

United Nations  
Department of Economic and Social Affairs

Division for Public Economics  
and Public Administration

# Public Service in Transition:

Enhancing Its Role, Professionalism,  
Ethical Values and Standards



United Nations, New York 1999

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The term dollar normally refers to the United States dollar (\$).

The views expressed are those of the individual authors and do not imply any expression of opinion on the part of the United Nations.

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# Executive summary

In April 1996, the United Nations General Assembly, at its resumed 50th Session, adopted resolution 50/225 on Public Administration and Development. The resolution confirmed the importance of reinforcing public administration for development and emphasized the need for cooperation among United Nations departments and agencies in supporting capacity-building in the broad areas of governance, public administration and finance. Specifically, it acknowledged that the role of the United Nations is to assist Governments, at their request, and to focus *inter alia* on strengthening government capacity for policy development, administrative restructuring, civil service reform, human resources development and public administration training.

In light of the above mandates and the recommendations of the Thirteenth Meeting of Experts on the United Nations Programme in Public Administration and Finance (May-June 1997), the United Nations Department of Economic and Social Affairs (UN/DESA) sponsored a series of meetings with the objective of highlighting the problems of the public service profession, which is currently in rapid change. After consultation with the Greek Government, it held a regional Conference on the subject of Public Service in Transition: Enhancing Its Role, Professionalism, Ethical Standards and Values, with a focus on the needs of the countries of Central and Eastern Europe. The United Nations Development Programme (Regional Bureau for Europe and CIS) agreed to co-sponsor and co-organize this Conference, which was hosted in Thessaloniki, from 17 to 20 November 1997.

All Member States of Eastern and Central Europe were invited and twenty, other than Greece, participated in this regional Conference. Several international organizations, both regional and A new configuration of knowledge, skills, values and attitudes is slowly emerging, shaped by the changing tasks of government and growing specialization, which make the quest for unity in

global, governmental and non-governmental, were also represented. To ensure that inputs reflected as broad a range of views as possible, UNDESA invited consultants from seven different countries to develop and present the main thematic contents, which were discussed at length in plenary and group sessions.

The stress on cooperation throughout the four-day Conference was unmistakable. A range of common problems emerged from the debates. The title of the Conference, appeared to single out those countries of the region which, currently, are undergoing an extensive transformation. Juxtaposition, however, of Eastern and Western experiences revealed a different picture. Discussion at the Conference brought into sharp relief the fact that *we are all in transition*.

In all the countries concerned, the public service represents a major actor in the process of change. To ensure a smooth transition and success in ongoing reforms, its role must be reinforced and this, in turn, entails reinforcement of its competence, professional core, ethical values and standards. In accomplishing this task, as most participants saw it, the past affords only limited guidance. Globalization, the rapid advances of science and technology, and the emergence of a vibrant civil society not only make transition a universal phenomenon, but also appear to set the course of change in the direction of a State markedly different from that which emerged after the Second World War. A State accustomed to thinking for its citizens, telling them what to do, is gradually ceding its place to one that listens and communicates, one that actively seeks partnerships with business and other civil society actors. Such a State, as participants observed, requires a civil service of a very different type.

the midst of increasing diversity particularly difficult. Notwithstanding this diversity and related problems, however, participants believed that there were common attitudes, values and skills, which

formed the core of public service professionalism. These needed to be strengthened.

Regarding the knowledge and skills increasingly required of public service professionals, the Conference underscored those that go into the making of competent, efficient and effective public managers on the one hand, and highly qualified, creative and conscientious policy advisors on the other. The Conference also stressed the importance of promoting the culture and practice of performance measurement. They believed that this should go *in tandem* with the strengthening of organizational structures and of a work environment which support and motivate individual performance. To this end, definition of standards and criteria of performance was regarded as essential for addressing systemic defects, as opposed to individual inadequacies.

Regarding values and attitudes, the Conference emphasized the critical importance of probity and integrity. It took the view, however that, though it might be pivotal to the success of efforts to improve its public image, combatting corruption was not a sufficient condition for raising ethical standards and levels of performance in government. Public service ethics encompass a broad and widening range of principles and values. These include objectivity, impartiality, fairness, sensitivity, compassion, responsiveness, accountability, and selfless devotion to duty. More than anything else, transition to a free and open society calls for rededication to democratic values, the respect of human rights and belief in the service of citizens and of the common good.

Though the focus of the Conference had been on central government, participants believed that its findings and conclusions applied with equal force to the field of local government, where needs were very great. Enhancing the capacity, professional status and values of local government staffs were seen as a prerequisite for implementing the principle of subsidiarity and making a success of decentralization. Two working groups advanced A modern information network could provide the essential support and institutional framework for regional cooperation in the desired direction. A cost-effective tool at the service of the

specific recommendations on those points. Both recognized the limits imposed by resource scarcity and budgetary constraints, but as the third group put it, in a slightly different context, A cheap civil servant costs the State a lot. It was generally agreed that a holistic strategy and a pragmatic approach were needed to secure long-term improvements in the desired direction. It was also felt that debureaucratization and buffering human resources management from excessive political tampering were necessary facets of building up a new professionalism in the public service. In stressing the significance of long-term strategic approaches to civil service improvement, the conference participants called for the reinforcement of those institutional structures and high-level skills, that constitute prerequisites for a sustained development in the right direction.

The timely availability of accurate, reliable and relevant data is a necessary condition for sound policy-making, but also for the measurement and monitoring of public sector performance. In this age of globalization and swift technological progress, knowledge of prevalent practices in the world at large conditions our ability to make informed critical choices. *A fortiori*, convergence or approximation to the institutional patterns followed in Western Europe, which is a set prerequisite for accession to the European Union, demands continuous sharing of information and advice on policy matters.

Institutional capacity and political will are necessary conditions for satisfactory progress in the transition process. Both are necessary underpinnings of any sustainable effort to raise performance standards, as well as to improve the role and image of the public service, as urgently required. Both are also needed to enhance public service professionalism and ethics which, in the last analysis, rest on the value accorded to knowledge, integrity and merit within the public service and in society at large.

Governments, it would also facilitate an ongoing dialogue and networking among several other partners from many countries for the study of new ideas, systematic in-service training and the design

of plans or projects of reform. In light of resource scarcity, as many participants saw it, there is need to avoid duplication and overlapping functions. Effective coordination and cooperation, at both the national and international levels, largely condition the quality and cost of service delivery. However, in these days of advanced information technology, the establishment and maintenance of a global or regional online network does not entail creation, as in the past, of large bureaucratic entities, but rather a flexible structure to develop and sustain joint activities as called for.

The United Nations Secretariat, which with the UNDP and the Government of Greece, had taken the initiative in organizing this Conference,

strongly endorsed these views and recommendations in favour of keeping the momentum through appropriate follow-up action. The Government of Greece, in the person of Mr. Simitis, has offered to facilitate this process through the establishment of a Trust Fund to create and operate a modern information clearinghouse with an accent on the needs and concerns of the region. Based in Thessaloniki, this clearinghouse facility would furnish a valuable framework for regional cooperation. It could contribute synergy and greatly enhance the effectiveness of efforts by national governments to reinforce professionalism, ethics and competence in the public service.



# Foreword

The present volume is the final outcome of a regional conference on Public Service in Transition, which focused on the need to enhance its role, professionalism, ethical values and standards. It was held in Thessaloniki from 17 to 20 November 1997. The Conference was organized by the United Nations Department for Economic and Social Affairs (UNDESA), the United Nations Development Programme (UNDP) and the Government of Greece, which hosted this event. The Conference brought into sharp relief the value and the need for closer cooperation among the Member States of Central and Eastern Europe. With this in mind, in his keynote address, the Prime Minister of Greece, Mr. Costas Simitis, offered to establish and maintain, in Thessaloniki, a facility based on the concept of an online network of institutions for capacity-building in governance, public administration and finance.

There were several programme highlights, including, in particular, a Monday gala dinner, offered by the Bank of Greece, at which Mr. Costas Simitis, Prime Minister of Greece, and Mr. Vladimir Petrovsky, Under-Secretary-General and Director-General of the United Nations Office at Geneva, spoke. The host Government, EIB jointly with EBRD, and the Greek National Centre of Public Administration each sponsored a working lunch at which their respective programmes on public service reform were presented and explained. On Tuesday night, the Greek Ministry of Culture organized a visit to the special exhibition on the Treasures of Mount Athos, which was followed by a cocktail at the Museum itself. Dinner receptions were offered by the National Bank of Greece, on Wednesday, and the

United Nations, which bid the participants farewell on Thursday night, shortly after the closing ceremony.

The Conference in Thessaloniki was one of several sponsored by UNDESA as a sequel to the resumed 50th session of the General Assembly on Public Administration and Development and the subsequent Meeting of Experts on the United Nations Programme in Public Administration and Finance. Its findings are embodied in the report and are summarized in the Introduction to Part I of the present volume. Part I also includes the keynote presentation made on behalf of UNDESA, an extensive summary of national papers and the reports of the working groups sessions which were prepared by the participants and represent the experience of their respective countries on the major themes of the Conference. Part II & III consist of the technical papers respectively on Professionalism and Ethics. They have been listed in the order in which the topics were discussed. The organizers of the Conference thank all of the participants and presenters for the outstanding contributions, which they made to this compendium. They also express their gratitude to the Hellenic Government for making the Conference possible. This volume was prepared and edited for publication by the Governance and Public Administration Branch of the Division for Public Economics and Public Administration of UN/DESA. Special mention in this regard is made of contributions received from General Rapporteur Demetrios Argyriades, Elia Yi Armstrong, consultant, and Garegin Manukyan, staff member of UN/DESA.





# Address by His Excellency Mr. Costas Simitis *Prime Minister of Greece*\*

Honourable Mr. Under-Secretary-General, excellencies, distinguished representatives of leading international organizations, participants, ladies and gentlemen,

You have come to this Conference in spite of pressing claims from other important commitments. You have come to our country on account of the importance and relevance of its subject matter. This Conference is one in a series of similar meetings organized on a regional basis in preparation of the deliberations of the General Assembly of the United Nations at its 53rd session.

I welcome you to this beautiful city, known for its hospitality and long tradition in the exploration of problems of major concern. This tradition goes far back, to the golden age of the classical Greek civilization. I need hardly remind you that Stageira, not far from this city which welcomes us, is the birthplace of Aristotle, who founded *inter alia* the study of Ethics a major theme of this Conference.

Few cities could provide a more propitious setting or richer cultural past; a past that may well serve as inspiration in the quest of new ideas on the complex problems of our times. For more than two millennia, Thessaloniki has been the meeting point of peoples and nationalities, the hub for the development and dissemination of new ideas. Historians have paid tribute to this important crossroads of peaceful creativity, productive enterprise, and intellectual uplift.

A large cosmopolitan centre already at the start of this century, at times not always free from How can the State, and international organizations like your global Organization, contribute to opti-

international tensions, this has become a modern city that radiates throughout the Balkan region and beyond. This development would have been impossible if this city did not draw on its rich intellectual and artistic heritage. It would have been impossible also if the city were not located on an important crossroads, a contact point of peoples and civilizations, from West to East, from North to South. This reality is reflected to this day in the city's historical monuments.

Precisely for this reason, we envisage the development of Thessaloniki as a great metropolitan centre, the hub of a network of economic, political, cultural and scientific activities. The progress and completion of projects in the areas of infrastructure, culture, transportation, communications, production and energy, including the construction of the Egnatia highway, the extension of the airport and the harbour of Thessaloniki will contribute decisively to the accomplishment of this goal. We persevere in this direction with the encouragement and help of the European Union.

Ladies and Gentlemen,

The world is in the throes of major transformations. The rapid progress of science and technology, the globalization of the economy and the information revolution are re-defining social and production work relationships and affect our daily lives. Men and women face today, infinitely greater opportunities to develop their potential, but they are also confronted with much greater risks and dangers than in the past.

mizing existing possibilities and circumscribing dangers? How can the actualization of citizens

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\* Original in Greek

freedom today lead to improved conditions and better quality of life for all? Where are we going to look for the ideal solution to this difficult relationship, which is continually changing? This is a complex challenge, perhaps the greatest problem of our times. It cannot be resolved easily and continues to remain an open question.

No fields have been so touched by change as governance, the science and practice of management and public administration. In barely a decade, prevailing values systems and an institutional framework borne of a long gestation have been severely shaken. In their place, new structures are emerging fast under the pressures of a new international division of labour and the radical reorganization of international society.

We observe that both the missions and functions of the State are changing drastically. Daily, we experience this new reality, though we may not always be conscious of it. We thus all ask ourselves whether certain traditional or even current functions of the State are necessary and productive. Those who look to the future seek to re-configure the mission and tasks of the State in light of new conditions.

Sometimes we are told to reduce the scope of government and circumscribe the role of public administration. What is proposed, in other words, is to revert to the night watchman State or, to be more precise, to a poor version of it, and leave important decisions to the invisible hand of global economic forces. Proponents of this thinking can still be heard, but there are indications that the hold of such beliefs is slipping rapidly.

In forum after forum, demands to modernize and to reinforce the State arise from growing awareness of the all too visible dangers of its inaction. There is a growing sense that government passivity will not address the problems of poverty, unemployment, environmental degradation, the abuse of human rights and organized crime, which are not going away, but rather continue to grow. Nor will passivity ensure that any future gains from economic recovery and technological progress will be more evenly spread.

If I may be allowed to borrow the title of an impressive document of the United Nations, that has been placed before you, we ought to re-design the State for socio-economic development and change. We have come to realize that, in order to move forward, we must explore new strategies in tune with new realities. Two centuries of progress in Europe and beyond have left us a rich heritage, which we must preserve, safeguard and perpetuate. The State as the guardian of legality, as the agent of development and the guarantor of social justice is part of this valuable legacy.

Ladies and Gentlemen,

The changing role of the State and the emergence of new tasks which must be carried out add value to the principle of decentralization, the quest for effectiveness and citizen participation. On the other hand, they also make demands for new guidelines and principles, whereby administration can acquire new content, come closer to the citizens and better meet their needs.

Public administration, therefore, must be humane, socially responsive and transparent. These are principles that re-define its mission and functions. Public administration exists to serve development, both economic and social. To respond to the question: what is the type of development to which we aim and how we can hope to serve the public interest, we must together apply the principles to which I have referred. Principles and goals are closely inter-related.

A strong strategic State can thus promote the growth of a vibrant civil society, invest in social capital and sustain a people-centered framework. It requires effective institutional structures, which are able to maintain and reproduce the quality of public services, guided by specialization, initiative, collective action and professionalism. Precisely on this account, some functions must be transferred from the State to local government or to civil society. In this manner, the State can be reformed in light of the demands of our times.

We ought to realize that public administration exists to serve the citizen. It exists to establish conditions which enable men and women to make their freedom meaningful. This challenge becomes

more pressing because the possibilities which modern technology offers are vast. But vast are It would be a mistake to believe that technological progress and bureaucracy are incompatible. Indeed it is a mistake because bureaucracy can survive with the help of new technologies and from a position of strength. Precisely on this account, we must do everything in our power in order to give technology a human face. That is to say, to use it to promote the

emancipation of men and women from various forms of domination; not to allow their subjection to those powers.

I trust you will agree that realities compel us to re-examine fully the complex relationship between public administration and the citizen. In all its manifestations, public administration must stand by and support the citizen.

Ladies and Gentlemen,

I have expressed to you some of the thoughts and principles that underlie the programme of administrative reform which we promote in Greece. We have now set in motion a plan to reinforce decentralization through the transfer of powers from the centre to the periphery, and to upgrade local self-government, at all its levels. Thus, public administration can function as closely to the citizen as possible. We are also moving forward fast with programmes for the modernization of our administrative infrastructure and the training of our public servants.

History shows that reforms are never easy. However, their success largely conditions the future. Our interest in this Conference and our support for the programmes of the United Nations

also the dangers which go with its advance.

reflect the great importance which we accord to administrative reform. They also underscore our firm belief in the benefits that flow from common action and in the contribution of regional cooperation to the process of reform.

The history of our region has lessons we must heed. They point to many pitfalls that we ought to avoid. With our eyes to the future, nothing seems more vital than the consolidation of peace. For peace and progress are indivisible. Therefore, we must reinforce the ties between our countries and develop stable mechanisms for closer cooperation at all levels.

Ladies and Gentlemen,

This morning, the representative of the United Nations, explored the possibility of setting up a global online network, which might also encompass regional centres. In time, this could provide a basis for the dissemination and sharing of experiences, ideas on best practices, and the organization of joint activities in training, consultation and applied research. Greece, a member of the European Union, as well as a founding member of the United Nations, would be happy and honoured to host and to facilitate this creative undertaking.

What we have started today, should be continued and reinforced by all constructive means, in order to fulfill its fundamental objective: better governance, sustainable development, a broad cooperation among us all and the consolidation of peace in the region.



# Message of the Secretary-General of the United Nations

*Delivered by Mr. Vladimir Petrovsky,  
Under-Secretary-General,  
Director-General of the United Nations Office at Geneva*

Your Excellency, the Prime Minister of Greece, Excellencies and distinguished representatives of Member States and international organizations, ladies and gentlemen,

It gives me great pleasure to convey a message from the Secretary-General of the United Nations to this important Conference. I would like to salute the Government of Greece for its initiative and ongoing commitment to United Nations ideals and objectives, and Thessaloniki for its hospitality.

Despite obvious differences between the Secretariat of the United Nations and national civil services of Member States, there are significant parallels between the reform process that is currently transforming the United Nations and many of the issues which will be explored at this Conference.

Enhancing performance; raising morale; improving professionalism; enforcing the highest possible ethical standards; instilling a sense of core values and principles – these are overarching goals we all share. They form our common agenda for change and renewal in this new global era.

Public services around the world face unprecedented challenges. Globalization, democratization and economic liberalization have prompted dramatic changes in the role of the State. New freedoms and opportunities have raised the expectations of individual citizens. An emerging, increasingly vocal and proactive civil society does not hesitate to call governments to account.

