
Chapter 5

Honor, Ethics, and Accountability

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1. The Origins and Nature of Honor

1.1 National Honor

- The United State's involvement in the Vietnam War can also be viewed through the perspective of national honor. As the costs of the war became more than the American Public was willing to bear, the nation's leader struggled to find a way for the United States to leave Vietnam while maintaining its appearance as a strong and proud world power (p.185)
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1.2 Why Honor Precedes Ethics

- Honor comes before ethics because a person without honor has no moral compass and does not know which way to turn to be ethical. Honor goes to the essence of public affairs; since ancient times only individuals perceived to be honorable could be trusted with the public business. Of course, honor always has a context, and it is always influenced by the prevailing organizational and political culture.(p.185)
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1.3 Dimensions of Honor

- Honor has many dimensions. The most obvious and superficial kind is *ex officio*.
This is the Latin phrase meaning “by virtue of the office.” Many people hold positions on boards, commissions, councils, and so on because of another office they occupy. For example, the mayor of a city may be an *ex officio* member of the board of trustees of a university in that city. (pp.185-186)
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- Thus “honorable” is the form of address used for many public officials, such as judges, mayors, and members of the U.S. Congress. Here honorable does not necessarily imply personal honor or integrity; it merely signifies current (or past) incumbency. (p.186)
 - Honor is also a function of outward perception of one’s reputation. (p.186)
 - This is the origin of the phrase “spotless reputation.” It is also a warning that an attack on someone’s honor is also an attack on his or her life —professionally speaking. (p.186)
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- Finally, if people feel that government officials have strong convictions and personal integrity, that can help them survive other political liabilities. This situation is clearly evident with the presidential administration of George W. Bush. Public opinion polls at first indicated that a majority of Americans that believed Bush possessed strong convictions and beliefs. (p.187)
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- In the wake of Clinton-era ethical challenges, Bush's reputation as a man of honor helped him maintain a core of public support even when the public soured on him during the Iraq war. (p. 187)
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1.4 Regime Values

- Administrations with integrity understand that they have a special moral obligation to the people they serve. They take serious what John Rohr calls the “regime values” of their jurisdiction. In constitutional system these values are established by the constitutions, whether written, as in the United States, or unwritten, as in the United Kingdom. (p.187)
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- Lacking a traditional nobility, republican governments give leadership roles to senior bureaucrats and elected officials. Once in office, their fellow citizens rightly expect them to take moral and career risks, parallel to the traditional risks of combat, to protect their fellow citizens, the regimes, and their constitution. (p.187)
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- It is often said that managers are paid more than workers because they are paid to take risks, to make decisions that can cost them their jobs. Public managers live in an even riskier environment. Not only must they take normal management risks, but they must risk their careers, their reputations, sometimes even their lives, to protect the values of the regime. It is simply a matter of honor. (p. 188)
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- All too often managers and employees fall from honor—or it may be that they never had it in the first place. Lapses take many forms. The two most common lapses of honor and honesty are corruption and lying. (p. 188)
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2. Corruption in Government

- Recurrent **scandals** and instances of official mischief in government, no matter how much they threaten to cost, pose a great threat to the democratic notions of the rule of law. When a public officials misuses his or her office for self-gain, then the rule of law no longer obtains, and there is, in effect, a return to tyranny. (p.188)
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2.1 Bribery

- Corruption also undermines economic rights. Consider bribery when it occurs within the competitive process of governmental purchasing. When contracts are awarded illegally by means of bribes, the losing competitors can be said to have had their rights to a fair and impartial bidding process abridged. The public's right to have purchases made in the most efficient and least costly fashion is also subverted. This kind of corruption makes a mockery of economic consideration. (p.188)
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- The few that greedily feed at the public through deny the rights of others to enter a fair system of economic competition. (p.188)
 - Of course, viewed systematically, bribery is an important element in any political system. It supplements the salaries of various public officials. This is especially true in societies where public sector salaries are unreasonably low. (p. 188)
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- Bribery's occasional exposure by the press serves to foster the political alienation of the electorate, which in turn encourages cynicism and reduces support for the democratic processes of the government. (p.189)
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2.2 Watergate

- A society humor is a good indicator of its political corruption. (p.189)
 - Comedians do not lead public opinion, but they certainly reflect it. (p. 189)
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3. Lying for Your Country

