Rediscovering the Lost World of Public Service Ethics: Do We Need New Ethics for Public Administrators?

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New, new, new — do public administrators need a new set of ethics? Or do we need to rediscover the lost world of public service ethics? Well, it depends! It depends on what one believes is happening in the public administrator's world of getting the job done. If one believes that getting the job done requires a dose of American pragmatism mixed in with a strong sense of public service and citizenship, then stewardship values such as integrity, benevolence, honor, courage, and respect for law and constitutional democracy may suffice.

The authors whose books are reviewed here do not embrace entrepreneurial ethics for public administrators, at least as defined above. At the same time, they share a common commitment to renewing, if not rediscovering, the sometimes lost world of public service ethics. In *Public Service and Democracy*, for example, Louis C. Gawthrop provides the reader with a perspective that stirs the moral imagination and challenges public administrators to look beyond the instrumentalism of life in modern organizations. The pathways to the common good, Gawthrop contends, are the ethical-moral values and virtues that pervade the spirit of democracy.

In *Public Service, Ethics, and Constitutional Practice*, John A. Rohr continues the argument for linking public administration to its constitutional roots, a link that he believes is ever more vital in this era of privatization and self-centeredness. In his words, "I stress the constitutional dimension of the work of public servants in order to reinforce their legitimate role in articulating public interests against the obvious excesses of private interests that so overwhelmingly dominate our society" (p. xi). His book, a collection of 19 chapters that capture 25 years of writing and musing over ethical issues and problems facing career civil servants, takes the reader across familiar and unfamiliar terrain. Most importantly, his essays remind the reader of the staying power of ethics grounded in law and constitutional democracy; they also suggest that whatever may be new under the ethical sun is not necessarily better.

Montgomery Van Wart, in *Changing Public Sector Values*, casts a wide net in an attempt to help public administrators sort through a myriad of influences (good and bad) and competing values. Practitioners, he asserts, should find the practical issues discussed relevant to "the tough decisions that organizational members and leaders are experiencing in public agencies today" (p. xxi). While practitioners are among his audience, he also believes that his book will appeal to faculty, students, and scholars. The most important purpose of the book, he tells the reader, "is to create a field of public administration values" (p. xix), a daunting task that may be easier said than done.

Rediscovering Democracy and Ethics

It may seem a tad mysterious and perhaps perplexing to begin a book, as Gawthrop does, on rediscovering democracy in an age when democratic governance is practically infectious around the globe. What is it that needs to be rediscovered? Gawthrop
is quite clear—the willingness of each citizen to contribute to the well-being of another. This is the essence of democracy, and it is the special responsibility of those “who choose a career in the service of democracy” to ensure that every citizen becomes a public servant. Gawthrop argues that the challenge of rediscovering democracy is substantial because “we are faced with a new reality in which the citizen has been reinvented into the customer; interest groups...have been re-designated stakeholders, and, most significantly, public servants have been recast in the mold of entrepreneurs” (p. 18).

This new reality represents a break from the old but no less reassuring reality of the administrator as a detached, dispassionate, rational provider of objective information and advice to elected bosses. Good men and women with good intentions who allow themselves to be seduced by a sense of duty as competent purveyors of neutral information became neither moral nor immoral actors in democratic governance. Rather, they became amoral and, in this capacity, can add little to the spirit of democracy. Notions of faith, hope, and love, Gawthrop contends, are not “generally recognized as significant components of public administration in America today. Instead, it is the logic of utility that still provides the basic rationale for the classical management tenets of efficiency and control” (p. 87).

Despite the enormous influence of the old and new administrative realities, Gawthrop is an optimist, not a pessimist, about public service, ethics, and democracy. A moral impulse, he contends, must suffice bureaucracy and democracy if the common good, as promised by a democratic society, is to be achieved. But from where could and should a moral impulse radiate? From the public? Elected officeholders? Administrators? Gawthrop places his confidence in administrators if and only if they can break out of “the habits of the self-serving good which allow public servants to pursue a procedural, quasi-ethical life” (p. 139). In other words, an ethical life rooted in procedural correctness—avoiding conflicts of interest, disclosing financial information relevant to one’s office-holding, and conducting public affairs in the sunshine—is, in Gawthrop’s view, a hollow ethical life at best. At worst, a procedural, quasi-ethical life produces a “government of persons without fault, operating in a society without judgment, through the administrations of a Constitution without a purpose” (p. 139). These are hardly the desired results of a moral impulse!