Effective cooperation requires a shared programme framework and common data bases. The vital importance of an information clearinghouse has been demonstrated in Thessaloniki, through the

A report of the United Nations Secretariat circulated at this Conference highlights one major problem: corruption and related criminal activities. Corruption and maladministration inhibit a country's development and penalize its citizens. But the effects are wider still, touching neighbours and entire regions, as States with weak institutions and laws become springboards and bases for ill-intentioned persons and their illicit operations.

Indeed, gone are the days when problems – not only corruption but also environmental degradation and an array of others – could be resolved by countries acting in isolation. Today, there is a global dimension to nearly all human pursuits. Consultation, cooperation and compromise among States and also non-state actors are essential. Governments, and in particular their public services, must respond to this challenge and rise to the occasion.

A competent, efficient and loyal civil service imbued with ethical standards is neither a luxury nor a dream. Quite on the contrary, it is a basic precondition of democratic governance and sustainable socio-economic development. Here, too, regional and international cooperation holds great promise. In field after field, we have witnessed the advantages of collective efforts to establish norms to which governments are committed and which groups in civil society promote with considerable ardour and impact. Human rights offer one such example; standards of conduct and competence for public servants, properly implemented, could yet prove to be another.

imaginative use of web sites by many of the conference participants. This has created linkages among major organizations working in public service issues in Eastern and Central Europe. In

time, such a clearinghouse could serve as a hub for networks and activities encompassing civil service reform, codes of conduct for public servants, career development programmes, techniques for performance monitoring and evaluation, and related training activities.

In a Europe that so clearly aspires to greater unity and cooperation, the prospects for such action have never been so favourable. This high-level

conference is yet another hopeful sign, for political leadership is crucial, not only in setting the civil service on the path of reform, but in keeping it on course. The United Nations, as ever, stands ready to facilitate and to cooperate in such a process. Please accept my best wishes for a successful conference.

Part 1

Public Service in Transition:  
*Major Issues and Findings*





# Introduction

## Background and organization

In April 1996, the United Nations General Assembly, at its resumed 50th Session, adopted resolution 50/225 on Public Administration and Development. The resolution confirmed the importance of reinforcing public administration for development and emphasized the need for cooperation among United Nations departments and agencies in supporting capacity-building in the broad areas of governance, public administration and finance. Specifically, it acknowledged that the role of the United Nations is to assist Governments, at their request, and to focus *inter alia* on strengthening government capacity for policy development, administrative restructuring, civil service reform, human resources development and public administration training.

It was against the backdrop of this consensus that the Thirteenth Meeting of Experts on the United Nations Programme in Public Administration and Finance, in 1997, adopted redesigning the State for socio-economic development and change as its overall theme. The Meeting emphasized that redesigning the State did not imply big government. What it required, however, were properly organized public administration systems able to attract, retain, develop and motivate high-caliber personnel. The Meeting, therefore, recommended that the United Nations should work together with Member States in order to evaluate existing legislation, policies and programmes, to further their effectiveness in enhancing performance in the public service, thus restoring its image and prestige (Report E/1997/86 pp. 2-3).

In light of the above mandates and recommendations, the United Nations Department of Economic and Social Affairs sponsored a series of meetings the objective of which has been to highlight the problems of the public service profession currently in rapid change. After

consultation with the Greek Government, it held a regional Conference on the subject of Public Service in Transition: Enhancing Its Role, Professionalism, Ethical Values and Standards, with a focus on the needs of the countries of Central and Eastern Europe. The United Nations Development Programme (Regional Bureau for Europe and CIS) agreed to co-sponsor and co-organize this Conference, which was hosted in Thessaloniki, from 17 to 20 November 1997.

All Members States of Eastern and Central Europe were invited and twenty, other than Greece, participated in this regional Conference. They were Albania, Armenia, Azerbaijan, Belarus, Bulgaria, the Czech Republic, Estonia, the Former Yugoslav Republic of Macedonia, Georgia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, the Russian Federation, Slovakia, Slovenia, Turkey and Ukraine. There was a large contingent of senior public servants from the host country. Additionally, the following organizations were represented: the United Nations Secretariat, the United Nations Development Programme, the International Labour Office, the Economic Commission for Europe, the European Commission, the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD), SIGMA/OECD, the Organization for Black Sea Economic Cooperation and the German Foundation for International Development (DSE).

To ensure that inputs reflected as broad a range of countries and viewpoints as possible, UNDESA invited consultants from Canada, France, Israel, Japan, the Netherlands, the United Kingdom and the United States. The Government of Greece provided logistic support as well as substantive inputs.

The objectives of the Conference were defined as follows:

- a) to acknowledge the diversity of conditions existing among the various countries of Central

and Eastern Europe and assist ongoing reforms of state and public service, thus easing their

b) to highlight the international dimension in

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transition and integration into the wider global community;

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- c) to explore the emerging role of the public service in the new State, including the need for closer contacts with both the private sector and civil society at large; the nature of professionalism; proposals for new strategies intended to reinforce the professional core, capacity, performance, integrity and image of the public service; building professional cadres; and human resources development for major categories of public service tasks;
- d) to stress the need for probity, transparency and accountability in government; steps that government can take to enhance its credibility; enlarging the advocacy, standard-setting and watchdog roles of civil society in this regard; and
- e) to make recommendations for measures that promote cooperation among countries in the region at large, both at the level of government and that of civil society.

The overall objective was to review the current situation and needs in Eastern and Central Europe and thus provide the basis for concerted follow-up action. It must be emphasized that the November 1997 Conference in Thessaloniki was one of a series of meetings in which the issues of ethics in governance and public service professionalism were discussed. Thus, the International Seminar on Ethics and Public Administration in Latin American countries, co-sponsored by UNDESA, was held on Isla Margarita, Venezuela, in October

1997. A Symposium on Ethics in the Public Service: Challenges and Opportunities for OECD Countries was held by the Public Management Service (PUMA) of the OECD in November 1997. This was immediately followed by a Multi-Country Seminar on Normative and Institutional Structures supporting Public Service Ethics, organized by Support for Improvement in Governance and Management (SIGMA) in Central and Eastern European Countries, at the OECD Headquarters in Paris. Their findings were fed into the proceedings of the Thessaloniki Conference. Other subsequent events included:

- a) the Colloquium on Promoting Ethics in the Public Service: co-organized by the United Nations Department of Economic and Social Affairs (UNDESA). The Colloquium was sponsored by the Federal Government of Brazil, UNDP Brazil and the Hyundai Corporation. It was held in Brasilia from 8 to 10 December 1997;
- b) the United Nations Conference on Governance in Africa: consolidating the Institutional Foundation; co-organized by UNDESA and the Economic Commission for Africa. The Conference was held in Addis Ababa, Ethiopia from 2 to 6 March 1998;

The Conference was organized in plenary and group sessions (see Annex II). The outcomes of the latter sessions were presented to the plenary, of which the present compendium is the consolidated report. An innovative feature of the Conference were the electronic kiosks mounted jointly by the Ministry of Interior and OTENET, the Greek Telecommunications Company. Positioned in a room adjoining the Conference hall, computer monitors displayed the web site created especially for the Conference, which also offered links to the relevant pages of the several organizations represented at the Conference. Those organizations were thus given the opportunity to showcase their respective programmes through the display of their web sites. This feature of the Conference served to demonstrate some of the capacities of the projected

- c) the XIVth Meeting of Experts on the United Nations Programme in Public Administration and Finance, held at Headquarters, New York 4-8 May 1998; and
- d) the Second Pan-African Conference of Ministers of Civil Service: co-organized by UNDESA, CAFRAD and the Government of Morocco. It was held in Rabat, Morocco, from 13 to 15 December 1998.

The outcomes of the Conference in Thessaloniki have been communicated to these international fora and, in this manner, contribute to a debate that has visibly reached universal dimensions. The need to enhance the role, professionalism, ethical values and standards of the public service but, even more importantly, the prominence this issue has been accorded lately on the global agenda sheds light on the nature of the problem itself. It clearly indicates the extent of public pressure, throughout the world, to improve the quality of governance. It also makes it plain that, though national governments remain the principal players upon whom it is incumbent to take action and bring about reforms, there is an important dimension of this multi-faceted problem that is best addressed through international action. The Thessaloniki Conference underscored the role of the international community in this regard.

Global United Nations Public Administration Online Network, the establishment of which has been discussed extensively and recommended by the XIIIth and XIVth Meetings of Experts on the United Nations Programme in Public Administration and Finance.

### **Problems, concerns and focus**

World-wide, the 1980's were a decade of profound transformation. The decline, then sudden collapse of the Soviet system of government was an event of cataclysmic proportions. The lingering global recession and mounting public debt in several countries has been another that significantly affected perceptions and approaches on the scope and role of government. The downturn of the economy, in several parts of the world, put an end

to the euphoria of the early post-war period. Transition from an era of relative prosperity to one of resource scarcity, as well as rapid change, brought into sharp relief the problems of *capacity* linked to the growing complexity and scale of modern government.

The combined effect of those trends has been to bolster a tendency to question and to narrow the role of the State in the economic and social fields. In a major paradigmatic shift, the government which, in the 1950's, 1960's and 1970's had widely been considered as the necessary engine of growth, was now, quite to the contrary, portrayed in essentially negative terms, or so perceived by the public. What started as a policy to cope with budget deficits and the effects of the global recession, developed into a campaign to roll back the State. This has been justified on moral, constitutional, ideological and pragmatic considerations. Its policies, for instance, have been upheld as overdue correctives intended to restore to individual citizens control of their own lives. They have also been defended as necessary measures to cut the public sector and to redress the centralizing tendencies of the administrative State. Often, they have been predicated on an implicit assumption: the presumed superiority of private management practices over public sector ways.

It is clear, on the other hand, that critics of bureaucracy have often used the term in a pejorative sense against the corporate culture of civil servants and the professional input which they have made to policy-making. Indeed, some politicians, have tended to question such influence and to deny permanent career officials a policy advisory role, thus depriving policy-making of a valuable source of experience and expertise. Criticism of bureaucracy has also been directed against the institutional role of the public service. The charge of social exclusiveness and of elitism have also been leveled against it.

While in past decades, the social composition of the higher grades of the service was seen as a

There is much to be said in favour of this approach. It has affirmed the rights of the individual citizen against a paternalistic and often overbearing, bureaucratic State; endeavoured to reduce the administrative costs of government; highlighted a role for civil society in the broad scheme of governance; pushed for decentralization and devolution of power against the opposite tendency of control and command from the top; offered latitude for initiative and experimentation; freedom to move without preemptive barriers. There is reason to believe, on the other hand, that relentless pursuit of the goal of rolling back the State and rhetorical excesses observed in this campaign had their costs in the form of serious damage to strategic institutions. For instance, in the advocacy of privatization and cutback management programmes, bureaucracy came under attack.

While the constructive criticism of bureaucratic failings, rigidity and closure are fully justified, there can be little doubt that blanket assaults on government and on the civil service, in the guise of fighting bureaucracy, are not. Reduction of bureaucracy could mean a number of different things. It could mean, of course, streamlining of administrative procedures through the development and application of modern, user-friendly techniques and methods of work; openness to the public and frequent interface with groups in civil society.

possible source of bias or one-sidedness, this is no longer the case. Indeed, in many countries, the public service profession has lost its previous appeal and its competitive edge. By contrast, real merit and excellence are needed now more than ever before, though they are harder to define and to secure in the context of growing specialization. The need to ensure a diversity of experience and expertise, while seeking out the best from the available pool of talent, nationally and internationally, remains a challenge, perhaps one of the toughest in administrative reform.

Properly constituted, a cadre of highly competent and motivated professionals in the service of the State can play a vital role in providing balance and

continuity in the dialectic process of change. Perhaps due to the enormity and fast pace of the changes that marked the 1980's, this role has been devalued in many countries, leading to greater readiness to tamper with historical safeguards for neutrality, transparency, objectivity and universality in civil service management. It was hypothesized that, since the public service was not an apparatus devoid of self-interest and power (F. W. Riggs), recourse to discretionary appointments might be an appropriate way to break down its resistance to change and make the civil service more receptive to the needs of the times. In retrospect, such measures have seldom proved beneficial. They have not raised the competence, integrity and responsiveness of public personnel. In all too many cases, they opened the way to politicization and partisanship. At times of unemployment, moreover, the relative security of public sector posts added to the pressures upon the State to serve as an employer of last resort. Such short-term expedients, however, have carried a steep price. Nowhere, have they contributed to the image of the Service, or enhanced its capability to respond to the challenges of change.

The need to address the problems of the public service profession has been brought home by the crises and mounting challenges of a process of transition in the countries of Eastern and Central Europe and beyond. Although it would be wrong. Many participants commented on this change of approach. As they saw it, the openness of the debate was as new as the subject itself. Only ten years ago, the topic of public service professionalism and ethics would have been considered taboo at inter-governmental gatherings. Those were the days when administrative corruption was lightly brushed aside as a cultural idiosyncrasy. It was explained away as the grease that oiled the wheels of business and, therefore, of development. Not any longer. Not only has past tolerance of graft and corruption decreased significantly, but also the proclivity to cover up such practices also declined. A new readiness of governments to level on such problems and discuss such sensitive issues is due to

to generalize regarding prevailing conditions in the region or in the world, there can be little doubt that transition has generally been difficult and that the civil service has been adversely affected in many cases. The urgency of reform is matched by its complexity. This has been emphasized at several recent fora organized under the auspices of the United Nations, the UNDP, the World Bank, the European Union and the OECD. Common to all these meetings is the priority accorded to the objectives of reinforcing the professional core, ethical values and standards of the public service, and the role of international cooperation in improving its performance and image.

### **Stress on complementarity & cooperation**

The stress on cooperation throughout the four-day Conference was unmistakable. To most of the participants, it made good sense in light of the configuration of the transition problems confronting Member States. Though coloured to an extent by cultural diversity and a political context that varies from country to country, these problems provided the substance and rationale of a productive dialogue, rich in thematic content and potentially productive of innovative solutions. The spirit that prevailed, marked by openness and realism and a constructive approach, may also be regarded as one of the positive outcomes of the ongoing transition.

a growing awareness of their universality and harm, on the one hand, and the need for concerted action to tackle them effectively, on the other.

The globalization of problems and permeability of national boundaries are quickly circumscribing the range of issues which can still be considered as lying within the exclusive domestic jurisdiction of individual states. No longer can segmented approaches provide satisfactory answers, nor can individual governments resolve them in isolation. Not only are all governments discovering the extent of their interdependence, but also, given the nature of the ongoing transition, they are coming to realize the fact that, as a general process, it is universal in scope and probably long-lasting. Though the

configuration of problems may be different and policies, accordingly, may vary from country to country, there is a common core that makes cooperation and consultation worthwhile. The gains that can be reaped from this approach are numerous, provided that the countries engaged in a dialogue do so in earnest and that the process itself be structured and sustained. The discussion in Thessaloniki, highlighted the following advantages of cooperation:

Economies of scale, particularly relevant given the rising costs involved in the collection and dissemination of information;

Avoidance of wastage of time and resources resulting from the tendency to reinvent the wheel, or to repeat the errors that other countries made;

The need to put the collective experience of the world and of particular regions to better use; the need to share best practices, to establish common standards and broaden the information and idea bases that shape government policies. There is reason to believe that existing data bases can be improved to better reflect the wealth and breadth of the human experience in governance.

The advantages of *synergy, complementarity and participation* were particularly stressed. The difficult task of restoring the image and prestige of

Discussion at the Conference brought into sharp relief the highly complex nature and changing configuration of the problem itself. The evolving tasks of government, compounded by developments in science and technology and public expectations, are constantly redefining the knowledge base and also, to an extent, reshaping the values for public servants. Coping with this situation and seeking to enhance the public service profession's performance and image represent a major challenge for any government. The Conference was seen as the beginning of a process that, hopefully, could lead to better information, new ideas on ethics and professionalism in the public

the public service represented an example of what could best be achieved by countries acting in concert, rather than going their separate ways. Such things as codes of ethics, performance norms and measurements would stand a better chance of gaining wider acceptance, if they were seen as being the outcome of a broadly-based, deliberative process, encompassing several actors both state and non-state (e.g. academia, professional associations and other organizations in civil society, nationally and internationally.)

*Inclusiveness*, in this regard, was strongly emphasized. The role of civil society loomed large in the discussion during a special panel. As several speakers saw it, debureaucratization meant opening up the system and widening the scope of the debate on civil service standards; of course, it also meant giving the taxpayer, the citizen and the governed a voice in this matter. Clear determination of standards and expectations was only part of the problem that needed to be addressed. For several participants, norm-setting goes *in tandem* with the establishment or reinforcement of the institutional frameworks and strategies, which lend sustainability to the process of rebuilding the civil service profession. Some of them are all-encompassing; others more modest in nature.

service, but also common programmes in meeting this shared and pressing challenge.

Providing continuity and structure to this process became one of the objectives of the three working groups. These groups explored the goals of regional activities, as well as the tangible benefits of this collective approach. The reports and ensuing debate demonstrate a degree of convergence on certain common themes, which also represent the findings of the Conference.

### **The issue at hand**

The issue at hand: that of a public service in rapid transition and the need to enhance its role, professionalism, ethical values and standards, was seen



largely as a problem of *capacity*. It was defined by some as capacity to translate an abstract concept into reality; the ability to bridge a yawning gap between, on the one hand, the resources currently available to the public service and, on the other hand, the evolving tasks, priorities and expectations of government and of the public.

In this sense, professionalism encompassed two dimensions: a shifting *competence base* and an *ethical dimension*. Both condition the performance of the institutions of government and, in the long-run also, the credibility of the State. It was felt that both had suffered in the process of transition. That the damage to institutions has been increased by unjustified critiques and populist excesses in some countries, does not reduce the gravity of the problem or the need to address it urgently.

On the contrary, the task that confronts most of the States represented at the Conference is to tackle both the *substance* and *perception of a capacity deficit*. What has become apparent is the fact that such a task cannot be carried through to its conclusion or carried out effectively without the participation of forces in civil society or carried out by governments acting in isolation.