- The public officials who have the greater reputation for lying are ambassadors—the highest ranking of all diplomats, sent as the personal representatives of one head of state to another. (p.189)
 - Often ambassadors are not trusted to lie well enough, so their governments purposely misinform them to ensure that their false representations will seem all the more sincere. (p.191)
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3.1 The Dirty Hands Dilemma

- When do desirable public ends justify the lying means? When is doing evil acceptable to produce a greater political good? The “dirty hands dilemma” is a graphic phrase of this problem. Public officials dirty their hands when they commit an act generally considered to be a wrong to further the common goods. This is a dilemma in the sense that doing bad seems to lead to something good. (p.192)
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- Thus public officials need to decide if they are willing to engage in wrongdoing for the sake of a perceived good deed. (p.192)
 - Of course, as a general rule they are prohibited from engaging in wrongdoing. Thus the dirty hands dilemma is the product of a tension between perceived professional obligations and long-standing moral obligations that are the standard of everyday life. (p.192)
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- Machiavelli did not see this as a problem at all. He held that the rules of morality in everyday life should not be applied to the acts of public officials when they are carrying out their professional roles and responsibilities to further the common good.
(p.192)
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- We should not apply the ordinary standards of right and wrong to the extraordinary situation of a person who is acting only as a bureaucratic functionary. (p.193)
 - Others argue that it is a mistake to confuse the role of public official with the person who temporarily holds that role; moral roles are still applicable to the acts of the person who commits the wrongs, whether that person is a public officials or not. (p.193)
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- There can be little doubt that the most common form of the dirty hands dilemma in public administration is lying. Lying can take many forms direct false-hoods, exaggerations, omissions, evasions, deceptions, duplicity, and so on. (p.193)
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- Do public officials have a special obligation to tell the truth? Do their offices permit them special excuses to depart from truth telling?

It can be argued that since knowledge is the cornerstone of democracy, an informed public is a prerequisite for a democratic government. Hence, citizens have an inherent right to know the truth of public issues so that they can make intelligent decisions as voters and constituents. (p.194)

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- On other hand, it also can be argued that public officials in a democracy may be excused at times from general obligation of truth telling. There may be dire situation or times of crises that threaten the government and its people. Under such conditions it may be permissible for a public official to deceive the public for its own good. In other words, when public officials take their oaths of office, they are sworn to do everything in their power to ensure the survival of the government and the safety of the public. (p.194)
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- It is the very nature of public office, then, that excuses the political official who lies for the public good because the public good is essentially what the official is required to protect. If such protection in times of war or crises entails that officials engage in deception, then so be it. They are only fulfilling the responsibility to their office. (p.194)
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3.2 Lying About Sex

- Until recently, lies about the sexual activities of consenting adults would not be of concern to a textbook on public administration. But president Clinton changed that in 1998 when he told one lie after another about his Oval Office encounters with Monica Lewinsky, the White House intern with whom he eventually admitted having a relationship “that was not appropriate.”
(p.194)
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- What got the president into legal trouble was not his multiple infidelities but the allegations of the perjury of them. (p.196)
 - Clinton remained president because many senators who believed he was guilty as charged felt that lying about sex was too petty a reason to remove a president. (p.197)
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4. Hierarchy of Ethics

- The public administrator is frequently adrift in a sea of competing duties and obligations. This kind of conflict occurs when an individual is called upon to perform mutually exclusive acts by parties having legitimate “holds” on that person.
 - The “Nuremberg defense” is the often-used excuse of those caught performing illegal acts of their political or military superiors: “I was only following orders.” (p.197)
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- The fallacy of this defense is that no soldiers (or civilian employee) can be required to obey manifestly illegal orders.
(p.197)
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4.1 The Four Levels of Ethics

- In public administration there is a hierarchy of levels of ethics, each of which has its own set of responsibilities. First, there is personal morality—the basic sense of right and wrong. This is a function of our past and is dependent on factors such as parental influence, religious beliefs, cultural and social mores, and one's own personal experience.
 - Second in the hierarchy is professional ethics. (p.197)
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- The third level of ethics is organizational. Every organization has an environment and culture that includes both formal and informal rules of ethical conducts.
 - Finally, there are social ethics. Social ethics are formal to the extent that they can be found in the law of a given society, informal to the extent that they are part of an individual's social conscience. (p.198)
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4.2 The Iran-Contra Affair

