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Ethics in Public Administration: A Comparison of the Past and the Present

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Abstract

Administrative ethics denotes the professional moral code for public administrators. These codes of conduct form the moral backbone of civil service. These ethics are important for the functioning of the state and ensuring public trust in the government. These ethics are meant to be upheld by not only the administrators but the entire community at large. However, these ethics, themselves, are influenced by the changing society and social values. As the society has shifted from an undemocratic outlook to a democratic one, so have the social values. One can understand the true nature of a society through its public administration ethics. Despite, most societies in the past believing in the divine rights of the king or ruler, there have been several guidelines laid down by several thinkers, jurists and philosophers. Today, these ethics generally apply to the civil servants of a nation and not the politicians. Distinction can be seen not only across timelines but also across societies. While such a distinction was more prevalent in a pre-globalization era, it continues to exist, however, only marginally. The modern world has seen a rise in interest on administrative ethics, however, despite said development, the essence or crux of such ethics are yet to be found. This paper seeks to analyze the administrative ethics in both the past and present and compare the two.

Keywords: Ethics, Public administration, Ancient systems, Veda, Governance

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1. Introduction

Ethics or moral philosophy is the discipline concerned with what is morally correct and what is wrong. It deals with the problems of practical decision making by posing the question of right and wrong. Such a concept of right and wrong is unique to humankind. Over the last century, research proved that several animals such as dolphins are highly intelligent creatures, however, what is unique to humans is their imagination. This imagination allows humankind to imagine the consequences and implications of their actions and hence, the concept of ethics and morality arises on actions, their morality being dependent on the consequences on the majority of the society. This power of imagination of humankind, also allows them to have conflicting desires and paradoxically, also allows them to solve such disputes by arising the concept of

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justice, which finds its roots in the discipline of ethics and morality. Ethics puts a question on a decision questioning its implication on others at all levels.

When it comes to governance, ethics occupies a primary ground as the actions of the government are meant to impact the society at large. In such a ground, it becomes necessary to question the decisions on ground of morality. Hence, ethics becomes by default, an integral part of public administration. With respect to public administration, ethics dictate on how the public administrator is required to question and reflect on their decisions in order to act in a responsible manner. The blind bifurcation dividing ethics and administration, declaring the former as dealing with morality and the latter with action and decisions, cannot be justified. In an ideal world, ethics should occupy the center stage of administration and it is this world that every human, nation, society and generation seeks to achieve. Hence, ethics remains central to administration no matter the society or the time. However, the concept of what is right and wrong or the definition of morality changes over time, hence, while the relation of ethics and public administration, remains constant, what constitutes morality changes with time and society. The level of ethics in public administration, changes with various factors such as social, economical, political, legal, judicial, historical and cultural aspects of the society.

This concept of ethics has existed since the development of society at both an individual and administrative level. Ancient Indian texts like *Ramayana*, *Mahabharata*, *Bhagvad Gita*, *Buddha Charita*, *Atharva Veda*, *Manusmriti Shukra Niti* etc. have dealt with administrative ethics in detail. Similarly Chinese and Greek philosophers such as Socrates, Lao Tse, Mencius etc. have set down several such maxims for administrators.

