A Concept of Virtuous Administrator and the Dilemma of Public Officials

Saadon Awang
School of Government
College of Law, Government and International Studies
UNIVERSITI UTARA MALAYSIA
Tel: ++604-9287937
Email: saadon@uum.edu.my

Abstract
One of the main responsibilities of a public official is to serve the public interest. Basically, public interest can be divided into several responsibilities such as public property, public money, public safety and public health. All those responsibilities should be well protected by public officials in order to ensure the wellness and well beings of the people. Wellness and well beings of the people can only be achieved by the qualities of public officials with highly integrity and transparency in carrying out their duties. Public official with highly integrity and transparency is required to serve the duties known with the concept of virtuous administrator. Today, issues of unethical behaviors involving public officials have become global issues. These are due to the lack of integrity and transparency among public officials, which is referred as their failure to carry out their duties, hence, their role as virtuous administrator in concept. This paper discusses about the concept of virtuous administrator, required qualities public officials should have, and measures used to ensure the fulfillment of their duties referred as virtuous administrator.

Keywords: virtuous administrator, public official, integrity, transparency, duties, responsibilities

Introduction
Public administrators are officials appointed by the government. They are agents who carry out the functions of government. In democratic countries, government is elected by the people. Therefore, public officials are not only linking the government and the people, but also carry the two important duties of the government, namely responsibilities and accountability. So, a guideline for implementation should be introduced to ensure the two duties are fully fulfilled. Ethics becomes the core to guidelines for fulfilling the roles of all public officials.

This paper will discuss the two core principles of ethics for public administrator, i.e. citizen administrator and virtuous administrator, which need to be upheld by public officials in carrying out their functions.
Discussions

1. Conceptual Definitions

Some concepts and definition in this paper highlighting the followings:

a) **Public administrator** - public administrator is a group of individuals within the society, which is given specific authorities to carry out functions on behalf of the government. The goal of carrying out government functions is to ensure wellness and well beings of the people are achieved. According to Ahmad Sarji (1991), in carrying out function as agent of the government, public officials have to carry out both duties, by responsible to the government which appointing them, and to the people who mandating them through the democratic process of a government. The people might not seem to involve in selecting public officials to their appointment, but indirectly they give mandate in the formation of a government through election, one of democratic process mechanisms.

b) **Ethics and morality** – the term ‘ethics’ is always misinterpreted as similar to the term ‘morality’. Actually both carry two different meanings. Ethics refers to individual personal act and behavior. Thiroux (1995) and Mohd Nasir Omar (1986) summed ethics as guidelines which determined act or behavior as good or evil, right or wrong, proper or improper. They relates those definitions with views of earlier philosophers such as Socrates, Aristotle, Thomas Aquinas and others who seen the meanings of. Whereas the concept of morality refers to be viewed by a society towards individual behaviors within the contexts of social relations. Mohd. Nasir Omar (1986) adding that, views on morality is normally linked to religious faith within a society. Any immoral behavior will be considered as against their faith.

c) **Competency** - according to INTAN (1994), public officials must have two competencies in order to ensure they can carry out their duties perfectly. The two competencies are known as personal competency and professional competency. Personal competency refers to some basic competencies to become a public official, which include basic personal qualifications such as education, skills, experience, and so on. Whereas, professional competency are competencies which allow public officials to carry out their duties with full dedication, in any condition, at any time, by avoiding two main influences, namely selfishness and self-interest.

d) **Ethics for Public Administrator** - Public services is an institution which differentiates ordinary public and politicians. Although being served under politicians, there should be no such selfishness and self-interest in the life of public officials because they used to carry out public duties. Public officials are controlled through a branch of specific ethics, which is different from a general ethics. This specific branch of ethics is known as ethics for public administrator. Ethics for public
administrator upholds two basic principles, namely ethics of neutrality and ethics of structure. Ethics of neutrality explains about the needs for public administrator to always distance themselves from any kind of influence while carrying out duties or making decisions, especially from political influence which holds power of the government. This is because of the position of public officials lies within the political framework of a country, whereby the actors are interchangeably overtime. Whereas, ethics of structure explains about the needs for public administrators to display their proper work ethics because they represent the government machinery within the country’s administrative structure. Any proper or improper act of public administrator will actually reflect an act of the government.