- The Iran-Contra scandal arose in the fall of 1986, when it was revealed that the Reagan administration had secretly sold arms to the government of Iran (so Iran would use its **good offices** to gain the release of American hostages in Lebanon) at higher than normal prices and used the “profits” to fund the **Contras** in Nicaragua. (p.198)
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- The controversy grew into a scandal because it was illegal to sell arms to Iran, illegal to fund the Contras beyond the limits set by Congress, and against the expressed policy of the United States to negotiate for, let alone trade arms for, the release of hostage.
 - At the major operative in the scheme, Lieutenant Colonel Oliver North of the U.S. Marine Corps, assigned to the White House National Security Council, serves as a case study in the conflict of responsibility. (p.198)
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- North has admitted that he found it necessary to lie to the congress about the Iran-Contra arms deal in order to further what he called national security goals. Thus, by overseeing the illegal sales of arms to Iran and channeling profits from the transactions to the Contras in violation of the law, North reached a decision that one set of responsibilities was higher than another. (p.198)
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- North violated the formal rules of organizational ethics and social ethics in illegally supplying military aid to the Contras and in lying to Congress to cover it up.
 - For many, he was a hero for doing so. Yet for many others, his actions were criminal and unconstitutional. (p.198)
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4.3 The Higher Law Defense

- When North's secretary, Fawn Hall, was called to testify during the 1987 congressional hearings on the scandal, she asserted, "I felt uneasy but sometimes, like I said before, I believed in Colonel North, and there was a very solid and very valid reason he must have been doing this for and sometimes you have to go above the written law, I believe." (p.199)
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- In her pedestrian way Ms. Hall defended North by asserting the ancient idea of a higher law: the notion that no matter what the laws of a state are, there remains a higher law to which a person has an even greater obligation. (p.199)
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- As the North case suggests, responsibilities can conflict because there are multiple levels of ethics and morality, each with its own set of obligations and duties.
 - One of the most difficult aspects of being a public administrator is managing the conflict of responsibilities between the competing claims of stakeholders and the varying levels of ethics. (p.199)
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4. Codes of Honor, Conduct, and Ethics

- Today, disagreements that ones would have warranted duels are decided in the courts or the tabloids. Dueling over honor has not subsided; it has only taken new forms.
(p.200)
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4.2 Honorable Behavior

- We still expect that our leaders will act honorably—meaning responsibly—and we disdain them when do not.
 - Almost everybody has heard of the 1912 *Titanic* disaster, in which many of the richest men in the world quietly went to their deaths when they could have taken the places of women and the children in the lifeboats.
(p.200)
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- More recently the behavior of the members of the New Orleans Police Department in the wake of Hurricane Katrina left many considering the contemporary role of honor. As their city suffered through its bleakest days in September of 2005, many New Orleans police officers either turned in their badges or simply failed to report for duty. Given the police officers' oath to "protect the lives and property" of the citizens of New Orleans, their actions could only be seen as dishonorable in nature. (p.201)
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- One can only imagine how the officers who continued to work through the deplorable conditions felt when their comrades deserted them in such a time. Desertion in time of crisis is a form of dishonor that strikes at the very heart of a code of conduct.
 - Codes of honor have their origins in ancient percepts about how a person should behave in the face of danger, when confronted with temptation, or before authority figures.
(p.201)
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4.3 Was “Deep Throat’s” Behavior Honorable?

- Honorable behavior and ethical actions can sometimes seem at odds with one another. With the 2005 disclosure of Mark Felt as the informant “Deep Throat” in the Watergate scandal, the conflict between maintaining honor and acting ethically received increased public attention. (p. 202)
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- During the investigation of the Watergate break-in, Felt, an FBI deputy director, provide *Washington Post* reporters Bob Woodward and Carl Bernstein with detailed information about the Nixon administration's efforts to cover up their involvement in illegal activities. The information Felt supplied proved essential in helping Woodward and Bernstein to expose the details of the White House's role in Watergate and helped lead to Nixon's unprecedented resignation from the presidency. (p.202)
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- While many might think that Felt's role in this historic event was courageous and served the greater interest of the nation, Felt himself harbored misgivings about the honor of his actions. In the process of revealing his long-sought identity to the public, Felt expressed serious concern about how the FBI would regard his role in the Watergate episode.
(p.202)
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4.4 Standard Conduct