Western philosophy has three main schools of ethics. The first one under Aristotle upholds values such as justice, charity and generosity that benefits both the individual and the society they are a part of. The second one, was subscribed by philosophers like Immanuel Kant, talks about the concept of duty being central to morality, i.e., human beings are bound to respect the other humans they interact with, due to knowledge of their duty. The third school, which was supported by Jeremy Bentham, believed that ethics should be guided by the principle of ensuring greatest happiness of the majority. With the exception of these three schools, Western philosophy also includes acclaimed thinkers such as Alexander Hamilton, Thomas Penn, J.S. Mill etc., among whom John Rawls enumerated on the concept of justice. According to Rawls's theory of justice, adaptation of two fundamental principles of justice which would subsequently guarantee a just and moral society. The first principle deals with everyone's right to liberty to furthest extent possible without breaching any other's rights. The second principle states that all social and economical positions are supposed to be for everyone's advantage and open to everyone. A key issue dealt with Rawls in this theory is how it shall be dealt with in execution. Rawls, for the sake of execution, introduces a theoretical "veil of ignorance" in which all the members are dubbed as players and are in "original position" having only a general idea and knowledge of life and society. In such a case, they are only in a position to make a rationally prudential choice concerning the kind of social institution they shall interact with. This, Rawls believed, would have allowed the society to take in a moral stand without any compromise on the prudential standpoint. In this theory, Rawls, holds public administrators as guardians of the Administrative State, expected to honor public trust. Two important questions raised in this context are (1) "why should guardians be guarded?" and (2) "Who guards the guardian?". The administrators need to be guarded to prevent them from indulging in their tendency of self promotion, misconceive public trust, practice corruption and other malpractices that seeks to undermine the welfare of the state. They are guarded by institutions such as judiciary, legislature, media, civil society organizations, etc. These institutions eventually become institutions for social control.

Therefore, across different schools, the main objective of administrative ethics lies in holding the administration accountable for welfare of the state.

2. Literature Review

Ethics in administration and ethics in general as a concept has evolved through time. At the very beginning of the society, as all individuals collectively gave up their liberty to a sovereign, the sovereign gained the right to rule over the collective. However, said sovereign was also entrusted with the protection and welfare of all the people. It therefore, became crucial to hold the sovereign accountable and hence, ethics became an integral part of administration from the very beginning of the concept of governance.

In the Indian context, ethical administration has been of prime importance. Several Indian texts deal with the essential ethics and virtues of the ruler. It is crucial to note that "ruler" in the ancient context is inclusive of the term and duties of an "administrator" as it was the ruler who supervised all aspects of governance.

These ethics, however, were applicable for every minister as well. Good governance in the present context, find its present in India's most ancient civilizations as well. In Hindu texts, the term "*raj dharm*" referred to the ruler ensuring good governance and resultant welfare to the people. Said Raj Dharma was equivalent to the modern concept of "rule of law". Hence, Raj Dharma was above the ruler and superior to the will of the ruler (Kashyap, 2010). Mukherjee (2013) states that Raj Dharma was literally, the righteous duty of the ruler, enforcing the duty of all involved in governance to adhere to righteousness and be just to the public.

Raj dharma finds a mention in the *Brihadaranya Upanishad* which stresses that good governance lays emphasis on the ruler's raj dharma to protect dharma or public good by ensuring that there exists an equality of opportunity in the society and the weak are protected from the strong (Dwivedi and Mishra, 2007). Indian concept of good governance, is founded on the principle of Dharma or righteousness (Sachdev, 2014). Raj dharma has been summarized in the *Shanti-parva* of Mahabharat in the form of the following Shloka-

Sarve Dharma sopdharmastrayanam ranyo dharmaditi vedachunomi

Evam dharman rajdharmeshu sarvan sarvaastam sampralinan nibodh

Which translates to "all forms of dharma are merged in Raj Dharma. Hence, it is the supreme dharma."

Delving deeper into the words, we find that in the Indian context, Raj Dharma has not only been held as supreme, making the king prioritize their state before every other facet of his life. It also means that a ruler is supposed to take care of the public not only as a king but also as a son, father, husband, student etc. Raj dharma emphasizes on the dynamic nature of rulership.