Discussion indicated that a major part of the problem consisted in restoring a climate of trust, both in the public service and in society at large. It has been emphasized, on the other hand, that confidence and goodwill do not flow automatically from legislative frameworks. However necessary, sound laws alone cannot produce the hoped for performance improvements without sustained commitment on the political level, translated by the None of these goals are easy or risk-free. Departure from the rigours of bureaucratic structures may liberate initiative and speed productive processes. But will it automatically promote accountability, or help create conditions where probity and transparency can grow? Decentralization and devolution of power to lower action levels may energize the grass-roots to meet the local needs. But will they prove effective in answering the needs of vulnerable groups, or will they simply bolster the status of local elites? Last but not least, the

government into consistent practice, through the pursuit of equity, integrity, efficiency and effectiveness.

A facet of transition, the task of rebuilding the State for the tasks of the 21<sup>st</sup> Century may mean recasting the mould of a control-oriented, inward-looking and centralized bureaucracy, which no longer corresponds sufficiently either to current economic realities or societal expectations and needs. Often this goes *in tandem* with decentralization and privatization, which change the role of the State and transfer some of its powers to lower action levels of government, or to the private sector and to civil society.

Success in the task of reform is predicated on altering a mind set formed by years of risk-avoidance, addiction to routines and closure to a changing environment. In all too many countries, this mindset is not limited to the public domain, but can also be encountered in civil society at large. Changing this state of affairs may aptly be considered as the most daunting challenge of any reform drive. Human resources development, which it requires, is needed on a large scale to enhance leadership qualities and to create incentives that generate initiative and openness to change. It calls for new career structures, which emphasize mobility, the importance of accomplishment and the overriding claims of integrity and merit in the recruitment, placement and promotion of public servants.

adoption of private sector ways in the public sector may help enhance cost-consciousness, raise productivity in government and, arguably, increase responsiveness to clients and citizens wishes. But will it also foster a sensitive, humane and public-spirited treatment of people and public employees; will it promote *legality* and *professionalism* in civil service management? Surely what is needed is a new spirit of cooperation between the leadership and rank and file with mechanisms that favour the building of consensus and peaceful resolution of disputes.

The narrow-minded bureaucrat who simply followed orders can hardly be regarded as a model for the 21st century. In order to consolidate democracy and the *état de droit*, the State and local authorities require the expert support of a body of competent and dedicated professional administrators and specialists. They need a public service with a human face, which responds to the needs of the government and of the governed. Debureaucratization cannot be brought about nor yield tangible benefits without the substantial increase of discretionary authority in the hands of public officials. Often, this goes *in tandem* with a certain shift of focus away from process to output.

Both of these trends are welcome, if proper conditions exist, safeguarding respect for legality, transparency and accountability. In civil service management, this means a merit-driven and quality performance rewarding system of rules exemplifying professionalism, objectivity and universality in the selection, recruitment, promotion, development and motivation of public employees. Given the elusive nature and changing configuration of merit, it would be at least surprising if even best conceived and well-intentioned policies consistently produced the anticipated outcomes. The drive to raise the quality and level of performance of public personnel is both a never-ending and multi-faceted task. Success depends on variables which are at once too numerous and frequently too imponderable to control effectively. But although it may be difficult, this enterprise is worthwhile because it helps instill a greater measure of discipline, integrity and responsibility in the conduct of public affairs.

Discussion at the Conference highlighted the steep cost, in terms of both performance and credibility, which flows from the neglect of this important area. Over the years, the failure to come to grips with the issues of effectiveness, professionalism and The rapid progress of science and information technology have vastly improved the prospects for people-centered government and people-driven development. To make these prospects real, however, responsible grass-roots organizations are

ethics in the public service has contributed substantially to the prevalent climate of cynicism. This is exemplified by the reply of a public servant who was being interrogated by a performance monitor: You pretend to measure and we pretend to work.

The Conference emphasized that raising the performance, professionalism and ethics of the civil service and thus its public image cannot be accomplished by governments working single-handedly. Encompassing activities in institution-building and human resources development, these tasks require an input and broad participation from well-organized and responsible civil society actors such as the media, academics, professional associations and other citizens groups. A dynamic civil society is crucial to the vitality of democratic governance and the sustainability of a constructive social dialogue on which a sense of ownership, of shared concerns and the consolidation of civic spirit are founded.

Organized civil society (which includes the private sector) can be a *partner* of government, but it is also a *watchdog*. Without it, the protection of the rights and needs of citizens are left to those in power operating on the basis of legislative texts and bureaucratic procedures that often lie beyond the grasp of the average man on the street. Organized civil society not only brings government to the level of the citizens, but also obliges government to make its positions clear, its processes *transparent* and its policies open to criticism, in a constructive way. Organized civil society can bridge the *knowledge gap* between legislator and citizen, the technocrat and layman, which has been widened lately. Like the other yawning gap between the haves and have nots, this gap, if left unattended, could easily sap the vitality of the social fabric and the solidity of the foundations of democratic governance.

essential. Recent experience has shown that a monopoly of information and power in the hands of the government can take away the effectiveness of the *état de droit*, which represents the outcome of many decades of struggle. Restoring its vitality and

bolstering the strength of democratic governance is, in the last analysis, the rationale and goals of the Thessaloniki Conference.

### The targets of reform

The target of reform needs to remain that cadre of government officials whose competence, professionalism, intelligence, integrity and motivation condition the credibility, performance and effectiveness of the State. A small but critical mass, this civil service cadre is called upon to ensure the discharge of essential functions, which the Conference explored in detail:

guidance in problem-solving; assistance in policy planning; policy advice to ministers or heads of departments; building and communicating the institutional memory of a department of government to the decision-makers;

the guardianship and management of the resources required to give effect to those policies, and the efficient delivery of quality public services;

the establishment of benchmarks; the setting and enforcement of norms; measuring, monitoring and evaluating the performance of public organizations, or non-governmental agencies performing tasks on behalf of the government.

Some of those functions were carried out perfunctorily or not at all under conditions of

Cutting across these roles is the need for proactive adjustment to swiftly evolving patterns in every field of activity. At times of rapid change, the State must be in the forefront of implementing reform and smoothing out the path for progress. This entails practical measures which develop enabling policy frameworks, overhaul administrative structures and upgrade human skills. Government must keep up with the times and set the pace in the use of new technologies. Developing new skills must go hand in hand with the introduction and maintenance of the appropriate tools. Particular attention must be paid to those skills and tools, including information, which condition the

democratic centralism , which in the past deprived the public servants in several republics of Central and Eastern Europe of meaningful initiative in this regard. Developing capacity, that is to say creating the appropriate structures, upgrading relevant skills and building up a core of competent and dedicated professionals in these critical areas, conditions the success of the transition process. These activities must be seen, accordingly, in light of the new role of democratic states and of the new modalities of state intervention in free market economies. The following roles of the State, take on special importance in most of the countries concerned:

securing the provision of vital social services and promoting human development;

establishment and maintenance of safety nets;

protection of the environment and promoting sustainable development;

promoting human rights; advancing gender mainstreaming and protecting minorities or vulnerable groups;

elaboration and implementation of monetary and fiscal policies;

private sector development and fostering industry and trade;

income redistribution, raising of revenue and management of financial resources in equitable, transparent and accountable ways.

effectiveness of the totality of government and of the State. The *management of change* and what one of the papers presented to the Conference described as *weaving the future* are making special claims on those strategic cadres that have been designated as *the thinking part of the State and Government* . Enhancing the role of these cadres and the professional standards of the public service as a whole must be seen in light of this challenge.

It is a difficult challenge and, as participants saw it, the path ahead may be uphill and long. Promoting and safeguarding the professional identity, autonomy and integrity of the public service

represent its most difficult part. In turn, it constitutes a necessary prerequisite for the successful pursuit of the process of transition and redesigning the State for the world of the 21st century. Two points were amply borne out by the four-day debate. Firstly, that integration, globalization and growing interdependence among the Member States of Europe and beyond add urgency and importance to such capacity-building, seen as the co-efficient of human resources development and institutional reinforcement. Without capacity-building, the gap which separates different States may grow to a dangerous level, making communication difficult. The quest for common standards and regional cooperation in implementing these standards in the public service context condition the success of the *convergence process*, in which many of the countries of Central and Eastern Europe are currently engaged.

### Other major findings

The second point flows from the first. Capacity-building cannot and should not be limited to the institutions of the central government. In this regard, the errors of the early post-war decades must be avoided at all cost. A growing competence gap, between the centre and the periphery, on the one hand, but also between state and non-state actors on the other, would soon undermine the solidity of the democratic State. Not only would it weaken the prospects for decentralization and the empowerment of civil society, but it would also impair the fabric of relationships on which partnerships for development are built. In the long run, it might widen the disparities between people in different districts and segments of society.

As the discussion showed, regional cooperation in Central and Eastern Europe could contribute to overcoming such unwelcome tendencies. Given present limitations, participants agreed that such cooperation should focus on those targets and take Participants also agreed on establishing a *Charter for the Public Service*. Drawing inspiration from the Charter for Local Government recently adopted by the European Union, this Charter could help advance the cause of civil service professionalism

forms that could spread and optimize the benefits for all concerned. They were notably:

- information on best practices, ideas, legislative texts, ongoing research and cutting-edge technologies, civil service management, administrative reform, public finance and related matters on public administration;

- data bases on available sources of expertise, policy advisory services and training, notably in the region;

- pooling training resources and regional cooperation in the training of trainers especially;

- regional cooperation in the promotion of decentralization and the empowerment of civil society, specifically through training, institutional reinforcement, the upgrading of management skills, innovative work programmes and networking;

- the quest for and advancement of common standards of excellence and promotion of the image of the public service profession;

- regional cooperation in the advancement of the above and combatting corruption and crime.

Enhancement of the role, professionalism, competence, ethical values and standards in the public service was the theme that cut across and provided a common objective for these distinct activities. The Conference expressed support for the projected Global United Nations Public Administration Online Network. Participants believed that, in time, this network could become an important *information brokering tool*, helping sustain a virtual community of professionals, practitioners and trainers in human resources development and public administration at large; a community at the service of regional development and cooperation.

and ethics, add prestige to public service as a vocation and set standards which draw strength and legitimacy from their international character.

It did not escape participants that professionalism is indeed universal in scope. Though legal frameworks and benchmarks for recruitment into the profession may vary from country to country, there is a common core that sets professions apart across national boundaries. This common core consists in shared knowledge and technologies and skills, but also value systems developed over centuries and slowly internalized by members of professions without regard for ethnicity, religion or other affiliation. The stress on objectivity, impartiality, diligence, fairness, integrity and commitment both to a standard of excellence and to the good of the client constitute the hallmarks, which were articulated for all time in the oldest of the existing professional codes: the Hippocratic Oath.

Significantly, this statement of professional values makes equally good sense in Latvia, Lithuania, Greece or Turkey. Although it may be argued that national particularities exert a stronger influence in shaping the characteristics of the civil service profession, it may also be stated that globalization has brought about a rapprochement and a degree of convergence in this regard.

In Thessaloniki, as well as other recent conferences, a convergence on benchmarks, expectations and values, in this regard, has been remarkable. It can be expressed as follows:

reevaluation of learning, integrity and competence;

stress on the merit system, while paying due regard to affirmative action in favour of historically or otherwise disadvantaged groups; growing sensitivity towards and respect for the citizens' needs;

low tolerance for laxity, corruption and crime;

increasing recognition of the need to acknowledge and to reward industry, loyalty, accomplishment and merit;

increasing recognition of the value of *neutrality* of civil servants and of the need to secure a degree of *autonomy* of public personnel management from extraneous pressures in order to safeguard high quality performance, motivation, integrity and professionalism in the public service;

increasing recognition of the value of cross-cultural and international links as means towards the improvement of the professional image and performance of the public service.

The Conference concluded in favour of the need for concerted follow-up action to move from word to deed, from principle to practice. A programme of activity of broad regional scope would help keep up the momentum that has been built, and mobilize support both for domestic reform and the process of convergence among the States concerned. A task of such importance fully merited the assistance and support of the United Nations, its sister organizations, the European Union, the OECD, the EBRD, EIB and other regional organizations represented at that Conference.

# The Public Sector: Current Trends and Constraints<sup>1</sup>

From the invention of freedom that the French<sup>1</sup> Revolution of 1789<sup>2</sup> represented to the reinvention of government<sup>3</sup> proclaimed by the American Democrats two centuries later, the problem at issue remains the same: that of the citizen's place in relation to power and vis-a-vis all power. Faced with a tentacular, or archaic and ineffective State, the question is today, as it was two hundred years ago, to find the ways of drawing a clear line of demarcation between the sphere of the State and that of free societies or the individual<sup>4</sup> a line of demarcation that will ensure the operation of an administration able both to carry out, for the benefit of the community, the functions that are needed for its development, and simultaneously to protect the freedom of individuals against encroachments and restrictions to which the administration may subject them. Is this an attempt to square the circle?

The persistence, or re-emergence of such terms as invention or reinvention might lead us to think so. But that is not the case. For, it must be repeated, *the State and the laws are no longer what they were*. The fact that we have moved, in two centuries, from the invention of freedom to the reinvention of the State means that, during those

centuries, in spite of all appearances, the State was able, somehow and, to a certain extent in specific areas of social life, to embody or protect the freedom of individuals. At present, the question is to find, once again, the right balance, the correct adjustment of the role of the State to the management of free societies, for which it is responsible.

In this respect, the experience of the public sector of societies in transition is revealing in its demonstration of what these public sectors have experienced, in the form of emergency, extremes and desperate need, as a result of the permanent problems of management and the adverse trends affecting contemporary state administrations, as a whole. I wish to speak here of specific characteristics and similarities, points of divergence and convergence. Furthermore, I want to show how, beginning with situations characterized *yesterday* by monolithic structures imposed on their administrations, the period of transition and crisis, through which many national economies are passing *today*, is inducing the dismemberment of their structures and makes it necessary, for *tomorrow*, that they be brought together again and gain control over their diversity, in order not to collapse.

## Yesterday, an imposed monolithism

Every generalization necessarily contains an element of caricature. Nevertheless, we cannot avoid generalizations. The state of the public sectors of countries in transition, before the collapse of the political system that dominated them until the end of the 1980s, can be characterized in terms of three themes, each of which is related to one of the organizing principles around which a public sector is built in the contemporary world.

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<sup>1</sup> By Gerard Timsit, University of Paris I, Pantheon-Sorbonne, original in French.

<sup>2</sup> J. Starobinski, *L invention de la liberte (The Invention of Freedom)*, Skira, 1972.

<sup>3</sup> D. Osborne and T. Gaebler, *Reinventing Government*, Plume, 1992.

<sup>4</sup> P. Leroy-Beaulieu, *L Etat moderne et ses fonctions (The Modern State and its Functions)*, Paris, 1911.

The first of these themes is the definition of a public servant, which is also a way of defining and delimiting the public sector. What is a public servant? Where does that sector of social activity, whose management is entrusted to agents having the character of public servants, begin and end?

The second theme is that of the administration of the public sector: to administer the public sector is to construct it. Are those agents, who are recognized as having the character of officials, subject to special rules? Do they fall under a special legal system distinct from that applicable to the employees of enterprises, and, if so, to what extent? Three consequences followed from these premises. The first of these pertained to the relationship between the public sector and enterprises. In principle, the agents of public administration in Western countries are subject to specific statutory laws, while generally speaking, employees of enterprises fall under a separate legal system embodied in the labour code. By contrast, the countries of Central and Eastern Europe had a single legal system deriving from the labour code and applicable to all, whether agents of the administration or of enterprises, i.e. a unitary legal system as opposed to the dual legal system characteristic of the countries of Western Europe.

Lastly, there is the theme of the subordination of the public sector, of the availability of the administration, in the sense of article 20 of the French Constitution of 1958, which states that the Government, which establishes and conducts the policy of the nation, also avails itself of the administration. In a democracy, the public sector is hierarchically subordinated, because it has no legitimacy of its own and its only legitimacy is derived from the duly constituted political authority. But what is the extent of this subordination? And what is, therefore, the scope of this availability of the administration to the political authority?

Until the end of the 1980s, the countries with economies in transition, taken as a whole, had radical answers to these three questions, at least in principle.<sup>5</sup> In the Socialist States, which were based on the principle of the unity and indivisibility of state power, the supreme legislative body, elected by the people, exercised state power alone. The various organs of state power (Assembly, local councils) were hierarchically subordinated to one other in application of the principle of democratic centralism, laid down by Lenin at the beginning of the century. This principle, in fact, ensured the supremacy of the minority over the majority. It was intended to enable the Party to exercise power through the popular representative bodies and the organs of state power.

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<sup>5</sup> G. Timsit and J. Letowski (under the direction of), *Les fonctions publiques en Europe de l'Est et de l'Ouest*, Ed. Du C.N.R.S., 1986.

The second consequence bore on the relationship between the public sector and the administration itself. Central and Eastern European countries, subject to Communist regimes, had agents of the administration, for the same reason which led to the adoption of a single legal system applicable to all. In Western countries it is not uncommon to find a differentiation in the statutory regulations applicable to different categories of administrative agents, depending on whether they are in the central or local administration, or on the basis of the branch of the administrative apparatus to which they belong (e.g. teachers, police, the magistrature, postal services, social security), whose members may or may not be granted civil service status. The Communist countries, by contrast, excluded, at least in principle, even the slightest statutory differentiation between these different categories of agents. This was done in accordance with the principle of the unity of the State and the equality of all its servants, whatever their function.

The third consequence, which is equally important, concerned the relationship between the public sector and the political authority; a relationship characterized by the complete subordination of the administrative agents to a political authority, present in both aspects as governmental authority and as a single dominant party. In this way, by

means of the notorious *nomenklatura* (i.e. lists of jobs which could be filled only with the party's agreement) the complete integration of the administration with the State power was realized. There was no institutional confusion between the State and the Party. An artificial monolithism, no doubt, it was imposed externally because of an exclusive and mistrustful domination by a party and ideology over an apparatus organized to guarantee that control. However, it was also a total, and complete monolithism, since the unity of state power expressed itself not only through a vertical integration of the administrative and the political, but also through the assumption of control by the State apparatus of all non-governmental institutions, and of those responsible for services and economic production in particular. In reality, however, because of the single party system, this monolithism was only the final product and aggravated result, of a particular administrative model – the Weberian bureaucratic model.