Ethics, Gawthrop contends, is morality in action. He believes it is a mistake to separate morality and ethics, as is often done in the current discussion of public sector ethics. Ethics defined only as compliance—“tell me what is right; what is wrong; what is legal; what is not permissible”—is unacceptable. It is imperative that public administrators understand that ethics is morality in action and that there is a moral dimension of democracy. This is why democracy must be rediscovered and, in the process, will result in an ethical renewal for public administrators and perhaps our constitutional way of life as well.

Citizens in Lieu of the Rest of Us

Over the years, John Rohr has been unswerving in his belief that much of the work of American democracy has been carried out by unrecognized and unappreciated public servants. Career civil servants, Rohr reminds us, are often the very best citizens and (given the American public’s penchant for asking “what have you done for me lately?”) are citizens in lieu of the rest of us. A quick perusal of the chapters in Public Service, Ethics, and Constitutional Practice illustrates his admiration for hard-working and committed public administrators. His chapters on ethics for bureaucrats, ethics of the Senior Executive Service, and civil servants as second-class citizens make clear just how challenging it is to be a responsible and ethical public administrator.

The principal challenge is an enduring issue which he labels an unsolved problem in public administration, namely, “how can a democratic regime justify substantial political power in the hands of people who are exempt by law from the discipline of the ballot box?” (p. 6). Among those who have dared to “solve” this unsolved (perhaps unsolvable) problem, John Rohr stands at the front of the class. His best-known and most persuasive solution was articulated in To Run a Constitution, which was published in 1986. In this book and a chapter reprinted from it in Public Service, Ethics, and Constitutional Practice titled “The Oath of Office,” Rohr asserts that “the oath of office legitimates a degree of professional autonomy for the administrator” and “can keep this autonomy within acceptable bounds” (p. 69). The oath of office is more than a mere promise; it is a morally binding commitment to uphold the Constitution. As such, he argues, it is a “statement of professional independence rather than subservience” (p. 72). The oath also guides autonomy and deters administrators from becoming maximizing bureaucrats which, if taken to the extreme, could result in runaway bureaucracy. How does the oath guide autonomy? The same way that professionalism does in all endeavors: through self-restraint combined with the discipline of the professional community. But is there a professional community among public administrators? And if there is, is it a source of discipline? These provocative questions continue to be discussed and debated and, like the use and abuse of administrative discretion, are not likely to disappear from conference programs or educational debates in the immediate future.

Another solution that Rohr offers those who worry about the exercise of discretion by people who are exempt by law from the discipline of the ballot box is to expose administrators to the constitutionally endur-
ing values which he calls "regime values." The meaning of these values—freedom, liberty, justice, fairness, equity, due process, property rights, and so forth—can only be found in studying U.S. Supreme Court opinions. Such study, Rohr avers, will not "make all bureaucrats march in lock-step," since there is no one authoritative interpretation of the American experience (p. 28). Rather, each bureaucrat will have to pick and choose interpretations of American values that, at times, may be mutually exclusive. Rohr's call for bureaucrats to get in touch with the values of the American people through the study of constitutional opinions parallels Woodrow Wilson's call of a century ago. In his famous essay of 1887, "The Study of Public Administration," Wilson challenged reformers to bring forth a "civil service cultured and self-sufficient enough to act with sense and vigor, and yet so intimately connected with the popular thought, by means of elections and constant public counsel, as to find arbitrariness or class spirit quite out of the question."

Lest the reader who is familiar with John Rohr's scholarship think that Public Service, Ethics, and Constitutional Practice provides little in the way of new insight, this reviewer would invite him or her to turn to the chapter on the "Independent Counsel and Executive Power." This chapter, which was published in 1989, provides the reader with an informed background in which to make some historical sense of the role and office of the Independent Counsel, a much-needed sense of history given the recent controversial handling of the office by Kenneth Starr. It also could help the reader sort through the current Congressional debate over retaining or terminating the Independent Counsel Law.