- Many civilian government agencies now have standards of conduct, formal guidelines, for ethical behavior. Their objective is to ensure that employees refrain from using their official positions for private gain. Typically, a variety of prohibited activities seek to ensure that employees conduct themselves in a manner that would not offer the slightest suggestion that they will extract private advantage from public employment. (p.202-203)
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- All too frequently, standards of conducts are used to say the obvious.
 - While standards of conduct are always related to a specific organization, codes of ethics are wide in scope and encompass a whole profession or occupational category. A code of ethics is a statement of professional standards of conduct to which the practitioners of a profession say they subscribe. (p.203)
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5. The Challenge of Accountabilities

- Accountability is a extent to which one must answer to higher authority—legal or organizational—for one’s actions in society at large or within one’s particular organizational position. Elected public officials are theoretically accountable to the political sovereignty of the voters. In this sense, appointed officials—from file clerks to cabinet secretaries—are less accountable than elected officials. (p.204)
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- The former are accountable mainly to their organizational supervisors, while the latter must answer to the people of their jurisdiction.
 - The two basic approaches to administrative accountability were first delineated by political scientists Carl J. Friedrich (1901-1984) and Herman Finer (1898-1969). (p.204)
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- Friedrich argued that administrative responsibility can be ensured only internally, through professionalism or professional standards or codes, because the increasing complexities of modern policies require extensive expertise and specialized abilities on the part of bureaucrats.
 - Finer, on the other hand, argued that administrative responsibility could be maintained only externally, through legislative or popular controls, because internal powers or control would ultimately lead to corruption. (p.204)
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- The tension between these two approaches continues today. Thus the challenge of responsibility is to find a balance between completely trusting government officials to use their best professional judgment in the public's interest and watching them so closely through legislative committees or executive review agencies that it inhibits their ability to function. (p.204)
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- The answer to this question is that public administrators are in a democracy work within the rule of law—a governing system in which the highest authority is a body of law that applies equally to all, as opposed to the rule of men, in which the personal whim of those in power can decide any issue. (p. 204)
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- In democratic societies, we require our administrators to work within a system of democratic accountability, respond to a complex system of checks and balances, and be subject to scrutiny by official auditors, by the media, and by the community watchdogs and whistleblowers (as Finer advocated).
 - Sometimes we purposely create public institutions that seem to have an "above of law" status. Security organizations sometimes seem to have this characteristic, best exemplified by the fictional British secret agent James Bond's "license to kill." (p.205)
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- In truly democratic societies—as opposed to those that are democratic in name only—there is a framework of constitutional, legal, and procedural requirements that subject public administrators to rigorous monitoring and oversights by a democratic legislature, independent courts, and other institutions at arm’s length from the government. (p.206)
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- This leads to the expectation on the part of public administrators that, for the most part, they must work in the open, not only expecting but welcoming the scrutiny of elected representatives and the others whose task it is to make public accountability work. (p.206)
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5.1 Constitutional and Legal Constraint

- David H. Rosenbloom states that there are three reasons why public administrators should understand the Constitution:
 1. Public administration must have democratic policy very much at heart so that managerial and political approaches are taken that are compatible with constitutional principles and values.
 2. Many public administrators in America taken an oath to support the constitution, and this may be more important than routine administrative functions. (p.206)
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3. Public administrators may be personally liable for civil damages if they act in contravention to the Constitution.

- As Rosenbloom emphasizes it is no easy task to achieve the necessary understanding of the Constitution, since its contemporary meaning extends not only to the letter of the document but to **case law** and extensive interpretation, derived from legal, philosophical, moral, and political considerations as to how the law should be applied. (p.206)
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5.2 Obsessive Accountability