This model, in itself, contained nothing of the totalitarian extremism of which it became the carrier. However, because of the hierarchical, pyramidal, unitary organization, which it adopted as a condition for its functioning, the monocratic bureaucracy, as Weber called it, became peculiarly susceptible to transformation into an instrument of that state power, which was set in place.

It is easy to understand the tensions inherent in a monolithism so absolute and in organizations so utterly frozen in their certainties and arrogance. It is equally easy to understand the depth and brutality of the crisis into which the administration governing these organizations was plunged at the end of the 1980s. This crisis was not only one of States which, because they had changed political systems, needed also to renovate the administrations responsible for implementing their policies.

Had it been only that, the problems would have been simple. And the Weberian administrative model might still have served, because it was conceived and articulated precisely in order to systematize and ensure political and administrative

State apparatus and that of the Party. Nevertheless, this arrangement represented *de facto* control by the Party over the entire administration. This was administrative *monolithism*.

changeover (in this connection, the whole Weberian analysis of the administrative upper echelons and the prudent place made for the *politische beamte* in state organizations may be recalled). But this was not the question. The crisis affecting the States described as in transition went much deeper. It is a double crisis, or even a double twofold crisis, since each of the crises is twofold in nature.

At this point, I should like to explore, since the nature and depth of this crisis already now determines the solutions, which should be applied tomorrow.

### Today: a mandatory dismantlement

Decomposition and fragmentation are threatening an entire government apparatus previously held together by force – brute force – or the force of an ideology.

Fragmentation occurs as a consequence of a dual crisis: that which was brought about by transition – the shift from a planned economy to a market economy, from a totalitarian regime to a liberal State, but also one which cannot be concealed and, underlying and aggravating the other crisis, affects traditional government models. These two crises must be viewed together. Reinforcing one another, they contribute to strengthening and deepening the pressures that are felt by the public sector of the countries in transition.

The most immediate and visible crisis is that of the collapse of the communist regimes.<sup>6</sup> The emergence of pluralism, the initiation of periodic elections at different levels of the government structure; na-

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<sup>6</sup> Institut International d'administration publique (International Institute for Public Management). *L'Etat en transition, l'Europe centrale, Dossiers et débats (The State in Transition. Central Europe. Cases and Discussions)*, 1992.



tional, regional, local the design and implementation, partially at least, of economic reform programmes, some extremely ambitious and representing a complete break from the policies hitherto in force, have required the complete restructuring of the public sector. The dismantlement of the State and the obsolescence of a state apparatus, which However, the transition has made it necessary for public administration to be both the subject and actor in this reform. A transformation of such magnitude could not be undertaken without having some governing authority, at least to take charge of its coordination. Several countries in transition did indeed conceive such a plan and initially appointed a Ministry, strengthened by administrative reform to design, prepare and implement a plan to modernize and democratize the public sector. However, they reversed that decision fairly quickly so as to avoid the image of spreading the bureaucracy and instead decided to abolish the ministries.<sup>7</sup>

Such vacillations cast a vivid light on the contradictory forces to which public administration systems are subject in countries in transition: some seeking to reduce the pressure and burden they place on the community; others giving them new tasks requiring better adaptation, greater efficiency and improved performance in domains such as administrative or legislative reform with which they are not truly familiar.

The public administration crisis affecting countries in transition, serious as it may be, is nevertheless only a facet of a more widespread crisis affecting all public administration systems. It is a dual crisis, characterized by a substantial increase in the demand for state services, while simultaneously exhibiting a drastic lack or loss of confidence in some

had hitherto been run in an overly protected manner, have made it necessary to rethink and recast the public sector first by reducing it and then by modernizing it. Thus, public administration became the primary area and object of reform.

areas, legislative lacunae and a lack of sufficient controls in others.<sup>8</sup>

The administrative apparatus is subjected to demands from members of society, whose number and intensity increases by the day. Thus, the administrative system must enhance its capability to respond more and more speedily to new exigencies in areas of activity that are exceedingly varied, as well as different from its traditional functions. Thus, it must take responsibility for the protection of the environment, the quality of life or even the organization of leisure. Concurrently, however, persistent inefficiency in economic tasks, which the State had undertaken reduced its credibility and deprived it of the legitimacy, with which it had been credited on account of its presumed rationality.

The double twofold crises intensify the pressures exerted on the administrative system of countries in transition. Each of these crises the general crisis and that which is specific to countries in transition pushes in the direction both of the expansion and reduction of the state apparatus. Each of these crises leads, at one and the same time, to the reinforcement and the disintegration of the administrative system. It manifests itself in a contradiction, characteristic of the State in post-communist countries, between centralization and regulatory activity, on the one hand, and gaps in legislation and the inadequacy of controls, on the other.<sup>9</sup>

This has led to a state of disorganisation and dislocation in the government structures, which is currently affecting the overall operation of governments in transition and, in the area in question,

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<sup>7</sup> R. Averats, *New Structure and Implementation of the Civil Service System as a Part of the Latvian Public Administration Reform Program*, International Association of Schools and Institutes of Administration, 1996.

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<sup>8</sup> A. Gazarian, R.I.S.A. 1995, p.264.

<sup>9</sup> A. Gazarian, R.I.S.A., 1995, p.264.

assumes three aspects. In the relationship between government administration and the political authority, there is a clear slackening of the ties of control and responsibility due to the fact that the democratization process has often put an end, through purges, to the control formerly exercised by the political authority over the administration, but without reestablishing and rendering operational new channels for the circulation of information and the transmission of decisions.

The second aspect is that of the relationship between the public sector and enterprises. It is true that privatization has occurred on a large scale. And it would appear that, despite the mishaps and hazards of the privatization process to date, the transfer of operations from the public to the private sector has attained remarkable levels in most post-communist States.

However, here too, there is no clear evidence that the process has so far yielded all the expected results. In addition to the breakdown in production given the inadequacy of private operations in place of the State's former production a private sector has come into being, which operates outside state control and is not even registered under it: it is, therefore, no longer subject to state control, penalties or taxes, since only those companies which are officially registered continue to pay penalties and taxes to the State.

The third aspect is that of the relationship between the public sector and the administration it directs, or should direct. The place assigned to the public sector in the monolithic system hitherto in effect as the armed fist of the Government and the Party that ruled it justified the holding of all power by its officials. This concentration of unrestricted power gave rise to the phenomenon of unaccountability on the part of public officials who, because they held all power, had to take none of the consequences they no longer take the risk of negative decisions (and) are not required to make positive decisions. And if a reason can be found to make inaction possible or, at any rate, to postpone a decision for as long as possible, then that becomes the best strategy.

This has resulted in the phenomenon observed in one of the post-communist states, but which does not appear to be unique to it: the high officials who make the final decisions very often do not assume responsibility for the consequences of these decisions, while those who are responsible for carrying them out do not have the power to make decisions.

Experience demonstrates that this is a disastrous strategy reducing the State to an empty but heavy shell, cumbersome and useless, and forcing it to embark once again on reform in order to prevent a collapse which might now prove beyond repair.

### **Tomorrow: a controlled diversity**

Controlling the diversity of structures is a necessary condition for the success of the reforms undertaken by the State and the public sector in countries in transition. Let me reiterate: controlling. For it is not a matter of ignoring diversity or wishing to suppress it. It can only be reduced, in the sense that one speaks of reducing a fracture. It would be useless to believe that administrative reforms are likely to succeed, if they are imposed from above and purport to introduce ready-made solutions to the ills of an administration while attempting to conceal its character and history, as well as its deep undercurrents.

The problems facing the public sector in the countries in transition, namely, those of identifying, managing and enacting, in each case with reference to one of the constituent elements of society and the State, i.e., the economic, administrative and political, have already led to failure twice. In the past, it was the failure of monolithism held in place only by force and prone to disintegration as soon as the force disappeared.

Today, failing structures, which have lost all coherence, become even more ineffective than when they were under the archaic and artificial unity in which they were imprisoned by the absolute power to which they were subjected. Two extreme solutions; two glaring failures. This is because

administrative reform, unlike political revolutions and the myths surrounding them, are ill-adapted to radical solutions. Social structures resist, and unless their development is taken into account and is inflected if necessary, but not ignored or violated, reform will be bogged down or lose momentum.

***Recommendation 1:***

*A distinction must be made between global reform plans and reform strategies with global intentions. Reform plans that are too ambitious run the risk of remaining dead*

It has been said that civil society cannot be reformed by decree.<sup>10</sup> It may be more accurate to say that civil society can only be reformed by decree if the decree suits civil society. This is not to say that reform decrees should embrace the situations they are meant to change, but rather that they should take them into account hence the need for an accurate diagnosis and the emphasis I have placed on establishing the facts and being taken into account they should serve as a support, as a lever supports itself on the stone it is required to lift.<sup>11</sup>

***Recommendation 2:***

*Reinforce an autonomous diagnostic capacity in national administrations by means of the establishment of inspectorates for administrative reform. These inspectorates would enjoy an independent status within the administration and would thus be in a position to prepare an objective assessment of situations in need of reform, as well as priorities and the sequence of the steps to be undertaken.*

If this analysis is accepted, the developments which were initiated as a reaction against the monolithic

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<sup>10</sup> M. Crozier, *On ne change pas la société par décret* (Society Cannot Be Altered By Decree), Grasset, 1979.

<sup>11</sup> See, for example, M.H. Berard, *Le besoin de règles claires et stables*, in *L'Etat en transition* (The Need For Clear and Stable Regulations, in *The State in Transition*), *op. cit.*, p. 58.

*letter by reason of the absence of a strict hierarchy of priorities and schedule, as well as the inability to manage the transformation, in the administrative environments provoked by earlier reforms introduced in line with the plan. The strategies, by contrast, permit the utilization, to the benefit of long-term reform objectives, of those profound societal movements, which can accompany partial reforms and so take advantage of the momentum resulting from those trends and of the possibility to concentrate scarce resources on priority sectors.*

situation prevailing before the collapse of the communist regimes must be evaluated and properly assessed which implies neither that they should be passively accepted nor forcibly countered. None of the three actions previously undertaken is entirely unequivocal.

We have seen how the changes, which were initiated by the privatization process and were aimed at reducing the size of the public sector, had become necessary because of the size of the public sector and the constraining hold it had over all economic and social life.

***Recommendation 3:***

*Proceed with a systematic revision of the administrative apparatus, one that would permit to rid it of superfluous organs and functions, in light of social needs.*

Today, however, it is also becoming clear that the mechanisms regulating the interactions of social groups cannot be abandoned to market forces. A principle, *subsidiarity*, has recently been introduced into administrative management. It may offer the elements of a solution to the problem presented.<sup>12</sup>

Based on the concepts of usefulness, flexibility and complementarity, this principle reconciles two seemingly contradictory requirements the need for

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<sup>12</sup> On this and the following points, see N. Belleoubet-Frier and G. Timsit, *L'administration transfigurée: un nouveau modèle d'administration? (Administration Transformed: a New Administrative Model?)*, 1993, pp. 623-667, particularly p.644 *et seq.*

social justice and the need to respect freedom. This reconciliation is embodied in the concept that *involvement* by the State must be limited to those functions whose utility is determined by inadequacies or lacunae in social life

***Recommendation 4:***

*Proceed on the basis of the principle of subsidiarity and, in order to lighten the burden on the administrative system, transfer a maximum range of central government activities to decentralized units of government or to civil* According to the organs of the European Union, this implies that, priority must be given, to the extent possible, to supporting measures rather than regulation, to mutual acknowledgment rather than harmonization, to guidelines rather than detailed regulations<sup>13</sup>

***Recommendation 5:***

*Establish a legal framework for the needed organization of societal activities.*

***Recommendation 5b:***

*Make a better distinction, within the legal norms, between the general principles and their implementation, in order to make possible a recourse to coordination and orientation, as well as to directives which allow for the adaptation of administrative action to the daily needs of citizens. Ensure that this is done within a normative framework sufficiently well developed so that the legal foundations of an état de droit are not threatened.*

The outlines of a new public sector are thus beginning to take shape one that is at once more active and more discreet. More discreet, because it only exists where its activity is needed. More active, in that it exists only within that reduced sector in which its activities are concentrated, thereby becoming more effective. Such an analysis makes it possible to justify not only a reduction in the size of

*society entities that are in a position to guarantee their performance.*

Consequently, the need for proportionality is inherent in the subsidiarity principle. Not only must government intervention be restricted to those sectors in which the needs of the community dictate it, but even in those sectors, it may use the most constraining methods only as a last resort.

the public sector and, therefore, in that of government, but also differentiations with regard to civil service status as well, thus allowing activities to be transferred to subordinate, local levels of government, or even to parastatals, whose greater autonomy and flexibility will make subsidiary management possible for activities hitherto concentrated at the central level, at the heart of the monocratic State.

The Government's greater discretion will not be achieved exclusively through these reductions or transfers of activities. To limit it to these almost physical aspects of its organization would be to ignore another development which has taken place in practically all of the large public administration systems of the contemporary world. It is related to what might be termed the *endogenization* of the administration. In order to understand this development, the most visible characteristics of the public service and the conditions that prompted its appearance in the modern world must be recalled. Public service initially sprang from a tendency to differentiate between the administration and civil society. This was reinforced by the institutionalization of its modes of intervention. Hegel and Weber have described its formulas. The administration's purposes conferred an aura to it. Its sacred character legitimized its authoritarian, even dictatorial methods and gave it the transcendence of an institution above and outside civil society which it purported to manage. It was exogenous.

What we are witnessing today is a reversal of that tendency. The State and its public service need no longer assert their authority against and over civil society in order to establish their legitimacy. On the

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<sup>13</sup> E.C. Commission. *Positions sur la définition et l'application du principe de subsidiarité (Position on the definition and application of the principle of subsidiarity)*. Europe/Documents no. 1804/05, 10.30.1992.

contrary, henceforth, the first role of the public sector is to support civil society's work on itself.<sup>14</sup> The relationship between State and civil society is no longer one of guardianship, authority and domination. Everything depends on research concerning the social fabric, the effectiveness of social mediation, and the dynamism of the social actors.<sup>15</sup>

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<sup>14</sup> Commission for the Preparation of the XIth Plan, *Etat, administration et services publics de l'an 2000. Pour un Etat stratege, garant de l'interet general* ( *State, Administration and Public Service in the Year 2000. In Favour of a Strategic State, Guarantor of the General Interest* ), *La Documentation francaise*, 1993, p.36.

<sup>15</sup> *Loc. cit.*, p.45.

Osmosis, the integration of the public sector into civil society, the endogenization of a public service, which in the past had lost the confidence of its constituents because of its constraining and authoritarian methods, will be the measure of its ability to regain legitimacy through its capacity to submerge itself and melt into civil society instead of weighing down on it. This explains the importance<sup>16</sup> which is today being given in many countries to new practices aimed at converting public management cadres into genuinely independent and responsible managers.

**Recommendation 6:**

*Develop creative strategies, which, by identifying the most vulnerable of the administrative sectors, will target their reform and bring about improvements in their performance in a speedy and tangible way.*

On the one hand, these practices are intended to encourage them to transcend the mere observance of regulations and other controlling mechanisms so that they may come to understand their real purpose, which is not to punish individuals, but above all to reform and improve the functioning of the organizations of which they are a part and for whose vitality they are responsible.

On the other hand, these practices are intended to give another, internal dimension to those rules and mechanisms which are especially designed to identify the duties required of civil servants within the framework of their tasks and which should be construed not as limited to a coercive system enforced from above, but as implying active adherence to those rules by those for whose benefit they were designed. This represents the birth of a code of professional ethics.

I have referred to the endogenization of the administration.<sup>17</sup> The essential originality of such an endo-

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<sup>16</sup> D. Ormond, La réforme de la gestion publique ( The Reform of Public Administrative Management ), *The O.E.C.D. Observer*, no. 184, Oct.-Nov. 1993, pp.3-8.

<sup>17</sup> N. Belloubes-Frier and G. Timsit, *loc. cit.*, p.

genous administration lies in the fact that its generalized use of non-mandatory procedures allows for a new reading of public service rules and systems. The administration now functions as a network instead of acting unilaterally, or even on a conventional basis. All partners to a decision especially those involved in its implementation are considered to be directly associated in it; since the decision has been internalized, they will adhere to it fully. Thus, we no longer have an administration acting upon outside groups, but a whole functioning together by mutual interaction.

The mandatory nature of a rule no longer proceeds solely from the will and authority of its author. It is the product of a collective will and is, therefore, more effective. This justifies the complementarity of the civil service codes standard legal acts and of the professional codes of conduct<sup>18</sup> the necessary complementarity of techniques which, by reinforcing one another, give public service a more modern image, one which, in the final analysis, is more attractive than the impassive, impersonal, bad-tempered or sullen countenance it had assumed, too often.

**Recommendation 7:**

*Reinforce the legitimacy of administrative action, thus enabling public administration to better mediate between public power and civil society. This is better achieved through methods which seek to enhance transparency in administrative action, direct responsibility of civil servants vis-a-vis all citizens, dissemination of information on the real motives of administrative decisions, and the fight against corruption in all its forms.*

Public administration is undergoing a third important, even essential, development. Earlier, I referred

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<sup>18</sup> O.E.C.D. PUMA L éthique du fonctionnaire ( Ethics of the Civil Servant ), Minutes of a conference of 7-11-1996, *Cahiers de la Fonction Publique et de l'administration*, Berger-Levrault, 1997.

to disposing, in the sense of enacting. In the monolithic era, such disposing on the part of the administration was that of a public service entirely subjected to political power and almost completely. However, veering to the other extreme, it has sometimes managed to avoid control entirely. This is a well-known phenomenon. It occurs in administrations which become totally wrapped in their technical logic of bureaucrats solely pre-occupied with furthering their own interests. Under those circumstances, the administration does not fulfil its role; that of providing services to the community, as the British term *civil servant* expresses so well. It is precisely the deeper meaning of that expression which a new public service statute must try to rediscover and guarantee a statute which restores to the public service a sense of the community of the universality<sup>19</sup> of the community for whose benefit it was established.