e) Government and the public – a government is an institution which is given duties to administer any sovereign state. Any government can exist via appointment or election process. Meanwhile, the people is one of the four elements which make a state (country). The others are government, territory (boundary) and sovereignty. Public administrator has a role as mediator to the two main elements of a state, namely the government and the public. In a democratic country, the people will choose the government, and the government will appoint public officials to carry out duties on its behalf. Thus, public official need to carry out two important duties, i.e. responsible to the government (which granting power and authority to them) and accountable to the people (which granting mandate to them via the government).

2. Theories on Ethics

As in other fields of academic studies, the field of ethics is also supported with some underlying theories. Theories on ethics can be divided into some groups. Three of the groups are theories on ethics and morality, theories of equality and theories of separation of powers.

i) Theories of ethics and morality

Theories of ethics and morality is divided into two categories, namely consequentialist theories and non-consequentialist theories.

Consequentialist theories explain about the effects on someone or others caused by decisions or actions taken by someone. These include the effects caused by government decisions or actions through policies, laws and regulations. Two sub-consequentialist theories are ethical egoism and utilitarianism.

Ethical egoism explains how individual can act for his self-interest and in selfishness, but within the context of not harming others (Thiroux, 1995). For example, a public official may use his autocratic power in order to control or to protect public money or public properties from being misused or wasted by someone. The use of autocratic approach may not be good, but it is a duty to protect the public interests.
Meanwhile, utilitarianism explains the effect of individual’s action on community where he belongs to. A basic principle of utilitarianism is where an action will be considered ethical if it benefits the majority of people in the community. Individual’s action may be based on power and authority granted to him via his designation or position (known as Act Utilitarianism), or based on laws and regulations which underlie his duties (known as Rule Utilitarianism).

First example, a public official has used his discretion to terminate a supply of goods contract to his department with a supplier. With the contract termination, his department has to pay about $1 million in compensation to the supplier, but his decision would save his department from incurring more than $1 million in loss in the future if the contract continued. His decision is considered ethical by the principle of Act Utilitarianism because that will benefit a greater number of people compared to the supplier and its workers which is smaller in number who might suffer out of the decision.

Second example, a policeman has charged a driver of a government’s department for violating a traffic regulations by overtaking other vehicle at an illegal spot. His decision is considered ethical by the principle of Rule Utilitarianism because he followed the law and regulations within his jurisdiction, which has benefited a larger number of other road users. He also displayed his integrity in carrying out his duty by treating traffic violators unbiasedly, without exclusively letting a driver of a government’s department to escape from any infringement of law and regulations.

Meanwhile, non-consequentialist theories explain about decisions to carry out action by someone on others. These include decisions by the government to take action via law, regulations and policies. Two sub non-consequentialist theories are act non-consequentialist and rule non-consequentialist.

Act non-consequentialist explains about decisions by someone to carry out action in any particular circumstances, whether to be considered ethically or unethically. To public official, decisions largely based on discretionary and personal judgment although he has been granted an authority to carry out a strict procedures of rules and regulations. Discretion and judgment should take place when it comes to a protection of public interests.

Meanwhile, rule non-consequentialist explains about decisions by someone to carry out action by the rule of law, whether to be considered ethically or unethically. To a public official, his action by the rules of law refers to statutory jurisdiction (authority) inherited through designation or position someone held in the public services. For example, a traffic policeman issues a summon ticket to a traffic violators based on jurisdiction of the Road and Traffic Regulations assigned to the Police Department.

ii) Theory of Equality

Theory of equality explains the needs for decisions or actions to ensure equal freedom, wellness and well beings of the people. Therefore, public administrators have a great
duty to ensure that any decision or action will fulfil the needs of all, the majorities and the minorities in the society. According to Jones (2002), equality can be achieved by fulfilling some components such as basic equality, rights equality, gender equality, equal opportunity, race equality and equality in distribution of decisions outcomes.