The concept of Raj dharma and good governance is also stressed in the legend of Parshuram, regarded as the sixth incarnation or avtar of Shri Vishnu, who sought to punish all the evil rulers or Kshatriyas, in order to rid the world of tyrannical rulers. Interestingly, the seventh avtar of Shri Vishnu, is Shri Ram, who is regarded as Maryada Purushottam and an ideal king who prioritizes his people. As a ruler, his just, calm and rationally idealistic personality allows him to deal with every situation in a calm yet neutral manner. What is fundamental to note is the fact that the Ramayana, composed by dacoit turned saint-poet Valmiki, is not the first to deal with governance and statesmanship with respect to the ideals that make it ethical. The narrations of state governance, defence and warfare, economic policies, monarchical duties and diplomacy remains a pivotal point in most Indian texts, finding its mention right from the Vedas whose origin can be traced back to 1500 BCE. The Vedas, while not delving deep into the ethical aspects, it does declare system of electing the ruler democratically in order to hold the sovereign accountable. Concepts of good governance in ancient Indian literature in Sanskrit and Pāli have been discussed in *Bhagvad Geeta*, *Vedas*, *Mahabharata*, *Shantiparva*, *Nitisar*, *Ramayana*, *Arthashastra*, *Digha Nikāya*, *Jataka*.

Administrative ethics have also been dealt with in Buddhist texts such as *Buddha Charitra*.

The concept of ethics in administration has also been dealt with in the *Quran*. In Islamic administration, Sharia regulates every part of it, including policy making, budgeting, supervision etc. Ethics in administration in Islam, is mostly dealing with incorporation of Islamic virtues at an administrative level. Administrative ethics in an Islamic perspective also encompasses the moral conduct and implement the principled life on the basis of Islamic injunctions to lead the people with responsibility, accountability, investment of one's utmost efforts and administrative worthiness which improves the quality of work towards excellence except any form of discrimination workers on the basis of race, color, religion and skin in the Muslim society.

In the Western side of the world, several philosophers have dealt with the concept of ethics in public administration.

Today, the ethics in administration is enforced mainly on civil servants. The first state to do so in modern times was Germany (Prussia). However, the ethics were undemocratic and draconic. It was the British Civil Service that developed a democratic type of professional code for the civil servant, which is renowned till date. The code upholds the values of integrity, objectivity, impartiality and honesty. Presently, Indian civil servants do not have a codified code of conduct. However, the ALL INDIA SERVICES (CONDUCT) RULES (1968) seeks to lay down certain guidelines prohibiting the civil servants from certain practices, including some private practices.

3. Research Methodology

Ethics in administration is a field that most ancient philosophers have pondered, debated and upheld. Religious texts such as the *Atharva Veda* and *Manu Smriti* as well as the *Ramayana* among others. Religious books such as the *Quran* as well includes administrative guidelines. In the present, administrative ethics is enforced on the civil servants in India under the THE ALL INDIA SERVICES (CONDUCT) RULES (1968) among others. These codes have evolved just as society has evolved and this paper aims towards understanding the transformation. For the purpose of this paper, these religious texts and modern day legislations have been referred to, in order to draw a comparison. As a supplement to such a comparison, several previous research papers have been referred to as well. This paper has also been written in with reference to the renowned book, "*Public Administration in Ancient India*" by Pramathanath Banerjee. The book deals with the administration in Ancient India from 500 BC to 500 AD. This paper has also drawn information from "Public Administration" by M. Laxmikanth.

4. Findings and Analysis

Comparing the various principles and ethics throughout human history, it is astonishing to notice that while certain ethics have changed in nature over time and the administration is more accountable, the ethics have not changed in spirit.

While ancient texts provided greater authority to the administrators and there was a general belief in the divine right of the ruler, which is largely absent today, the basic ethics of impartiality, honesty, integrity, selflessness remains the same. This goes to show that while government systems across time and society are different, human expectations of the government remains the same. In other words, while the body of human society has changed several folds over the last few centuries owing to technology and renaissance, the spirit of it has remained the same. From another perspective, the human society is not unlike a human itself, growing and developing while its spirit remains the same.

Looking into specific ethics such as the two child policy in India, that a civil servant is to follow compulsorily under the ALL INDIA SERVICES (CONDUCT) RULES (1968), shall be different with every nation as policies, culture, legislations and needs differ. These policies exist due to the primary expectations of the people that the sovereign shall ethically administer the policies and follow it themselves.