I do not mean the rather faded concept of universality, which is an over-abstract general interest of which the administration was the only expression; nor that old universality, so impersonal as to be anonymous, and practically motionless on the pretext of timelessness. Instead, what is required is a more active universality, at once more ambitious and more modest. We can no longer countenance an omniscient State, having jurisdiction over everything; or an omnipotent and monocratic public administration. The State must be more modest but also more ambitious, for though the administration henceforth accepts and understands that there may be other vectors of the general interest in addition to itself, it also discovers that it is entrusted with the ennobling and difficult task of forming and moulding in German, the word is *gestalten* the social order or, at least, contributing to the process. One of the Commissions for the XIth French Plan proposed the reinvention of the general interest.

identified with it. Since the collapse of the communist regimes, administration has ceased to be at the disposal of political power.

That will happen only if the public sector is able to rediscover the virtues and deeper significance of universality a universality that, instead of degenerating into timelessness, would once more take time into account and the responsibility for making use of it. It should refuse to ignore the various stages of development and understand that, with respect to administrative matters, one cannot take shortcuts. Instead of a timeless administration, the State and public service must be repositories and carriers of a long-term strategy and a universality which listens to social diversity instead of sinking into impersonality and anonymity. Only this State and public service, and not the private sector or individuals, can play this role. Such an administration and public service can generate not only of a long-term strategy, but also of a culture of dialogue with its citizens.

***Recommendation 8:***

*Develop the framework of consultation and coordination, which brings together the different categories of citizens directly interested in the measures that are envisaged, and which transforms the process of decision-making into a truly collective and collegial process, at the service of all members of society.*

Only under these conditions, and with controlled diversity, will it be possible to empower humankind. Against all powers.

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<sup>19</sup> N. Belloubet-Frier and G. Timsit, *loc. cit.* P. 656 *et seq.*

# Summary of Country Papers\*

## Introduction

All countries invited to the Thessaloniki Conference prepared a short paper on their respective national experience of the transition process, highlighting professionalism and ethics in the public service. The purpose of these papers was to compare trends, developments, and best practices in public service reforms across Central and Eastern Europe.

The United Nations Department of Economic and Social Affairs offered tentative guidelines to the authors, asking them to address the overall changes or reforms of the role of the public service, initiatives to promote professionalism and measures to enhance ethical values and standards and to combat corruption.

It should be noted that, on the first point, the papers addressed the broader issue of public administration reform, which included areas beyond just the public service. In providing this information, the authors were to describe relevant mandates, institutions, precipitating events, as well as the actors involved.

In total, 17 papers were received from the following countries: Albania, Armenia, Azerbaijan, Bulgaria, the Czech Republic, Estonia, Georgia, Greece, Hungary, Latvia, Poland, Romania, Russian Federation, Slovenia, Turkey, Ukraine.

Many of these countries, despite their long and rich histories, which are centuries old, are relatively new States and certainly new democracies. The majority were born out of the dissolution of the large, multinational empires in Europe, at the end of the First World War. Many of them share the legacies of those empires. The institution-building drive that marked the first decades of these new States was interrupted by the Second World War and the

division of Europe into East and West that followed.

The sudden collapse of communism after 1989 accounts for some initial features of the transition process. These are widespread rejection of former patterns of government and some drastic institutional and socio-economic changes.

Even since these papers have been received, there have been transformations in the Governments of Albania, Armenia, the Czech Republic, Poland and other countries. Russia has had several cabinet shuffles and changes of prime ministers. These changes indicate the turmoil that the region has experienced, in the span of a single year.

Transition to a pluralist democracy and a market-oriented economy has been more orderly in some countries than in others. Some have been characterized by a breakdown of social order, financial instability, the growth of an informal sector in the economy and widespread corruption.

Other countries of the region have suffered from natural or manmade disasters, that compounded the difficulties of transition. Armenia, for example, still recovers from a devastating earthquake in 1988, during which one third of the country was severely affected and damaged. It is living with this legacy in the midst of residual conflicts in three out of four neighbouring countries. The Czech Republic had to cope with catastrophic floods which occurred in the summer of 1997. The damages were estimated in billions of Czech crowns.

The paper on Georgia states: The building of new statehood has been intensified by problems such as restoring the territorial integrity, returning more than 300,000 refugees to their homeland, a sharp energy crisis, and the incomplete infrastructure that

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\* Prepared by Elia Y. Armstrong, UNDESA Consultant.



is necessary for establishing real market Albania is still coping with the aftermath of conflict and the collapse of flawed pyramid schemes. The paper on Greece has dwelt on the negative effects of and persistent lack of consensus leading to constant changes in rules. These trends have undermined professionalism, sapped an esprit de corps, and reduced the credibility of the public service. Public sector recruitment has been widely treated as the tool of a policy to reduce unemployment.

In face of these conditions, the papers indicate a pervasive feeling of weakness in dealing with inadequate public administration structures inherited from former regimes. Thus, the paper on Georgia remarks on the ineffective administrative structures; an amorphous, chaotically operating body of civil servants, acting without any order both on the vertical hierarchy and functional horizontal structure; insufficient professionalism, lack of proper specialization and often honesty of civil servants; almost full deficiency of legislative basis, laws and legal acts, regulating activities, rights and duties of civil servants.

Likewise, the paper on Poland contrasts the transformation induced by the economic and social reforms with the slow pace observable on the administrative front:

During recent years, a disharmony has been more and more distinctly revealed between the needs of a market economy and a modern, democratic state, on the one hand and an unchanged functional and organizational system of governmental administration, as well as often outdated legal regulations functioning in the system on the other.

### **Public administration reforms**

Despite these types of lags, all country papers mention some progress in area of public administration reform. The principal objectives appear to include the following:

reinforcing the rule of law and consolidating democratic institutions;

relationships.

decentralizing and deconcentrating administrative structures and functions;

modernizing the civil service; and

meeting the pre-conditions for accession and integration into the European Union.

### ***Reinforcing the rule of law and consolidating democratic institutions***

Several country reports indicated that reforms in public administration have been undertaken partly in order to reinforce, or to reintroduce the rule of law and to consolidate the basic institutions of a pluralist democracy. Several (Azerbaijan, the Czech Republic, Estonia, Georgia, Ukraine) mentioned their new constitutions and sets of legislation to establish separation of powers, set up a new government machinery and revamp administrative systems.

A good example is Estonia, which gained independence in 1991 and adopted a new constitution in 1992. It then moved to introduce the Presidency, Parliament, the Chancellor of Law, the State Audit Office, and the Estonia Bank. In addition, it created ministries at the central level and rural local governments, with their machinery at the local level. However, as the report observes, many laws were built hastily, with resulting overlaps between legislation and problems in implementation.

Another example is Slovenia, whose country study states:

The principle of power division has been realised and adequate relations between the legislative, executive and judicial powers have been established, while relative independence of the executive power has been ensured and the responsibility for the results of its activities strengthened.

It also separated central from local affairs and the central state apparatus from local services.

### ***Decentralization and deconcentration***

Another major theme is decentralization and deconcentration. In terms of decentralization, the

Czech Republic, Hungary, Poland, Slovakia, Slovenia, and Turkey have shown a transfer of powers from the central to the local level, as well as In the Czech Republic a long-term strategy of public administration reform has been articulated covering the central and territorial administrations and local communes. At present, there are 6,234 local communes, governed by the *Act on Municipalities*, indicating an increase of 50% since 1989. In introducing self-government at the territorial level, the Czech Republic has run into problems because of the lack of consensus and common political will.

On another front, Turkey has drafted two laws on the division of responsibilities between central and local levels. It has introduced corresponding amendments to laws on local authorities and has taken measures to change the status of local government staff.

In terms of deconcentration, Georgia has given more autonomy to individual ministries. It has created a Bureau of Public Administration within the State Chancellery to deal with the organization of the government machinery and human resources management.

Slovenia, on the other hand, is moving towards reduction of hierarchical structures and control towards a greater emphasis of service orientation.

### ***Modernization of the civil service***

Country papers indicate the prevalence of efforts towards modernization of the civil service. Armenia, Bulgaria, Hungary, Latvia, Lithuania, Slovenia and Russia invoke the need to demarcate political appointments from career civil service posts. They are trying to formulate the legal basis for a professional civil service, defining the status, rights and obligations of its members. Thus, they are in the process of laying down the framework for a career structure, exemplifying competencies, training opportunities, and quality standards.

To this end, Armenia held a conference on civil service reform in the fall of 1997, facilitated by European Union experts. As a result, political appointees and certain staff on contracts were

measures to define the mandates and functions of these levels.

defined as not belonging to the civil service. Management of the civil service was assigned to the Executive Directorate, which reports to the Council of Ministers. This new concept is being tested in different departments.

Hungary has also introduced legal provisions to separate political from administrative offices. The goals of the *Act on the Legal Status of Civil Servants* is to create a group of expert staff in the civil service that are neutral to party politics. To this end, the regulations focus on a career system based on merit and security.

Latvia, upon World Bank advice, launched a census of its public sector in July 1997. The purpose was to gather information on the functions, hierarchical position of institutions, financing and number of employees. The survey was coordinated by the Civil Service Administration and the Bureau of Public Administration. Latvia observed that the Cabinet Office and Civil Service College of the United Kingdom had helped it to create a human resources management system, tailor-made training programmes for ministries, and other pilot projects.

### ***Accession to the European Union***

Several country papers indicated that accession to the European Union was a major objective of their respective reforms. Thus, Bulgaria, Estonia, Latvia, Lithuania, Poland, Slovenia and Turkey are currently reforming their administrative systems to harmonize them with the *acquis communautaire*. In the words of the Slovenian country study:

There are numerous reasons for structural and functional modernization of the Slovenian public administration, ranging from the necessity of a more efficient operation of government institutions to the aspiration to become a full member of the European Union.

While in a number of cases, those efforts have met with success, the European Commission has high-

lighted the need to persevere in this direction, to improve the judicial system and intensify the fight against corruption.

The above-mentioned drives amount to an effort to build a professional civil service. Four dimensions of professionalism, which receive special attention, can be summarized as follows:

- autonomy;
- structure;
- conditions of employment;
- training

### ***Autonomy***

Most country papers agreed that democratic centralism and one-party rule had de-professionalized officialdom subjecting it to a total subordination to the nomenklatura and shifting party exigencies. Restoring and safeguarding a measure of institutional autonomy has been a prime objective of civil service laws, enacted or being drafted in several countries. Poland started early in 1982 with the *Law on State Officials*, which stabilized to a certain degree the situation of public officers and set out the principles of their work.

According to the paper on Hungary it became of the utmost importance that political and administrative functions be clearly demarcated in public administration and in the administration of the municipalities. In Latvia, where the law specified the organizations where civil servants serve, it has been stipulated that political officials ... are not civil servants. In Lithuania, by contrast, civil servants were divided into two ranks: those whose term coincides with the appointment of their political masters and those whose period of service is independent from that of the political head.

Ostensibly, a degree of separation between political and administrative posts has been considered critical to the organization of civil service careers. Most papers indicated that the countries were inclined towards the career principle, which is enshrined in civil service laws. The principle is tied to guarantees of tenure, related rights and duties,

## **Initiatives on professionalism**

eligibility conditions, selection criteria, and conditions of service.

### ***Civil service structure***

A career civil service structure depends on two major sets of factors. Firstly, there needs to be cogency, transparency and coherence in the personnel system. Secondly, responsibility for the coordination of civil service management needs to be clearly defined.

Although not all reports provide the necessary details to form a clear picture of the prevailing situation in the different countries, it seems that the traditional model of dividing personnel into categories is still widely favoured. The paper on Poland cites the fact that, under the previous regime, political orientation had been the uppermost criterion in a civil service career. As a result, there was lack of coherence in the recruitment, selection, training, staff appraisal, and management of personnel. Now, Poland implements a personnel structure based on four classes (broadly: executive, managerial, professional, and support), which are recruited according to the employee's level of educational accomplishments. Both Bulgaria and Georgia have also stressed the importance of designing standardized job descriptions, performance measures, uniform tests and retraining schemes.

Perhaps as a reaction to the fragmented state of public personnel under the former regime, most country papers report a predilection for central coordinating mechanisms. The Ministry of the Interior is commonly designated, as in Hungary, Slovakia and Slovenia, for this task. However, in a number of countries, such as Latvia, a Ministry of State Administration has been specially established for this purpose. The problems of designing, enforcing and implementing a common system are compounded by the proliferation of organizations without a common denominator and regulated status.

### ***Employment conditions***

In addition to autonomy and a coherent structure, a professional civil service must be able to attract, retain, develop and motivate men and women of the requisite caliber. On the most basic level, a number of country papers identified inadequate pay as a major problem. The paper on the Czech Republic suggests that low salaries of state administration officials have caused a mass exodus of the most qualified to the private sector.

weak personnel is considered as one of the key impediments to administrative reforms. However this, in turn, is attributed to salary levels ... far too low to attract and retain quality staff and maintain ethical standards.

According to the paper on Albania, this may be a reason why a *Civil Service Law* was passed, but never enforced. However, other papers observe that inadequate pay is partly offset by non-monetary incentives, such as enhanced job security, travel opportunities, and prospects for retraining. For instance, in Latvia, where the average age of civil servants is low, many young women and men opt for civil service positions, which offer the possibility of parallel enrolment and study for a degree.

The problems of low pay are frequently compounded by the compression of salary scales, resulting in inadequate differentials between the highest and lowest grades. Unfavourable internal, as well as external, comparisons work against the retention, motivation and development of experienced and competent staff.

### ***Training***

The knowledge, skills and competence of civil servants depend largely upon the quality of pre-and-in-service training. Therefore, all country papers identified training as a principal vehicle of administrative reforms in the transition process. The establishment and strengthening of training institutions were some of the earliest steps taken in building up anew or modernizing the civil service. The papers indicated that the countries benefited greatly from the support and guidance received

In Albania:

from various bi-lateral programmes and international agencies.

Countries have adopted different arrangements for pre-entry training. Hungary, for instance, has left this task to colleges and universities. Latvia and Poland, by contrast, prefer a highly institutionalized approach to preparing candidates for the civil service profession. Several country papers have stressed management training, as an effective tool in imparting new approaches consonant with pluralist democracy and a market-oriented economy. Another role of in-service training has been to facilitate the implementation of new legislative measures and rules in the transition process. Finally, in-service training is credited with the potential of infusing and reinforcing a healthy *esprit de corps* among all civil servants.

### **Ethics and anti-corruption measures**

All country papers mention some form of institutional or legal reform to reinforce prevention, detection, and prosecution of illegal or corrupt behaviour in the public sector:

Measures to enhance prevention of corrupt behaviour and the promotion of ethical behaviour include:

- conflict-of-interest/financial disclosure provisions;
- the introduction of codes of ethics or conduct;
- the promulgation of overall anti-corruption initiatives; and
- increasing transparency in and accountability of government actions.

To enhance the detection of criminal or illegal behaviour, the countries of the region have also improved investigative procedures.

To prosecute corruption more effectively, country papers have highlighted:

Nine countries, namely Albania, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Russia and Ukraine, report either a legal or an administrative basis for conflict-of-interest and financial disclosure filings. The coverage of these filing provisions range from just the top civil service, as in the case of Russia, to both the executive and judicial branches of government, as in the case of the Czech Republic. The scope of these provisions also range from affidavits of income, real estate, and gifts to a prohibition on holding outside employment, abusing privileged information, serving on boards or holding stocks of business enterprises which receive state contracts. Often, this prohibition extends to family members and post-employment restrictions. In most countries, any existing exceptions applied to taking up scientific, journalistic, literary or artistic activities.

The measure of the importance accorded to this matter is gauged by the fact that Albania, for one, has enunciated principles of ethics in its *Civil Service Law, 1996*. These principles were elaborated by a decree on ethical rules promulgated by the Council of Ministers. The decree outlined the need for a declaration of interests and disciplinary procedures. It also excluded the reappointment of officials previously dismissed for corruption.

As stated previously, the Albanian paper noted that, since these provisions function within a context of civil service salaries at or below poverty rates, their effectiveness was doubtful. In Hungary, the objective of restrictions on civil servants is to ensure their neutrality while respecting the fundamental freedoms declared in the constitution. Thus a civil servant may not represent the local government which operates in the same area as the central government agency of his or her employment. A civil servant in a managerial position may not enter into a legal relationship in

a strengthened legal framework, and measures to combat organized crime.

### ***Conflict-of-interest and financial disclosure provisions***

his or her domain except for scientific, teaching, artistic, editorial or other intellectual activities, subject to copyright protection. Civil servants may not hold an office in a political party, or appear in public on behalf of such a party.

### ***Codes of ethics***

Regarding codes of ethics or conduct, four countries: the Czech Republic, Hungary, Poland and Russia, indicated that they either existed in some form or were being contemplated. The Czech Republic observed that certain groups of public sector employees, such as doctors, judges and attorneys have ethical codes, which are governed by specific professional principles.

Hungary has been looking to the OECD experience for the purpose of formulating a code of ethics and is seriously considering introducing one. The paper on Hungary observed that a Code would provide reliable standards of behaviour in performing the duties of a civil servant. Furthermore, the process of drafting such a code and knowledge of its contents may pre-empt or mitigate disputes and workplace conflicts, and enhance the credibility and prestige of the civil service in the eyes of the public. In 1994, the Polish Minister of the Interior issued a Decision regulating the acceptance of gifts. Finally, Russia observed that it was in the process of preparing a Code of Ethics.

### ***Overall anti-corruption initiatives***

Three papers mentioned initiatives in setting up a structure to carry out a general anti-corruption drive. Estonia has established two Parliamentary committees to deal with corrupt practices and to monitor secret services. Georgia has set up a special parliamentary committee to oversee these problems. In Latvia, the anti-corruption movement gained momentum in 1997. A two-day conference for high-ranking civil servants was held, using the

Hong Kong experience as a benchmark and focusing on prevention, investigation, and the education of society. A Council on Prevention of Corruption was established by Cabinet decision. Presided by the Minister of Justice, it is required to coordinate the work of all executive agencies. Latvia has also set up a programme entitled 'The Clean Hands', as well as Commission to investigate and redress citizens' complaints.