### iii) Theory of the Separation of Powers

Theory of the separation of powers explains about the needs for government’s administration and decisions to be decentralized (distributed) to the respective parties. Powers should not be centralized in the hands of one body. The idea of separation of powers come into existence since the pre-modern era when a philosopher, Aristotle described the administration of his country during the era needed to apply the concept (Ramanathan, 2003). The idea was then expanded by John Locke, who suggested about the needs for government’s administration to be distributed into three different bodies, namely legislative, executive and federative. The idea explained about possible danger if the powers to make and to execute law are centralized into the hands of one person (Katni Kamsono Kibat, 1986). The theory finally became a doctrine when a great French politician and thinker, Charles Montesquieu, proposed it during the reign of King Louis XIV, the King of France. Montesquieu compared the administration of country between France and England during his era. King Louis XIV held an absolute powers and ruled his country in an autocratic style, compared to the King of England who distributed the powers into different bodies. King Louis had absolute control over the bodies which make law, execute and deliberate the verdict. The tyranny rule of King Louis had put his people under threat of being exposed to heavy punishment. Montesquieu’s idea eventually has brought the people into mass uprisings and caused the fall of the King’s reign. Finally, the idea has been followed by most democratic states during the modern era today.

Within the context of ethics for public administrator, separation of powers may create checks and balances on any decision or action made by public officials, hence, will avoid selfishness and self-interest attitudes in them.

### Basic Concepts of Ethics for Public Administrator

Ethics for public administrator upholds two basic concepts, known as citizen administrator and virtuous administrator. This paper will focus more on the concept of virtuous administrator since it involve the practical aspect of role of a public official.

#### 1. Citizen Administrator

The concept of citizen administrator explain about the existence of public official as an institution within the political framework of the people of a country. It refers to a position granted by the people’s mandate through the ruling government. So, public official has two main duties, i.e. responsible to the government (power and authority), and accountable to the people (mandate). In this context, clearly the people is the source of
both duties of public official, responsibility and accountability. There is where the role of public official lies under the concept of citizen administrator. And in nature, the concept of citizen administrator underlies the conceptual aspect of public administrator, hence, automatically embedded in public officials via power and authority that come with the positions they hold.

2. Virtuous Administrator

Meanwhile, the concept of virtuous administrator explains about the practical aspect of decisions and actions made by public officials. It focuses on the implementation and the outcomes of the decisions and actions on the public at large. The concept holds three basic values, namely public spiritedness, prudentially, and substantive rationality.

i) Public Spiritedness

Public officials should understand that they are appointed by the government which is mandated by the people, with the exception of socialist states, through the democratic process. The people put their trust on public officials to manage public resources properly. They are hopeful that public officials will carry out their duties to protect public resources with full integrity and quality (Ahmad Sarji, 1994). Therefore, the people should be involved in political process of the country. This includes government decisions and actions in the kinds of law, policies, regulations, orders, and circulars because the people are those who will receive direct effects of the government decisions and actions. The values of public spiritedness explains the needs of public officials to appreciate and to include public participation by putting aside views that see it would hinder the speedy process of the government decisions and actions.

Four advantages to uphold public spiritedness are, first, to protect people’s rights within the framework of democratic process. Second, to develop people’s political maturity through public participation in the political process of the country. Third, to ensure the government will make a firm and good decisions (law, policies, etc.) because the existence of public participation offers very useful input in the political process of the country. Finally, public participation can be considered as among the best measures to evaluate the government actions (law, policies etc.) because it will provide all necessary feedbacks on decisions and actions taken by the government.