Created by the Ethics in Government Act of 1978, the office of Independent Counsel was a response to the Watergate scandal and President Nixon's effort to remove Independent Prosecutor Archibald Cox in what is now known as the "Saturday night massacre." The law creating an independent prosecutor, after being tested in the highest court of the land, made it clear that the President (through the Attorney General) could only remove an independent counsel for good cause such as physical incapacity or another condition that substantially impairs the performance of an independent counsel's duties. Thus it is not surprising that once appointed—as Kenneth Starr and others have shown—indpendent counsels are truly independent.

Rohr concludes Public Service, Ethics, and Constitutional Practice by musing over where he has been and where he might be heading as an intellectual and citizen committed to promoting the finest in our constitutional and ethical heritage. Like Gavthrop, John Rohr is an optimist about the future of public administration in a constitutional democracy. Administrators, he reminds us, run our constitution and "continue to work day after day at solving problems they know are insoluble" (p. 171). They can provide the moral impulse that Gavthrop believes can and should animate American democratic thought and practice.

Beyond Ethics

Ethics, as Dennis Thompson (1992) reminds us, is not a product of government. We do not create governments to give us ethics. We establish governments to give us roads and transportation, security and defense, peace of mind, education, protection from harsh and sometimes unfair environments, and a quality of life that is presumably better than that of previous generations. Yet ethical government is necessary if these governmental products are to be realized. One need only consider for a moment the events surrounding the impeachment and trial of President Clinton, in which ethical, moral, and legal issues were centermost, to appreciate how little the U.S. national government could provide during this period in the way of the products, such as Social Security reform, that Americans most wanted.

In certain respects, Montgomery Van Wart's Changing Public Sector Values acknowledges the importance of ethics in governing the nation, while at the same time taking us beyond our traditional concerns with ethics. Van Wart asserts that "values are the foundations of ethical systems" and "values determine what is right and wrong" (p. xvii). At the same time, he makes it clear that his book is about more than the values that define ethical systems. It is about the managerial, political, and ethical values that surrounds, engulf, and sometimes tear at the practicing public administrator. Thus he views administrators carrying out their duties in a value-laden and value-driven environment. "Managerial, ethical, and political values are not separate," he asserts. Managers make decisions on "a single set of values that blends all three considerations simultaneously" (p. xviii).

He organizes the book around five value sources used in decision making. The first is at the level of the individual and includes values such as honesty, consistency, coherence (connecting principles to examples of those principles to make them as harmonious as possible), and reciprocity (acting toward others as you would have them act toward you). In developing his conception of the individual values most pertinent to public administrators, he argues that public administrators must embrace strong civic integrity (stewardship), promote basic human rights, and contribute to the policy community. He relies on Lawrence Kohlberg's model of moral development to show how individual values evolve and to suggest that where an administrator stands depends on the extent to which he or she has become an autonomous moral agent. That is, if an administrator is a totally dependent moral agent, as implied by the classical Weberian model, then he or she is not likely to evolve beyond Kohlberg's fourth stage, the law-and-
order stage. An administrator who achieves moral autonomy may reach Kohlberg's final stage of universal ethical principles, a stage at which social contracts and authority based on law are superceded by authority granted by human dignity and respect for universal principles of justice.

The second value source, which is drawn from professional groups, consists of expertise usually obtained over a long period of study and practice; a professional culture which delineates norms of behavior; legitimation or acceptance by the community at large (it is not sufficient to be a self-proclaimed professional); a regulative code of ethics that provides guidance on where the ethical boundaries of one's practice can be found; and substantial discretion to apply one's expertise subject only to self-restraint and peer review and oversight.

The third value source derives from one's work or organization. Here Van Wart relies heavily on organizational cultures as value bearers to explore the circumstances under which administrators blend values to reach decisions. After reviewing the competing frameworks developed by R. E. Quinn and J. Rohrbaugh, he concludes that "public sector organizations overwhelmingly fall into a hierarchical culture" (p. 94). The paramount values therefore include compliance, fact-based decision making, regulation, centralization, manager focus, and the acquisition and application of technical knowledge. He also devotes attention to the changing nature of public-sector organizational values, noting that public organizations are "following their private sector counterparts in moving away from bureaucratic hierarchies" (p. 96).