### ***Transparency and accountability***

Slovenia has also recently introduced an Ombudsman. However, the paper notes that the short period since its establishment is insufficient to judge its effectiveness. In Poland, parliament exercises direct control over state finances through the Commission for Economic Policy, Budget and Finance and through the Supreme Chamber of Control, which audits departments and agencies and publicizes its findings.

### ***Improving investigation***

In addition to the above-mentioned preventive measures, four country papers: those of the Czech Republic, Greece, Latvia and Poland highlight the need to strengthen, investigate powers in order to detect illegal or corrupt activities. The Czech Republic has set up a special unit within the Police Service for the Detection of Corruption and Serious Penal Activities. This unit comprises an analytical centre and territorial units in large urban areas. Under its constitution, an Investigative Commission of the Chamber of Deputies, endowed with broad powers, may be set up for high profile cases.

Greece has set up special bodies of inspectors, such as the Corps of Financial Inspectors and the Financial Corps for Combating Crime under the Minister of Finance. Administrative Inspectors have also been appointed under the Minister of Internal Affairs and Public Administration to tighten public scrutiny of the bureaucracy, combat corruption and improve the effectiveness of specific programmes.

Three papers mention measures to improve transparency and accountability in government operations. Greece has afforded citizens more access to information and introduced service standards, as a result of legislation introduced in 1986. Additionally, the newly-established office of the Ombudsman ensures a certain measure of accountability to new citizens. The Ombudsman has independent authority and is chosen by the Council of Ministers. The Ombudsman is appointed by presidential decree for a five-year, non-renewable term.

Inside every government agency, Poland has established an internal control unit to detect irregularities and present them to relevant responsible authorities. Police and border guards have set up special cells to combat economic crime. A number of specialized bodies have also been formed, such as the State Trade Inspectorate and the State Inspectorate for the Procurement and Processing of Agricultural Produce.

### ***Strengthening legal framework***

Most of the country papers recognize the role of legislation in providing a basis for sanctioning and prosecuting corruption and crime. Specific legislation was passed by the Czech Republic, Georgia, Hungary, Poland and Ukraine.

In the Czech Republic, for instance the *Penal Code* provides a definition of bribery, indirect bribery and abuse of public office. Both the acceptance and the offer of bribes are punishable, such punishment being greater if the act has been committed by an official. Furthermore, the *Act Preventing the Legalization of Criminal Profits* facilitates the detection and prevention of money laundering. This act requires financial institutions to identify the parties to certain business transactions, to notify financial and customs institutions of unusual business transactions, and to delay the execution of certain orders.

The *Public Procurement Act* sets out policy on awarding public contracts under the Office for the Protection of Economic Competition. The act defines the procedures to be followed in the

opening of tender envelopes and the imposition of sanctions for infractions. The *Commercial Code* oversees competition policy and provides legal protection against unfair competition.

The Czech country paper notes that, although the legal framework is in place, some of the measures are implemented slowly by the judicial and executive agencies. It states that these organizations must learn to implement laws in a correct and consistent manner. It is necessary to change the whole cultural environment, so that the activities of the respective public authorities evoke a positive response in the wider public.

### ***Measures against organized crime***

### **Conclusions**

Country papers demonstrate that, despite some commonalities and a shared historical background, the countries represented at the Thessaloniki Conference show a degree of divergence with regards to needs and challenges. The common denominator consists in that they are all involved in trying to strengthen governance through reforming or modernizing the civil service. Many countries work in partnership with multilateral and bilateral assistance programmes, to accomplish this objective.

A common task has been to counteract the legacy of a monolithic and rigid state structure. To do so, it was necessary to introduce the separation of powers and move in the direction of decentralization and devolution of functions from state and local authorities, as well as modernizing the civil service. There has been a shared need for training and coping with inadequate levels of pay. However, many countries invoke lack of resources to address these needs. Unmet needs, in turn, have

In connection to legal provisions to facilitate the prosecution of corrupt practices, two countries, the Czech Republic and Poland, have also taken measures to detect and apprehend organized crime. For instance, the Czech Republic has amended its criminal law to assist the detection and apprehension of culprits. Such measures include the definition of criminal association, strict prosecution of perpetrators, conditions for the acquisition of information in the face of bank secrecy, fund freezing in banks, broadening witness protection, recognition of foreign court verdicts and new police methods, such as the use of special agents. Poland has formed special units for combating crime in the Ministry of Justice and 11 provincial prosecutors' offices.

serious repercussions on macro-economic processes, such as privatization and the introduction of other market-type mechanisms.

Aside from these shared problems, the papers indicate differences of priorities. Some countries are intent on modernizing public administration by establishing or reinforcing basic governance institutions, improving their machinery, and defining civil service rights and duties. Others have emphasized integration with Western Europe as a priority. They are streamlining their legal and institutional frameworks to meet European Union standards.

The papers, like the Conference, affirmed the role that a reformed civil service can play in leading Central and Eastern European countries through the transition process and positioning them for a better future in the European and global communities.

# Reports of Working Groups

## Working Group I

### *Public Service in Transition*

There is a far-reaching agreement about the values and goals of good governance notably:

- Rule of law
- Democratic control
- Accountability
- Transparency
- Professionalism
- High ethical values
- Subsidiarity
- Equal treatment of citizens

In an era of increasing globalization, the public service should be based on common principles and reflect shared values in different countries in order to facilitate interaction between nations and international trade.

The Working Group would like to propose to the United Nations the development of a Charter of Good Governance and Public Service. (ref. The Charter of Local Self-Government, Citizens Charter). The Charter could be based on the International Code of Conduct of Public Servants adopted by the United Nations, but expanded further.

The Charter should be launched with publicity in different countries and supported with training activities.

It has been said that *all countries are in transition*. However, phases differ. Therefore, in the implementation of the programmes towards the common goals, the measures should differ according to the prevailing problems in each phase of the transition.

In the early phase of transition, the old political order collapsed and many public institutions were dismantled. Some politicians advocated a minimalistic concept of the State. State intervention was withdrawn and many sectors were left in the care of the market forces. As a result,

private initiative was mobilized for economic activity, but unfortunately also, vital public services (e.g. child care, education, social services, health care) deteriorated. The minimalistic state also created conditions for shadow economies to flourish. Tax evasion has been common, leaving governments without adequate revenue for public service provision and infrastructure investments. Budget problems have been prevalent.

Reorientation has taken place gradually. It has become apparent that a market economy needs a strong legal and institutional framework, as well as a professional and competent civil service to put it into practice. The establishment of new institutions and adoption of international standards (e.g. customs and statistics, food products control, safety standards, labour inspection, environment control) have been slow to develop due to budgetary constraints. International aid has been focused on these areas.

Stabilization of public administration has become a precondition of sustainable growth and development. Institutional instability and high staff turnover have endangered continuity and long-term development. Attempts to create stability by enacting a civil service law have proved to be politically difficult. Each incoming new government has wanted to review and modify the bills launched by its predecessor. Amendments have been frequent. Instability and lack of continuity have been the main problems.

Modernization aims at higher productivity, better efficiency and better quality of public services to the citizens. These are the topical problems of mature market economies. *Professionalism* is a precondition for modernization and, in order to develop it, stability is needed.



Adaptation to the European Union legislation and standards is required of the countries which have applied for EU membership. This entails tremendous efforts, taking into account that there are over 6,000 legal acts in force and the fact that the EU needs to be satisfied that the country concerned is able to apply and enforce the European laws.

Taking into account the different phases of the transition and the wide spectrum of problems which can arise, no major models or theories can be recommended. The Group would recommend a *pragmatic approach*, keeping in sight the advancement towards common goals, with steps that are feasible in the prevailing political, economic and social conditions. Comparative studies and the exchange of experience should give external impetus to governments to speed up the process. A wealth of experience is currently available and should be used. The Group recommends a *closer cooperation* among the Governments of the region. The experience of a country in a similar phase of transition might be more relevant than the experience of mature market economies.

The Group wants to emphasize the principle of *subsidiarity* in the strengthening of democracy. In this respect the Group addressed a specific problem in the early phase of transition, radical and liberal laws of local self-government were enacted. Basic services were transferred from the central government to local authorities. However, local governments were left without independent resources to fulfil their new responsibilities. They are still financially dependent on the central government. Under such conditions, it is not possible to implement the principle of subsidiarity. Furthermore, application of the subsidiarity principle calls for a professional public service on the regional and local levels.

Creating a professional public service and stability take time and have important budgetary implications. It is recommended that a salary review should be connected with the new legally determined status of public servants. Sustainable development can only be achieved if governments can offer remuneration and other conditions of service that make it possible to attract and keep qualified staff in service. This is one of the major problems at the moment. It is understandable that, due to budgetary constraints, a new remuneration policy can be implemented only gradually. However, a signal in this direction is necessary.

The Group discussed the United Nations initiative on a *regional information network* for public service development. The importance of exchange of information and experience has already been mentioned in this report. However, the concept needs further development as regards the nature of services. For example, centrally organized training of public servants can apply only to certain key categories, such as officers responsible for development planning and trainers. It is still unclear what would be the relation of the new centre with the UNDP and national training centres and universities.

The Group considers it necessary to address the problem of *coordination* of the donor activities in the region. Assistance is currently offered by European Union, World Bank, UNDP, various governments and non-governmental organizations. They all act independently. It is accepted that the recipient governments should make the best use of resources offered by the donors. In practice, coordination has proved to be difficult leading to duplication of effort. Could the UNDP or the proposed new information network address this problem?

## Working Group II

### *Professionalising the Public Service: Policy Analysis, Public Management and Performance Measurement*

The Group covered extensively some of the key factors influencing the progress of professionalism in the public service of Member States. Unfortunately, the discussion did not deal with the formal agenda, which was found to be too detailed and too wide-ranging to be covered in the time allowed. However, all participants agreed that it should be dealt with at any *follow-up* meeting, where adequate preparation could be made and greater time allowed for individual contributions, so that differences between countries could be taken duly into consideration.

Instead, in a full and free-ranging discussion, the consensus that emerged was that professionalism as such was not so much the main issue as factors that prevented professionals from being as effective as they could be. Indeed, with certain exceptions, most participants agreed that their professionals were well prepared, highly motivated and doing their best in difficult circumstances. What obstructed their progress were the following:

Firstly, the context in which they worked was, not encouraging. Many of the governments were short-lived, indecisive and unclear on the model they wished to develop.

Secondly, until clear laws were passed and implemented, there was a vague distinction between temporary political appointments and permanent public service positions, with secure tenure and independent employment rights.

Thirdly, economic difficulties and budget constraints had decreased the attractiveness of the public service by reducing the size of the establishments (number of positions available in the public service), lowering comparative remuneration, and thus increasing turnover, as experienced professionals leave the public service,

Secondly, increased compensation in itself was not an adequate solution. Rather, what was required

thereby creating gaps in terms of the available experience.

Fourthly, the legal context and the persistence of bureaucracy still put the emphasis on inputs rather than on outputs; on procedures rather than results. This limited the opportunities for new professionals, unversed in the old bureaucratic ways, to change things, or to embark on different procedures and plan new ventures.

Fifthly, bureaucracy prevented the emergence of a managerial approach that would replace it with different ways of public service delivery, new methods of securing public participation and inputs, a new approach to citizens as clients and measuring actual performance in public organizations, not just the knowledge and skills of public servants, but their competence and impact on society.

Sixthly, public services were still too prone to serve special interest groups, closer to power, rather than the public, as a whole. The public service, as its name suggests, should serve the public interest and general needs of society.

Seventhly, in transition, the need to reinvent government presented overwhelming challenges; professionals were overtaxed and overworked and unable to implement the necessary changes properly.

Finally, professionals could not keep up with progress in their specialties because of lack of language skills.

The Group came up with *suggestions*, beyond the more obvious answers, to tackle these difficulties.

Firstly, training itself was not so much a solution as effective training. Training should be improved, should be less academic in character and more pragmatic in content.

was increased attractiveness, recognition and respect and understanding of the genuine

contribution that professionals are making to society and to better government.

Thirdly, besides individual certification, what is also needed is organizational certification and greater organizational, as well as individual capacity-building.

Fourthly, general discussions are not enough. Focused discussion among public servants is required. Too many people outside the public service discuss their problems, not the people actually in the public service.

Fifthly, the key issue at this stage, in the context of professionalism, is not so much the gaps in policy analysis or performance measures, as in managerial competence rather than legal skills.

Sixthly, everything should be done to allow for greater flexibility, in order to take account of rapidly changing circumstances.

In conclusion, it was emphasized that priority should be accorded to attracting professionals at the *local government level*, where professionalism was weakest.

Group II commended the organizers of the Conference for providing us the opportunity to participate in this Conference. They look forward to continuing exchanges of experience and ideas in the future.

## Working Group III

### *Enhancing Ethics: Combatting Corruption and Crime*

Working Group III began discussing its topic by acknowledging the fact that corruption and crime are problems common to all countries. However, some participants expressed the view that there seems to be an erosion of morality and ethical values in society in the region, given the legacy of the socialist state. The present transition phase is an historical moment in which it is important to reverse the trend. As a result, many governments have adopted anti-corruption national programmes.

The discussion centred around the measures that are needed to fight corruption and crime, while promoting ethical values (including examples and experience from the various countries represented) and looking over a joint project proposal from the United Nations Centre for International Crime Prevention, Vienna, and the United Nations Department of Economic and Social Affairs.

The participants discussed the various aspects of an *ethics infrastructure* or a common approach to reducing the level of corruption and unethical behaviour in the national public service.

Firstly, they thought that *wide awareness* on the part of public servants, political officials, and the public at large of ethical values and standards is necessary. These are outlined in civil service laws or special ethics laws, anti-corruption laws, codes of conduct, and the *International Code of Conduct for Public Officials*, adopted by the General Assembly, in December 1996.

Secondly, *political will* and commitment to institutionalize and enforce these standards must exist. To create such a will, training within the public service as well as public promotional campaigns must be carried out.

Thirdly, working *conditions for public servants* including recruitment, job guarantees, salaries and training among other factors are crucial with a view

to reducing temptations. A cheap civil servant costs the State a lot.

Once the basic structure is in place, there is a need to introduce a mechanism for consultations in order to promote participation and devise activities. At the same time, accountability controls, internal oversight, a coordinating body and transparency of decision-making through reporting systems must be improved. In the case of wrong-doing, there should be in place procedures and sanctions which make penalties commensurate to infringements.

To complete this framework, a *public control system* through citizens' charters, the creation of the ombudsman or public defender, etc. should be encouraged.

Finally, according to the Group, responsible media and donors (in the case of the latter, setting anti-corruption preconditions for provision of funds) can encourage action against corruption.

Attention was then turned to the Regional Project to promote good governance by combating corruption. The overall aim of the activities that have been envisaged targets the need to increase the exchange of experiences in the region. One participant from a UNDP country office suggested that, since many of these proposed activities are already underway under national programmes, the project be adapted to a national context and support national programmes on a cost-sharing basis. This would avoid duplication and facilitate sharing of resources.

Another national participant remarked that, since the responsibility for public service ethics and combating corruption and crime cuts across different departments of governments, a decision to participate in the Regional Project can only be reached after consultation with other ministries in the governments. Accordingly, there should be a *country by country follow-up* after the Conference.

*Part II*

Enhancing the Competence Core  
Of Public Service Professionalism



## ***Introduction***

Public administration is in a state of flux, but nowhere is the immensity of change more starkly apparent than in the new democracies of Eastern and Central Europe. Noting the rapid pace and interdependence of global political, social and economic developments and their implications for all countries, the General Assembly of the United Nations affirmed, in its resolution 50/225 of 1 May 1996, that there is a critical need for improved efficiency and effective public institutions, administrative procedures and sound financial management to harness these challenges in support of sustainable development. It also called for enhancement of the effectiveness of the United Nations activities in the area of public administration and development (para 12).

Making this resolution the point of departure in their deliberations, the Thirteenth and Fourteenth Meetings of Experts on the United Nations Programme in Public Administration and Finance explored some of the challenges and global forces that have been at the source and acted as the catalysts in the ongoing transformation of State and public service. Both Meetings, in their reports identified the trends which, in their view, were redefining the role of the State and changing the nature of governance. One such trend is globalization; another is the progress of science and technology, which constantly transforms the methods of production, service delivery and information management. Yet another salient trend is the emergence of a vibrant civil society as a partner in the conduct of public affairs, nationally and internationally.

To the list of these major trends and catalysts, it is necessary to add the lingering global recession which brought about the passage from three decades of relative plenty to the present period of resource scarcity. This transition has forced governments, in several parts of the world, to reconsider policies and programmes whose goals had been accepted as valid for all times. It added

credibility to measures of downsizing, shrinking the public sector and cutting public expenditures. The recession shed new light on the purposes and methods of public administration. Not surprisingly economy, efficiency and cost effectiveness have soared in the hierarchy of public management values; outsourcing has become a widely accepted practice in the conduct of public business.

While undoubtedly, in some countries, the results of these transformations have been positive on the whole, in other countries, by contrast, experience has been mixed. The competence, integrity and dedication of the public service have often made the difference. The lessons of ten years of global transformation have amply demonstrated that challenges and change are double-edge swords. Like the forces of nature, if harnessed, they can work for the benefit of humankind; if not, they can be destructive.

What emerges from the experience of the past ten years in Europe and the world at large are warnings on the dangers of soft states and the importance of sound governance as the only way to harness and guide the forces of change towards constructive purposes.

As Professor Timsit has shown in his keynote address, redesigning the State for the twenty-first century may mean recasting the mould of a control-oriented, centralizing, autocratic and distant state bureaucracy, which no longer corresponds to societal expectations or needs. However, such a target is closely interrelated with the demanding tasks of civil service reform and altering a mindset formed by long years of compliance, addiction to routines and closure to a changing environment. A necessary corollary of redesigning the State for socio-economic development, changing the structures and culture of the public service represents a pressing but most difficult facet of this challenging enterprise.