It is important to remember that, apart from being the source of responsibility and accountability of public officials and the government, the people also are those who will receive direct effects of the government’s decisions and actions. Therefore, if the people are given opportunity to involve in the political process of the country, that will reduce any sort of resistance to government decisions and actions, and eventually, will bring less harmful to them. As a result, a goal to pursue wellness and well beings among the people will be achieved.
ii) Prudentially

The values of prudentially explains how public officials should make decision and carry out their duties in proper ways to achieve good outcomes. The values is related to the principle of decision making, which is combined with professional expertise someone has. The purpose of this values is to ensure that any decision or usage of public resources should be done with proper and careful consideration as possible. A proper and careful consideration will allow equality and acting for public interest to take place in the process, and avoid selfishness and self-interest to exist in the life of public officials.

iii) Substantive Rationality

Substantive rationality explains about preferences public officials should put in place while carrying out their duties. It involves both professionalism and personal competencies when dealing with this values. Under circumstances, public officials need to make rational decisions based on their personal judgment – professionally via the jurisdiction of their positions, and personally via their own considerations. But the guidelines is that, all judgment and considerations must bring about to benefit the government and the people, not for the selfishness or their self-interest.

Some Public Officials’ Dilemmas to Uphold the Concept of Virtuous Administrator

Public official with highly integrity and transparency is required to serve the duties, known with the concept of virtuous administrator. A virtuous administrator serves two duties, responsibility and accountability. Public officials are responsible to the government which grants power and authority to them. At the same time, public officials are also accountable to the people who give mandate to them via the formation of the government. Those duties have put all public officials in dilemmas because both the government and the people have to be served at certain expectation. Both expectations needed to be accommodated and satisfied simultaneously. Amongst dilemmas faced by public officials include:

1. Responsible to the government means public officials have to serve political masters in carrying out their duties. As we are concerned, politics is made of individuals with non-permanent basis. They come and go, while public officials are made of individual with permanent basis. The dilemma is that public officials will be exposed to different vision, mission, goal and objectives due to different political ideologies, or at least to individuals’ characters. Things will get more vulnerable in countries with fragile political structure, whereby the government is always change hand in a very short period of time.

2. Accountable to the people means public officials have to act like the government in power. They must ensure all service deliveries are of high quality as possible to ensure the government will survive its term. Those will take in the kinds of law, policies, actions and decisions of the government. If all those do not satisfy the
people, the government will be punished and brought down. The government and politicians will change, but all public officials will bear the blame afterward.

3. Being virtuous means public officials should carry out their duties with full responsible and accountable ways. That means public officials should act in neutral manner. The dilemma is how can they act neutrally if political ideologies of their countries are divided? There will always be ideologies which are opposing to the ideology of the government in power, who are always resisting all government decisions and actions, and, will be excluded from the government’s development or distribution of wealth.

4. There are circumstances where government’s decisions and actions (such as law, policies, orders, etc.) are unpopular amongst the people. Those normally exist in a situation where a government is formed via slight majority approval in election system or an unpopular selection in an appointment system. That will cause some resistance by large group of minority who are in close number to the majority (e.g. 49:51 per cent). In those circumstances, public officials will be put in dilemma whether to continue or to abandon the government’s decisions and actions. Abandon means they go against the government, and continue means they will harm the wellness and well beings of the people.

5. Public officials also governed by various government rules and regulations in carrying out their duties (orders, circulars, guidelines etc.). But those are allowed with some leniency through discretion over power and authority embedded in their positions. The dilemma is how much discretion will be tolerated to satisfy both their political masters and the people simultaneously.

6. Following to various government rules and regulations, public officials are put in dilemma to decide of whether to rule or to act within the utilitarian principle of delivering services to the people. To rule means they take an unpopular decision, and will draw them far from the people. Whereas, to act means they take a popular decision, but will bring them to go against their political masters, the government.

Conclusion

Ethics for public administrator upholds two basic concepts, known as citizen administrator and virtuous administrator. The concept of citizen administrator underlies the conceptual aspect of public administrator, hence, automatically embedded in public officials via power and authority that come with the positions they hold. Whereas, the concept of virtuous administrator underlies the practical aspects of public administrator, which refers to some basic values to become public officials. The three basic values of virtuous administrator are public spiritedness, prudentially, and substantive rationality. Public officials are required to uphold the three basics values since they are the keeper of public interests. The people put their trust in every single public official to protect and to use public resources in proper ways. The trust put by the people in public officials has put them in huge dilemma because they have to carry out two duties, responsible to the
government and accountable to the people. With no excuse, the two duties should be accommodated and satisfied simultaneously.

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