Ethics in administration therefore, comes back to the term of Raj dharma that has been hailed as encompassing of all other dharma and thus supreme. However from another perspective, it can be interpreted that an administrator is supposed to fulfil all dharmas for Raj Dharma by regarding the citizens as their family, the administrator acts as a sibling, child, parent and provider for the nation. Similarly, an administrator should always be open to knowledge gained from the society and in this, fulfil their *shishya dharma*. Simultaneously, the administrator should serve as an example for the citizens at large who should be able to gain knowledge from them, thus fulfilling their *Guru Dharma*. Similarly, an administrator who regards the state as their world, is bound to be an ethical one.

It is important to explore Chanakya Kautilya's term of Rajrishi at this point. According to Chanakya Kautilya, an able administrator should be one, who has gained complete control over their senses, be well educated in all branches of knowledge akin to a sage however, practice his duties as an administration with an ambition to further develop the society. This term is closely associated with the term "*tapasvi raja*" in Hindu scriptures which refers to an administrator who is as wise as a sage but retains the ambition and warrior prowess as a king. A *tapasvi raja* is also an administrator who seeks to give everything they have for the betterment of the society.

5. Discussion

Administration, as a practice, is done in all spheres. However, it is public administration that seeks to affect entire nations, at once. Given thus, it is of utmost importance that the administrators are ethical and just. One very important factor such ethics that is widely debated is whether the personal lives of administrators is to be accounted for. One school believes in a segregation of the public and personal lives of the administrator. It believes that the actions of the administrator by virtue of their position is what should be monitored and not the personal aspect as it seeks to invade their privacy. Another school of thought believes that the administrator should serve as an example to the people in the nation and hence it is required that they are answerable for

their personal actions as well. A third school, proposes a middle path that suggests that while it is important for the administrators to set an example for the society at large even through their actions taken in lieu of their personal relations, a line should be drawn to let them retain their privacy in certain cases. Hence, the third school advocates that while their actions shall be accounted for, a line shall be drawn at that and nothing beyond that shall be revealed.

6. Limitations

This paper has been written with the highest possible level of care and sincerity. However, the paper faces certain limitations owing to the limited understanding of the author owing to developing maturity and lack of sufficient resources. The domain of administrative ethics is a wide one and even a facet of it, i.e., the evolution of such ethics, cannot be covered in the scope of one paper and the same can be researched on for years but cannot be read about completely for such ethics change frequently.

Another major limitation of the paper was the personal bias of the author, that has been tried to be controlled to the best possible level.

7. Future Scope

Ethics in administration occupies a fundamental position for administration without ethics leads to disastrous consequences as seen in several historical events where in unethical administrative practices led to loss of life, liberty and property.

Great changes over the last few centuries, have bent the world more towards liberty. However, unchecked liberty leads to conflict and corruption. In cases of administration, the administrators are required to be bestowed with power, in order to fulfil their duties. However, unchecked power leads to corruption and is harmful for the entire state at large. Hence, it is important to hold administrators accountable. Ethical aspects of administration, make the administration team answerable to the public. It also ensures efficient administration as they are liable to be criticized by the public.

This democratic shift has been the mark of the last five centuries and while these years have changed several aspects of human life, the biggest change has been that of democracy. However, democracy walks along with removal from office and temporary nature of the government post, doesn't hold all politicians liable. In India, the members of the Parliament are subjected to a code of conduct. However, the code is seldom enforced. When it comes to the bureaucracy, the permanent administrative body, such codes are enforceable and looked after by tribunals and committees. It is important that the ethics be better enforced for the politicians as well in order to reduce cases of misuse of privilege.

The multiparty system of India has been criticized by several political thinkers, criticizing in particular, the practice of politicians being paid from the party treasury and exertion of unfair influence in judicial cases even in cases of not being in power. This can be channelized by setting a proper code of conduct for the unelected members of the parties to act as a civil society organization, who shall be working for the welfare of the people alongside the government. While, this doesn't come under the ambit of administration *prima facie*. Such a change would not only lead to better management of resources, but simultaneously, increase awareness of the need of the people that members of a party, elected or unelected shall have a better power to take up with the authorities, leading to more effective administration and better connection between the executive and legislation.

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