The course of global trends offers pointers to the nature and direction of the requisite change. We still live in a world of States pursuing national interests, but one in which, increasingly, projects and enterprises are truly international in composition and scope. We live, as Susan Tolchin, Professor at the George Washington University, characteristically states (*Public Administration Review*, vol. 56, No.1 p.7) in a buccaneer global environment, where money moves across borders with the speed of light, companies are bought and sold without government interference, stocks are traded on (distant stock) exchanges, and where transnational corporations wield more power than many of the world's governments. Under those circumstances, the question might be asked whether government, as we know it, is becoming irrelevant. Her answer is that government can play a major role in building and refining an emerging new world order. To do so, it must be changed, and this may mean reinforcing it because, as she points out, competing on the global stage, without adequate backup is like playing tennis at Wimbledon with an old wooden racket.

Swift technological progress, which is rapidly shrinking our planet, has opened up a universe of countless possibilities and an enormous potential. Reaching out and making use of that potential for the good of all calls for statesmanship. As the record of some countries in the *management of change* has demonstrated, it calls for a strong State that invests heavily in the building of social capital.

Emphasizing this point, the General Assembly, at its resumed 50th session, called for an administration that is responsive to the needs of the people, promotes social justice, ensures universal access to quality services and productive assets and creates an enabling environment for sustainable people-centred development. It also reaffirmed the importance of enhancing the quality of public administration based *inter alia* on the participatory approach to development (resolution 50/225 op. cit).

We need to be reminded that securing this approach and spreading its benefits widely is

hardly an easy task. It calls for the creation and maintenance of an enabling framework without which citizen participation is like a football game on an uneven playing field.

The profile that emerged from the Thessaloniki Conference debate and documentation is that of a strong State which intervenes strategically by creating the conditions that support constructive endeavours for people-driven growth. Far from seeking to replace or stifle private initiative, it provides the right incentives and intervenes to stop and to correct dysfunctional, or inequitable practices in which some groups engage to the detriment of others and society as a whole. A strong proactive State can also be the lobby for the poor and for the future, neither of which have a voice. (Thirteenth Meeting of Experts, Report, para. 62).

A strong, strategic State does not entail big government and is certainly not bureaucratic. It is a State that listens and communicates, that actively seeks partnerships with civil society actors; a State whose public service is responsive and accountable, and whose decision-making processes are transparent and open to public review. The nature of this State, which constantly interacts and works with civil society, also defines the profile of the new public service that is required. The values of this service, its knowledge base, career patterns and management must be reassessed in light of emerging needs. They may prove very different from those that underpinned the tightly centralized, inwardly-looking bureaucracies of the past.

The importance of developing the strong professional core that democratic leaders require to ensure sound governance need not run counter to prevalent concerns to curb public expenditures. Measures to raise efficiency and productivity in government must be pursued in ways that build capacity in qualitative ways. A classical Greek adage reminds us of the fact that there is no virtue in quantity.

A smaller public service may be the way of the future, as old top-down approaches are slowly being replaced by new patterns of management in



which deconcentration, decentralization and debureaucratization become the rule. It should not be overlooked, on the other hand, that a solid professional core of highly trained, experienced Identifying those areas and mandatory qualities, skills and values is surely the first step in a process of reform geared to enhancing the role, professionalism and ethics of the new public service. The Thessaloniki Conference focused on three such areas, which provide the subject-matter of this part of its report:

policy planning and policy advice to ministers or heads of departments;

the stewardship and management of the resources required to give effect to policies and the efficient delivery of quality public services;

norm-setting and enforcement; measurement, monitoring and evaluating the performance of public sector agencies and programmes.

Some of these functions were carried out perfunctorily or not at all under conditions of democratic centralism, which deprived the public servants in several republics of Central and Eastern Europe of meaningful initiatives in this regard. Developing capacity – that is to say creating the appropriate structures, upgrading relevant skills and building up a core of competent and dedicated professionals in these three critical areas – is widely recognized as both a shared concern and important priority of the countries in the region.

Capacity to make critical long-term choices is a wholesome corrective to the natural proclivity to focus on the short-term and, therefore, a prerequisite for sound governance. Such capacity can be created or reinforced, and building up professionalism holds the key to the success of the enterprise. Creativity, commitment, speaking the truth to power, sophistication, and a good dose of scepticism are facets of this concept of professionalism, of which deep relevant knowledge must be the core. A critically needed but also exacting task, it calls for a special configuration of skills, values and attitudes that must be nurtured carefully.

and dedicated officials, which is in position to assist political leaders and serve the public effectively, requires a critical mass in key strategic areas.

Professor Dror has proposed the establishment of a postgraduate school for policy professionals, that could indeed be shared by countries in the region with similar concerns. Conscious of the complexities and cost of such a project, he has further proposed the organization of short intensive courses also on a regional basis. Another set of recommendations deals with the institutionalization of policy planning, *inter alia* through the establishment of a central policy planning staff and Research and Development (R & D) organizations (think tanks).

Mr. Staffan Synnerstrom has drawn on the vast fund of regional experience available to SIGMA to address a parallel need: the making of highly qualified, efficient, dedicated and effective public managers. The requirements are vast, and the supply of talent is limited. Additionally, the structures that recruit, retain and develop good managers are either very weak or not in place at all.

The inevitable results of this situation are apparent everywhere in the sub-standard performance of many public agencies, the prevalence of bottlenecks, the lack of coordination, the absence of coherent personnel management practices and weakness of professional career structures.

The professionalization of public administration should, therefore, be considered as a component of public service reform. It calls for the development of legislative frameworks that: a) define the status, rights and duties of public servants; b) define the processes for policy-coordination and administrative decision making; and c) set up and operate mechanisms for control, transparency and accountability.

The objectives of reform need no elaboration. They include better performance and quality outputs; reduction of corruption and nepotism and building trust in government. Much harder to define and to secure are the necessary conditions for the success of reform. Of these, however, three

stand out: political support at the top level; cooperation of the line ministries and a high degree of consensus sustaining a coherent and In shaping such careers, countries can draw inspiration from a variety of models. However, the SIGMA report concludes with ten broad principles which underpin a competent, professional public management cadre. These include a civil service law, a unified selection, appointment, training and career development system for top public managers and a central capacity in government to operate that system. Still more critical is political commitment to reform and the will to make it work.

Strong political commitment to public service reform would go a long way to restore public confidence in government, which has been badly shaken. This prevalent phenomenon is due to many factors. Of these, the growing complexity of government tasks and a general perception of inefficiency and ineffectiveness in their discharge deserve special attention, because they underscore the need for proper standards of measuring performance in the public service. In Professor Caiden's words, performance measures are systematic quantitative and qualitative assessments, over time, of what an organization is doing, how well it is doing, and what the effects of its activities are. Designing and enforcing them is a demanding task, which must be taken seriously.

The will to overcome implementation problems must be secured to safeguard the effectiveness of the entire endeavour. Yet, performance monitoring and evaluation have, if anything, waxed in importance on account of diverse factors, including current trends towards decentralization, divestiture, outsourcing and globalization, under conditions of accountability in government.

Published performance measures contribute to the dissemination of information on governments and to the creation and maintenance of an informed citizenry and a vibrant civil society. They also underpin and reinforce professionalism in public service, as against the image of self-serving bureaucrats and corrupt politicians. These features of the system make it especially relevant to countries in transition, in spite of the manifest

merit-based professional career system that can attract, develop and retain good public managers.

problems of its establishment and operationalization. To make performance measurement effective, the necessary information must be produced and used, and this requires professionals specially trained to do it. Developing capacity in this regard takes on special importance in light of drastic changes in the roles and structures of government and declining public trust.

So critically needed at times of rapid change, capacity reinforcement may be viewed as the coefficient of two complementary activities: institution-building, which is to say the establishment, refinement and maintenance of adequate structures and processes; and human resources development, including education and in-service training, without which no society or organization can transform itself or compete in the global marketplace.

*Capacity-building*, however, should not be restricted to government. To make this drive sustainable and to ensure that benefits from it are widely spread, capacity-building must go *in tandem* with the empowerment of civil society.

*Empowerment*, which means not only having a choice but also exercising it, demands of all the citizens and groups in civil society that they enforce their rights and call the agents of government to account, as required in a democracy. A strong and proactive civil society is crucial to the vitality of democratic government, whose pillars are none other, in fact, than freedom, equality and solidarity.

Freedom is a blessing of which many of the peoples of Central and Eastern Europe were long deprived. They have recovered that freedom. However, the transition to democratic government and a free market economy has opened, in some cases, as it has done in the West, a widening gulf between the rich and privileged, on the one hand, the poor and under-privileged, on the other. Carried too far, this gap, whether in East or West, can undermine the solidity of the social fabric, creating the phenomena of marginalization and

social exclusion, which already exist around us.  
Ignoring such phenomena is a recipe for failure,

something that must be avoided at all costs.

## *Enhancing Professionalism*

### *in Public Policy Planning:*

### *The Making of Highly Qualified, Creative and Conscientious Policy Advisors\**

Policy planning as a main dimension of weaving the future

Political systems and governments engage in some mix between four main types of activities:

Blowing bubbles, in the sense of actions directed at impressing public opinion and other clients or counterparts, but often without real impact on main features of reality;

Fighting fires, in the sense of coping with current crises, pressures and issues;

Distributing goodies, in Harold Lasswell's meaning of politics as who gets what, why and when ;

Weaving the future, in the sense of Plato's *Statesman*, combining social factors and forces and intervening with history, so as to put a society on a trajectory towards a desired future.

Policy planning deals with the cognitive dimensions of government, engaging in weaving the future and facilitating societies and their main actors to do so. Exploring alternative goals and preparing them for choices by elected politicians; estimating salient environmental dynamics; inventing and designing novel options; evaluating possible and probable long term consequences of main options with the help of uncertainty-sophisticated approaches and methods; mapping feasibility constraint and seeking ways to make them less rigid, so as to make the desirable possible; considering various policy domains within an overall systems perspective; arriving with the help of all these at preferable main policy and grand-policy recommendations; and doing all of the above while

engaging in constant learning these are some of the elements of policy planning which are discussed in this paper.

Policy planning is only one dimension of weaving the future. Other essential dimensions include crystalization of political and social will ; collective dreaming , such as in utopian and visionary thinking; evolving future-directed values and belief systems, building social and institutional structures and processes representing long term points of views; multiple forms and levels of implementing future directed decisions; and more. Policy planning is an essential dimension of weaving the future , though its improvement should be grounded in broad efforts to upgrade societal and governmental trajectory-setting capacities.

It is to the improvement of policy planning through the enhancement of professionalism that this paper is devoted. The emphasis is on developing and training high-quality policy planning professionals, the institutionalization of policy planning in government, and building an effective interface between policy planning and politics. Two semantic comments will serve to conclude the initial presentation of the concept of policy planning . The first is simple: while I prefer the term policy planning , other terms are also in use to refer to the same type of activity and knowledge, such as policy analysis , applied systems analysis , policy sciences and more. For the purposes of this paper, slight differences in annotations and connotations between the various

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terms do not matter, the concept of policy is more complex and important is the observation that most languages do not have different words for policy and politics. Therefore, in French, German, Russian, Spanish and many other languages, the English term policy planning is often rendered as political planning. This can be very misleading, unless the difference between politics, as largely concerned with power, and policy, as largely concerned with sets of decisions aimed at influencing significant societal spaces, is made clear. This paper is written in English, where the distinction between politics and policy is well-understood, though vague and overlapping. However, when dealing with this paper and its subject in other languages, one must be aware that its subject is policy planning, in contrast to political planning. Mixing up the two and ignoring the important differences between them can lead to misleading conclusions.

High quality policy planning is imperative

Outstanding policy planning capacities are an imperative in countries trying to engage in self-transformation within shifting global environments, while facing complex predicaments. This includes all contemporary states, some more so and some much more so. Thus, the countries of the European Union need outstanding policy planning to advance integration, while meeting specific needs of their own; and Asian countries need outstanding policy planning in order to continue high growth while preventing excessive social costs and moving through political transformations.

Former Communist countries are perhaps the most in need of excellent policy planning because of the difficulties inherent in self-metamorphosis and the social disruptions associated with moving from a command economy to one version or another of market economies, together with democratization or other adjustments of political regimes.

While obvious to all not blinded by dogmas, the crucial importance of governmental choices in influencing the future, by action or default, need emphasis, all the more so in view of some current fashions. True, many governments need down-

planning covering them all.

sizing. Several functions, moreover, should be devolved to local authorities, tasks should be privatized and so on.

However, the withering away of central governments is not a realistic option. On the contrary, central governments and, increasingly, supra-governmental structures as exemplified by the European Commission and, in the foreseeable future, a revamped United Nations Secretariat, are and will be in charge of crucial choices, which no other actor can, or is democratically entitled to make.

Therefore, upgrading governmental capacities involves much more than rendering public services more efficient, effective, responsive, accountable, transparent and so on, however important such attributes may be. Of paramount importance are better core capacities to make crucial choices which set collective trajectories into the future. It is at future-shaping choices and activities of Central Minds of Governments that policy planning professionalism is directed, as a main pathway to improvement.

Four features of countries engaging, by choice or out of necessity, in self-transformation within present and foreseeable global and regional settings make high quality policy-planning all the more essential.

First of all, the problem spaces facing governments are very enigmatic, dense with intrinsic difficulties. Understanding the real nature of issues is very difficult. Many of the issues are characterized by lack of any promising options, all available policy ideas being unsatisfactory, with many undesired side effects, doubtful main effects, and much uncertainty.

Therefore, radically novel policies are often required, with past-based and incremental policy-making being of little avail when overall systems change within shifting environments. Profound efforts are needed to develop, and also invent, preferable policies. And constant learning and adjustment are necessary, combined with adequate policy consistency.

While much can be learned from others, the danger looms large of becoming enslaved to imported policy orthodoxies and policy fashions, which may fail to meet national needs, conditions and values. Therefore, high quality policy planning, including policy option creativity, is a must in order to approximate the best possible options;

Secondly prevailing conditions push towards allocation of attention and resources to handling immediate crises and engaging in expressive and demonstrative activities, at the cost of longer-range perspectives. Tendencies towards television mass democracy further aggravate pressures to engage in blowing bubbles instead of weaving the future. Without policies aiming at the longer range, crises are sure to escalate, leading to a vicious spiral of fire fighting and fire outbreaks, inhibiting self-transformation and increasing transition costs unnecessarily. Therefore, policy planning is needed as a countervailing force representing longer range perspectives and advancing them.

Thirdly, the heat of political conflict and competition, especially but not exclusively in countries moving from autocracy to democracy, further threatens to poison policy-making with large doses of motivated irrationality. Therefore, policy planning is needed as an antidote of cold thinking on hot subjects.

Lastly, the dominant tendency has been to focus attention on providing services, facilitating civil society and strengthening markets. Largely, this is a valid emphasis, especially as a corrective to ideologically loaded conceptions of over-active governments. However, as already mentioned, the importance of higher order tasks of governments in influencing collective futures is irreducible and becomes crucial when societies undergo shifts, self-initiated and/or because of environmental jumps such as globalization. Therefore, governments need to upgrade components devoted to long term collective trajectory-setting, including essential professional-cognitive elements that is, policy planning.

Much of contemporary thinking on governance and public management neglects the urgent requirements of first developing a core strategic steering capacity. Also, till quite recently, simplistic views on the potentials of free markets neglected the crucial tasks of governments, even when markets are fully developed, of managing markets, coping with their undesirable consequences and handling the many domains of market failures. Because of these neglects in much of present thinking and advice-giving on governance and public management, high quality policy-making in central governments needs all the more attention, with policy planning as an essential dimension.

### Limitations

All that has been said on the need for better policy planning is no more than wishful thinking unless concrete possibilities to upgrade policy planning can be identified, operationalized and put into practice. It is a central thesis of this paper that, in most countries, preconditions can be met and improvement of governmental weaving the future core capacities, through policy-planning professionalism is possible, as well as highly needed. However, two caveats should be noted.

First, over-expectations must be avoided. Even if the maximum is done to upgrade policy planning, many issues may remain intractable. Moreover, policy planning is only one component of policy-making, which, on its own, can have at best a limited impact. Improving crucial policies by, say, ten percent, is the appropriate scope of expectation and aspiration for policy planning professionalism in government. And, achieving such improvements will take time, attention and resources, with a minimum threshold below which efforts to improve policy planning are in vain;

Secondly, if political culture and institutions are dominated by violent conflict, wild competition, corruption, or by ideological dogmatism, then restructuring of the political culture and institutions should be the first priority. All the more so, when various forms of magic are trusted as main groundings for choice, such as astrology or the pure intuition of a few leaders,

there is no scope for policy-planning as proposed. There are ways to circumvent barriers and develop useful policy-planning also under adverse conditions, if strong political will to do so exists. Such is building enclaves for high quality policy thinking, partly insulated against contrary cultural and institutional pressures. Therefore, I know of only very few countries where prevailing political cultures and processes make high quality professional policy planning impossible and useless. In many countries, however, a careful strategy to build up enclaves of professional policy planning is required, so as to fit local particularities and overcome many barriers strong also in highly developed countries;

Building up policy-planning excellence requires resources: will, adequate to overcome resistance to the introduction of new types of professionalism into governance; readiness and even eagerness by top politicians to subject their pet policy ideas to critical review; high quality human resources, which can do much good in other positions too; money to provide adequate incentives and financing; and, scarcest of all, knowledge and experience, which are needed to develop, train and guide policy professionals.

Some of these resources can be imported. Some can be used economically by pooling training resources among a number of countries. The total needed resources are small compared to potential benefits, making policy planning professionalization a very cost-effective investment. Still, readiness to invest in this endeavour, based on conviction that it is necessary and potentially very useful, is an essential prerequisite.

### On professionalism

The concept of professionalism, as applied to policy planning, needs clarification. At the core of policy planning professionalism is the capacity to build bridges between abstract, historical and comparative knowledge and concrete policy issues, so as to arrive at action recommendations based on the best available data, theories, creativity, analysis and contemplation.