The fourth value source is legal. Van Wart notes that public administrators are and should be disciples of the "rule of law." This discipleship finds expression in four forms of subordination: a) to law that has been legitimately arrived at; b) to legislative intent, since legislative action gives rise to law in the first place; c) to the judiciary, since the courts are responsible for clarifying ambiguities in the law; and d) to elected and appointed officials who are in the "democratic chain of command" (p. 122). He properly notes that subordination does not necessarily mean mindless subservience. Rather, it means the exercise of judgment and discipline in the governance process.

The public interest is the fifth and broadest value source. Although they are arguably difficult to define, Van Wart contends that public interest values such as representational democracy, a division and separation of powers through federalism and shared institutions, protection and celebration of individualism, and a market economy are directly tied to presumptions about what public administrators should do as public officials. Such presumptions include being efficient and effective with tax dollars, supporting the public's right to know about what public organizations do to and for citizens, and promoting the public's right to be involved in the governance of state and nation.

In the final chapters of Changing Public Sector Values, Van Wart returns to the major themes of his book: 1) administrators operate in an environment where values often collide; 2) values define ethical systems which administrators blend with political and managerial values to arrive at decisions; and 3) public administration values are changing. Key value shifts "include moving from an emphasis on individual performance to teamwork, from an emphasis on stability to an emphasis on change and innovation, and from steep hierarchical organizations to significantly flattened organizations with more decentralized authority" (p. 289). These value shifts, according to Van Wart, require us to think hard and carefully about what John Rohr described as perhaps the most difficult problem in a democratic system of governance: how to insure the most appropriate and responsible exercise of administrative discretion in the absence of ballot-box discipline. There is no algorithm for choosing the right controls to monitor and limit administrative discretion. Rather, Van Wart asserts that different kinds of controls such as laws, rules, norms, and competition may need to be combined in order to achieve a proper balance.

Finding Our Way out of the Lost World of Public Service Ethics

All the books reviewed here add to our knowledge of public service ethics. But do they help us find our way out of the lost world of public service ethics? A resounding "maybe" is the best answer to this question. More than Rohr or Van Wart, Gawthrop provides a kind of pathway that might be followed, but it entails jolts and unconventional thinking for many. Ethics and morality, he unabashedly exclaims, are intimately joined and cannot be separated. To teach or preach such a separation is to deny the essence of each. He also reminds the reader that the American experiment called democracy was founded on a calling to high moral purpose and a sustained moral impulse is needed to reenergize the spirit of democracy. John Rohr's cornucopia of ideas and insights also helps us find our way out of the lost world...if we believe that looking backwards will help us look forward. His message is not that history teaches us important lessons. Rather, it is that we cannot assess where we are, much less where we might be heading, without knowing first where we have been in terms of our constitutional struggle to define right and wrong.

Van Wart, although his intention is surely admirable, takes the reader on a guided tour of the lost world of ethics but never quite takes us out of it. For example, his discussion of changing public sector values is on the mark, but he fails to show clearly how these changes are (or are not) affecting public service ethics. If there is greater emphasis on teamwork, change and innovation, and
de-bureaucratization in public sector organizations, or if marketplace management and privatization are taking root in public agencies, are the values they suggest engendering new ethical systems? If so, how might such systems work?

Van Wart is certainly to be applauded for providing a comprehensive treatment of the value-laden environment of modern public administration. Whether or not his treatment will "create a field of public administration values" is arguable. This reviewer remains uncertain about what a field of public administration values might actually look like or what hypotheses might be derived from such a field. Interestingly, Van Wart never gives a clear definition of a value, although his identification of many values throughout the text certainly constitutes an operational definition.

The books reviewed here, as noted earlier, make a helpful contribution toward our knowledge of ethics and public administration. Thoughtful practitioners should find them valuable in sorting through the complexities of contemporary organizational life. Academics who teach ethics courses are likely to find one or more to be useful additions to their class reading lists. Gawthrop's Public Service and Democracy may be most appropriate for advanced graduate studies. Rohr's Public Service, Ethics, and Constitutional Practice ranges over a number of valuable issues and topics that an instructor might wish to use in an eclectic manner. Van Wart's Changing Public Sector Values is perhaps the most challenging to use in the classroom because it is so wide ranging and, at times, almost algorithmic in format.

References