I saw that the driver held a knife in his right hand. When I saw the knife, I had a quick thought: *Am I going to have to shoot him for having a knife?* As I shouted a warning about the knife to the other police officers, the driver stabbed the passenger twice in the chest. The passenger had a look of death on her face and had made no movements that could have threatened the driver. So I knew right off that he wasn't defending himself.

The next thing I knew, my handgun was firing and another gun was firing right next to me. I did not hesitate or think about pulling the trigger. I had many years of training with my firearm and in combat shooting technique. I had never shot a person before, and had never even shot the weapon on duty.

In a fraction of a second I had fired four rounds and the Yukon police officer had fired five. Shot nine times, the driver died on scene. The passenger was able to crawl out of the passenger side to a waiting police officer but died before medical assistance could arrive. I had no immediate intellectual response to the events but I remember feeling the impact when she died right in front of me.

Within a few minutes I found out that she had been kidnapped and stabbed numerous times during the pursuit and later learned many more sordid details about both her and the kidnapper from the local press, which reported the incident as a big story for several days. It all took so little time and nine rounds had been fired. Perhaps the media and citizens may wonder why so many, but no one asked us this question this time.

WEB **Crime Scene** The Oklahoma State Bureau of Investigation routinely initiated a homicide investigation **WEB**. I was interviewed the very night of the shooting, but the investigation was not too bad. Mostly it meant just waiting and having the investigation hanging out there as an unresolved issue. The district attorney released a statement about six months later, saying that ''there is no evidence of criminal wrong doing'' and that ''the actions were justified under the law.'' This does not prevent a civil action against the officers, but several years have passed and no civil law suit has been filed.

We went through a ''critical incident stress debriefing'' a few days after the incident. The *FBI Law Enforcement Bulletin* (Kureczka, 1996) says, ''Critical incidents typically are sudden, powerful events that fall outside the range of ordinary human experiences. Because they happen so abruptly, they can have a strong emotional impact, even on an experienced, well-trained officer.'' The U.S. Coast Guard (2010) terms this intervention ''psychological first aid.'' It is designed to help us understand our own emotional reactions.

People react differently to killing someone even in the line of duty, and some police officers leave their departments after a shooting. (A friend told me that after ''his'' shooting, he just could not justify staying on the department anymore to his wife and kids, just because of the danger.)

I feel okay with what happened. It's so hard to know why; maybe it is because of what the kidnapper did. The passenger at least knew that someone was trying to help her when she died. It was clear that he was going to kill her that night. It turned out that she had previously filed a rape report with the police and he had said he would kill her and her entire family.

Even when someone does something that feels right and most people think is right, and even when one would do it again, that doesn't make it easy or cost-free. In some ways the Yukon officer and I are two more victims. I have

WEB Context for ''In the Line of Duty''

talked with him about the incident. I think about what happened all the time. We all carry burdens. [The author has since relocated and retired from the Sheriff's Office, which awarded him the Medal of Valor.]

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What Do You Think?

1. What about the taking of life? Why would this bother a police officer?
2. Did the deputy sheriff do the right thing by shooting the driver? Do you think that the deputy sheriff's lethal intervention to save another life is justified? Why? Explain your answer in ethical terms.
3. Is your thinking about the ethical issues in this case affected by the death of the kidnap victim or the ''sordid details'' that the deputy sheriff learned later? If not, why not? If yes, then why and how?
4. Does the finding that the district attorney announced affect your evaluation of the ethical issues in this case? How does the investigation illustrate the difference between law and morality?
5. What values and principles are at play in this case? Do they conflict or reinforce each other?

Note: For a discussion of police discretion, public perceptions, and the sanctity of life, see ''Context for 'In the Line of Duty''' **WEB**.

Thinking It Over

1. In your opinion, is it possible to avoid a clash of values in public service? Is it desirable?
2. Develop your own set of core values. Would these provide you with guidance or be a straitjacket on decisions you have to make? Why?
3. What is the difference between a responsibility and an obligation? Give examples where you or others have experienced the tension between the two.
4. Professionalism in public service can mean many things. Use the Internet to provide at least three examples of how organizations, scholars, or others have defined or described professionalism. Which one do you think is most convincing, and why?
5. Find a recent survey on public trust (Gallup, Harris, Pew, or another reliable polling organization) on the Internet. What are the public's current attitudes about public trust?

Companion Web Site Resources

- Additional Resources for Each Chapter
- Context for ''In the Line of Duty''
- Crime Scene (Photo)
- Diagnostic: What Shape Are We In?
- Frequently Stated Core Public Service Values in OECD Countries
- The Meaning of Moral Values
- Public? Private? Examining the Theory
- Public Service Poster
- Right at Ground Zero (Case Study)
- Should Government Promote Certain Values in a Democracy?
- State of Moral Values in the United States
- Values Defined
- What Shape Are We In? (Exercise)