- Yet it is an excess of zeal in the form of obsessive attention to minor details that so often leads to incompetence in the modern organizations. Some of this dysfunctional zeal is caused by aberrant personalities, but the real culprit is the formally mandated zeal of governing rules and regulations. Much required zeal is good. No one can argue with requirements for punctuality.
 - But once organization-wide standard procedures are established for major functions, there is a inevitable tendency for minutiae to be covered as well. This minutiae then, quite literally, take more time than they are worth. (p.208)
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- Peter Drucker maintains that organizations, most typically governments, that are obsessed with accountability are inherently less competent than they might be. New procedures are created in response to possible or previous abuse. Since individuals once showed themselves incapable of being responsible for specified organizational assets, discretion over them was taken out of their hands and given out to unemotional, unbending, and, in some circumstances, irrational procedures. (p.208)
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- Accountability was placed in procedures rather than in individuals, the rationale being that the honest administration was too important a matter to leave to an individual's discretion. It is precisely because of government's attempt to assign accountability for everything they control that public management operations grow to be outrageously expensive when compared to similar functions in private industry. (p.208)
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- According to Drucker, government must always tolerate this extra expense-not out of some unwarranted affection to red tape but because a “little dishonesty” in government is a corrosive disease that rapidly spreads to infect the entire polity.
 - To fear such corruption is quite rational. Consequently, government “bureaucracy” and its attendant high costs cannot and should not be eliminated. (p.208)
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- While the high costs of accountability can never be totally eliminated, some of the dysfunction of its associated procedures can be mitigated. Such mitigation frequently has organizations bending, ignoring and subverting regulations in the interest of good management. The discretion that the regulations deny to the executive may be restored by the machinations of administrative operatives. (p.208)
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- When the flexibility deemed essential for mission accomplishment is formally denied to line managers, it is almost invariably obtained informally through administrative finesse. This is an idea that has not only been demonstrated in countless empirical studies, but also sanctioned and reverted in American popular culture. (p.208)
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- The obvious danger of managers using excessive zeal in seeking to achieve an organization's mission, and thereby going beyond the proper range of discretion, is well recognized. This is an inherent and necessary risk in all managerial delegation. (p.209)
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5.3 Avoid Accountability

- The public rightly expects an executive to be accountable for the actions of the subordinates he or she has selected, whether or not the executive had actual knowledge of the actions. It is based on the belief that the selection of subordinates and the monitoring of their behavior is an executive responsibility. (p.209)
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- Although one of the advantages of delegating a problem is the ease with which the cunning leader can shift the blame for the situation if it sours, modern executives are seldom so crude as to lay blame. The appropriate tactic is to assume full responsibility for the situation.
 - Paradoxically, in assuming full responsibility, the executive is seemingly relieved of it. Political scientist Murray Edelman observed that whenever this ritual is enacted, all of the participants tend to experience “a warm glow of satisfaction and relief that responsibility has been assumed and can be pinpointed. (p.210)
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- It once again conveys the message that the incumbent is the leader, that he knows he is able to cope, and that he should be followed.”
 - In reality, however, this ritual proves to have no substance. It “emphatically does not mean that the chief executive will be penalized for the mistakes of subordinates or that the latter will not be penalized.”
(p.210)
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6. Legislative Oversight

- While the constitutional and legal frameworks themselves amount to a passive exercise of democratic control over the discretion of public administrators, there is no substitute for active control through energetic elected representatives. (p.210)
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6.1 Hearing

- Oversight takes many forms. The most obvious are the annual congressional hearings on agency budget requests, in which agency activities have to be justified to the satisfaction of the Congress. (p.210)
 - Any member of Congress can instigate an investigation. Many of these investigations are all small matters concerning the interest of a single constituent.
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- But if something significant turns up worthy of a larger inquiry, an appropriate committee or subcommittee always has the right to initiate a further examination. The oversight function is primarily implemented through the process of hearings that often call for sworn testimony from officials, through consultancy reports, and through the publication of finding. (p.211)
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- Committees that have investigated scandals such as Watergates and Iran-Contra affair, and issues such as whether gays should be permitted to serve in the military, illustrate how important and central a role this aspect of democratic government can be. (p.211)
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- Of course, the oversight function may be abused, especially when it is done for partisan advantage. Such political oversight often happens when the executive and legislative branches of a government are controlled by opposing parties; then its purpose may be to embarrass the administration. (p.212)
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6.2 Casework

- *Casework* is a term used for the services performed by the legislators and their staffs at the request of and on behalf of constituents.
 - Agency administrators can also benefit from good casework service. The responsive handling of constituent problems will tend to make legislators more receptive to next year's budget requests. (p.213)
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