A second core capacity is option creativity. This raises quite some problems. Creativity depends

in this paper;

mainly on personality and culture, not on explicit knowledge that can be taught. Moreover, creativity on policy issues is largely a matter for broad societal processes and for diverse actors, such as academics and free floating intellectuals, and not for machineries of government.

However, the imperative to develop and invent new policy options posed by the changing nature of policy spaces and the inadequacy of most inherited alternatives, make creativity a must. Therefore, governments must try and achieve policy creativity even when relevant societal resources are scarce. Furthermore, on many policy issues social, creativity is inadequate, because of a lack of interest and knowledge, but also societal and academic rigidities.

Hence the need to increase creativity in governments. This is quite a tall order, which has many implications for redesign of governmental structures, processes, staffing and, especially, culture. In the context of policy making, it is policy planning which must assume a main role in achieving policy creativity. Therefore, policy professionalism must include at least the search for creativity, with the quest of novel policy options and facilitating policy inventions in all of society. Policy professionals, who themselves are creative are an ideal to strive for, even at the cost of other qualifications.

To this essence of core capacities for policy professionalism, three very important features must be added: a code of professional ethics within a broad sense of moral commitment and mission; an attitude of clinical concern and of being cold in the midst of emotional irrationality and hot power competition; and a good dose of scepticism, with strong suspicion of the obvious and of common sense, up to iconoclasm.

The requirement for clinical concern rather than hot involvement is clear and its achievement can be facilitated by suitable structures, as well as by shaping a clinical policy planning culture. However, the differences between the more cold nature of policy planning and the more hot nature of much of politics, while being essential

for the unique contributions of policy planning, is one of the causes of tension between the two. Unless well understood by politicians and channeled by special structures and processes, the scepticism up to iconoclasm feature of good policy planning is essential for making significant contributions. But they too are politically hard to take. Substantive iconoclasm of favourite policy orthodoxies is impossible in the centres of government. Therefore, different policy planning structures engage in current policy advice and in more fundamental rethinking of the obvious; the first ones to be located near the centres of power, while the second ones have to be at arms length from governments, though often working for them.

Furthermore, it is essential for politically very sensitive policy planning work to be conducted in secrecy. No right of the public to know should override the need to think the unthinkable in inner rooms, when necessary, with a view to improving crucial future-shaping choices, which can later be exercised democratically. Oversight by special bodies can assure accountability, while preserving the privacy of sensitive policy-planning. It should be clear, however, that if the secrecy of sensitive policy-planning cannot be assured, no politician will tolerate it. Hence the practical importance of this requirement, which often contradicts prevailing trends.

This leads to professional ethics for policy planning professionals, encompassing the issues of keeping secrets and that of whistle-blowing. To start with the easy parts, to avoid conflict of interest, policy planners must not have any personal interest in policy selection and outcomes. This entails the requirement that policy professionals should not aspire to become politicians.

More difficult is the question whether policy planning professionals should work only for politicians with whom they identify in main values and ideologies, or for all legitimate politicians, as long as there is no strong clash in values between the policy professionals and their clients. For sure, policy professionals should not work for politicians with whose values they strongly disagree.

cold vs. hot features can easily inhibit the inputting of policy planning conclusions into actual policy making.

Both alternative norms, of working only for politicians with whom one shares main values or working for all legitimate politicians with whose values one does not strongly disagree, are acceptable, if they are applied consistently. However, they have different important implications for the interface with politicians: when the norm is that policy professionals should identify with the main values of their clients, then changes in senior politicians must be accompanied by changing their policy planning staffs; by contrast, if policy planners agree to work with all legitimate politicians, unless their values clash strongly, continuity of staff can be achieved.

A mixed approach may be best, considering that good politicians may wish to have at their side both policy professionals who identify with their main values, and professionals less near to them in ideology but, who may be able to take a more objective view of issues and policies. Different policy planning professionals may prefer either stance, possibly at different phases of their career, working either in the personal staffs of senior politicians or in institutionalized policy planning units.

However, in all cases, the most important norm for all conscientious professional policy planners is to speak truth to power, while respecting the authority and prerogatives of legitimate top level politicians. This, in turn, requires politicians ready to be subjected to an intensive debate and remonstrations on policy matters. Therefore, the attainment of high standards of professional ethics depends to a large extent on the ethics of politicians standing at the apex of the machinery of government a crucial subject which requires separate treatment.

As regards the keeping of secrets versus whistleblowing, the importance of policy planning and its political sensitivities require giving priority to the maintenance of the integrity of policy planning professionalism and of relations of trust with senior politicians. Therefore, I think that



professional policy planners should strictly keep secrets concerning their work, the only exception being when the fate of the nation is at stake in

However, being a conscientious policy planning professional requires much more than following an appropriate code of ethics. Becoming and being a policy planning professional involves a very high degree of ambition, bordering on hubris, namely the ambition to influence the future fate of societies. A democratically elected politician has a moral claim to the right to make decisions influencing the fate of many because he has been elected. A policy planning professional, by contrast, can base such a claim only on having *relevant knowledge*. Hence, policy planning professionals have a moral duty to devote themselves wholeheartedly to acquiring adequate knowledge which will serve as the basis for policies. This is a life-long task demanding the utmost from the best.

Policy planning is more than a profession qualifying persons for a job. Because of their concern with the fate of many, policy planners must have a deep sense of moral responsibility, including (to borrow terminology from Martin Buber) feeling the *thou* of human beings behind the *it* of the futures of societies, as their subject matter. All in all, aspiring to become a policy planning professional is the ethical-existential choice of a life mission to which one must dedicate oneself wholly. To be aware of engaging in a mission of great moral import, to feel constantly inadequate knowledge-wise in the face of policy space intractability and to regard oneself as a servant of human beings and collectivities now and in the future these are moral imperatives for the conscientious policy planning professional.

### Policy planning professionalism

To move into the cognitive substance of policy planning professionalism, this too demands the best of the best. Obvious, but not easy requirements include a sound understanding of one's own society within its regional and global settings. Essential tools range all the way from historical analysis to mathematical simulation. Knowledge of the realities of human and organizational behaviour is a must; and more.

which case resignation and then public warning is the right moral choice, rather than leaking secret material to the mass media, anonymously.

However, what is unique to policy planning professionals is a set of frames dominating their ways of thinking. These include:

- philosophy of judgment and action as foundation, together with cognitive sciences;
- ultra-rationality, which takes full account of the non-rational dimensions of reality and of good policy-making;
- emphasis on invention of new options and search for novel ideas;
- focus on grand policies and critical-choices, which significantly weave the future, with concentration on trajectory-setting policies;
- at the same time, much attention to crisis handling, as unavoidable and as providing scarce windows of opportunity for implementing novel policies;
- attention to globalization;
- concern for structures and institutions, including legal dimensions, with emphasis on reform-craft;
- deep policy consideration in terms of the rise and decline of nations, the fate of revolutions and of regimes and similar great enterprises;
- thinking-in-history, without being bound by the past;
- broad, long-range and dynamic estimates of processes and situations, with special attention to declining curves, passing opportunities, surprise contingencies and shifts;
- concern with future-shaping forces, such as science and technology, demography and value transformations;
- dynamic overall systems perspectives;
- comprehension of complexity;
- uncertainty sophistication, with the future being viewed as a mixture between necessity, contingency, chance and choice, and choice being considered in terms of fuzzy gambling ;

moral reasoning, value analysis and goal-search, up to realistic vision and nightmare composition;

politics sophistication;

attention to feasibility and implementation, without a narrow view of the domain of the possible;

focus on meta-policies, that is policies on how to make policies and related structures; and

emphasis on constant learning and capacity to change one's mind.

This inventory of knowledge required for policy planning professionalism serves, I hope, to bring out three important points:

Policy planning professionalism is very demanding, while being very different from the usual training of senior civil servants, from the qualifications required of the new breed of public managers, and from the single disciplinary background of present normal policy advisors.

However, the requirements can be specified and, therefore, the development of policy planning professionals is possible, given modern inter-disciplinary knowledge, available experience, and appropriate learning methods. Nevertheless, to do so, novel teaching and training approaches, methods and instruments are necessary.

This brings us to the processes involved in developing policy planning professionals, including advanced university programmes for a new generation of policy advisors, on the one hand, and a variety of intense learning experiences for actual policy advisors, on the other.

### Design of a postgraduate school for policy professionals

In order to operationalize the contents of policy planning professionalism and make concrete proposals, let me present a prototype programme. A fourth principle of the school is multiplicity of approaches and, in particular, a combination and part-synthesis of humanities with quantitative

of a *Postgraduate School for Policy Professionals*. This school will have a number of programmes, some rather research-oriented. However, at its core is a programme for professional policy planners. It is with this programme that I am concerned here, starting with some principles and moving on to the main elements and features.

The programme is a postgraduate one, intended for persons who already have a good masters degree or equivalent in any discipline and, preferably, a few years experience in government policy making and policy implementation. I divide the programme into three years of study, but the order is elastic. It should, therefore, be adjusted according to students' needs and available teaching facilities.

The school aims at providing perspectives, approaches, frames and generic knowledge related to policy planning. Learning habits and tools, knowledge, skills, craftsmanship, professional and personal habits must be developed in such a way that they will not become quickly obsolete in an epoch of ultra-change (that is change in the patterns of change itself) and hyper-turbulence. These should provide a strong basis for constant advancement and deepening of professionalism throughout a life devoted to policy planning.

The school is professional, aiming at building up the ability of students to apply abstract thinking creatively, as well as general theories to specific contexts and concrete needs. Therefore, students should acquire and develop knowledge not only on the explicit level, but also on the levels of awareness, intuition and, especially, knowledge-in-action, as the essence of professionalism.

A third principle of the school is to help students to develop personality attributes important for policy-planning professionalism. These include capacity to exit oneself; ability to take a cold view, while surrounded by the white-hot heat of the labyrinths of power; and willingness to welcome interaction with difficult clients, while being sensitive to the needs of hard-pressed politicians.

approaches to policy planning. To comprehend intricate changing realities and to handle them, it is necessary to combine and integrate numerical with

literati perspectives and apply them combinationally to major policy issues. Thinking-in-history is a main dimension of so doing, but not the only one. Artistic, semiotic, literary and other imagery are also needed to perceive more of complexity, as well as to meet other requirements of high quality policy-planning, such as construction of realistic visions and nightmares as positive and negative policy-compasses.

The objectives of such training include getting the students to think, analyze, create, intuit and recommend on the basis of full assimilation and incorporation of non-linearity, uncertainty and other features of reality and change in our epoch. This requires, for instance, overcoming difficulties in conceptualizing the idea of chance and reconciling deterministic causal thinking, which seems to be hard-wired into our brains, with indeterminacy and ability to think also in terms of inconceivability .

A fifth principle is emphasis on extra-rational and irrational features, both of reality and of its improvement (as indicated by the term ultra-rationality above). Thus, mass psychology, changing with the diffusion of novel multimedia, must be understood behaviourally, while moral sense and creativity must be considered as requiring upgrading, prescriptively.

A sixth dimension, which has been very neglected in existing public policy programmes, is moral reasoning. Values are one of the two foundations of policy-making (the second one being understanding of historical processes and construction of effective intervention strategies). Therefore, the improvement of policy-making involves, as a main component, better value judgments on which decision-makers base their choices. However, this must be done in ways that facilitate awareness and better considered value judgments by the senior politicians, without in any way arrogating this right and duty of theirs. To borrow a metaphor from Socrates, the professional policy-planners should help the politicians bring out better considered value judgments which are in them, playing the role of a midwife , who is helping to give birth. This requires policy professionals to be highly qualified in moral

reasoning a main knowledge and skill, which must be developed during their university studies.

To all of the above must be added the moral education of the future policy planning professionals themselves. Being at the school provides an unique and often final opportunity to influence the character of the students as related to their profession. This is possible, as before-after studies of students at professional schools, such as medicine and architecture show. Making a major effort to lay strong foundations for being conscientious as a policy planning professional, as discussed, is a main responsibility of the programme.

To provide just one example of ways of moral-professional education, including street level work in policy planning projects may help to develop a synthesis between an attitude of clinical concern , as necessary for cold policy planning and strong empathy with the human lives to be influenced by policies, as *inter alia*, morally necessary.

Student selection must be tough, with very high standards as the rule. An effort should be made to get students with multiple socio-economic backgrounds reflecting diverse ethnic and cultural groups. Females and males should be represented in more or less equal numbers. Special preparatory studies may become necessary. However, admission requirements must not be compromised.

Graduation requirements must be even tougher, with strict screening during the years of study. No accusation of elitism must be permitted to dilute the high levels of quality to be demanded of students. After all, policy planning professionals are and must be an elite of merit and university admission, study and graduation requirements should fit this requirement.

Minimum languages and tools to be acquired before entering the school programme proper include at least one international language, in addition to English, good numeracy, and advanced computer literacy. To this must be added science and technology literacy. Inevitably, studies will be intense and full time, all the year round.

To increase effectiveness and reduce fatigue, learning methods could be diversified. All in all, students will undergo a strenuous and penetrating multi-dimensional learning experience, utilizing their mental resources to the utmost, while developing and strengthening them.

Base disciplines, to be learned during the first year of studies if not acquired earlier, include economics, social sciences and public law. The emphasis on learning these subjects should be on ways of thinking, central concepts and main theories and norms respectively. Therefore, with effective learning methods and well-prepared material, one year of intensive work should be enough to provide access to main base disciplines, so as to permit in the following years their application to policy issues, combined with further study of them.

The situation is different with respect to history. Thinking-in-history is essential for policy planning professionalism. This requires a keen sense of the ebbs and flows of history, which one can develop only by extensive reading of history and thinking about history or in historical terms. The first year of study should provide a gate to thinking-in-history, by study of different approaches to history and the debates on uses and misuses of history, as well as individual reading in select chapters of grand history. Students who lack appreciation of the importance of history and who are not in the habit of reading history as a major leisure-time activity should be stimulated and inspired to become ardently interested in so doing.

The second year should be devoted in part to knowing and understanding reality within a long-term perspective. Considering the present as merely a thin slice in time, and policy-making as always future-oriented, thinking in terms of processes and outlooking will serve as a main theme of comprehending reality and trying to intervene with it.

As a part of understanding reality, the second year should include a course on the realities of decision-making, as explored in cognitive sciences, decision psychology, group dynamics, organization theory, and studies in bureaucratic politics. This is a relatively straightforward

During the first and second year, students should also become fully familiar with all main techniques and methods of policy planning, from operations research to social experimentation, from cost-benefit-risk analysis to the design of imaginative alternative futures, from simulation to crisis management, from implementation monitoring to social indicators and intelligence studies. Having thus developed a feeling for the problems of estimating reality and acquiring the principal tools, students move into substantive theories on the dynamics of their societies and on the global situation, trying to upgrade their knowledge of processes dynamics, while maintaining a good measure of epistemological doubts.

French *Annales* historiography, as largely shaped by F. Braudel, constitutes an essential antidote to the preponderance of short-term political and human time thinking and the dominance of surface phenomena in much of policy-making. Indubitably, inculcating into students a strong commitment and firm habit of applying long-time frames to pressing issues and of trying to move into deeper layers of the stream of change is a major requirement and contribution of the school.

The second year should culminate in one of the peaks of the study programme; namely apprehension of the future as being a dynamic product of interacting necessity, contingency, chance and choice. Non-linear models, catastrophe and chaos theories, study of historic mutations and contemporary upheavals, long wave approaches and Kondratiev phenomena, dissipative structure theory, indeterministic philosophies of history all these perspectives, metaphors, views and theories should be summed up in a deep understanding and sense of change processes, with evolutionary potentials being perceived as a dynamic mix between linear determinism, under-determination, chance and choice.

subject. However here too, doubts should accompany knowledge. Thus, the cultural bases of policy-making realities should be examined, such as special features of decision-making in different cultures and unique characteristics of choice in true believer groups and societies. The issues of

dominant ideologies and social production or reality also deserve attention in this context.

Part of the second and of the third year should be devoted to familiarizing students with main policy planning frames, as already mentioned. What can appropriately be called grand policy thinking stands at the centre of the third year. It constitutes the main basis and target for clinical learning.

It is the applied nature of policy-planning which poses the main challenge to preparation and development of policy professionalism. This requires appropriate study methods, with emphasis on clinical learning and much need for novel study approaches. Case studies, exercises and projects should be introduced at the start of the first year, although this would be secondary to systematic study.

Much of the second and most of the third years should be devoted to clinical learning, by moving through a variety of virtual and real situations and policy problems. These are processed with the help of all that has been learned and additional knowledge to be searched for, with opportunities to add theoretical and factual knowledge as needed in the context of concrete policy issues.

No main policy domain should be strange to the graduates of the school. By selecting cases, exercises and projects, so as to deal with major policy spaces and the relations between them, supplemented with extensive readings, familiarity with different policy fields can be achieved. To enable effective professional learning, teaching materials must be carefully prepared and modern teaching tools extensively used. However, critical in all respects is the quality of the teaching staff. Guiding professional growth in policy planning requires teachers combining a lot of theoretical and factual knowledge with considerable practical experience on high level policy issues, who also have outstanding didactic skills.

Traditional academics can teach the standard disciplines. Persons with experience can provide the sense of reality. But teachers, who themselves are policy planning professionals, in the full

sense of the term, whether more contemplative or practical, self-made or otherwise, are essential. Unless a pluralistic core of such teachers and mentors is available, no serious graduate professional policy school can be established.

The design of the school, as proposed here, may seem out of reach to most countries. However, this is not so. To become a medical doctor takes usually seven years of full-time study, with another three years of specialization. It is hard to accept the fallacy that becoming a highly qualified public policy professional should demand less study or that resources to develop such urgently needed professionals cannot be made available. The requisite human and other resources can be located in most countries and can be augmented through regional and international cooperation.

Schools, as proposed, are essential not only for developing high quality policy planning and related professionals, but as an infrastructure for similar endeavours to develop policy planning professionals. These include intense courses for practicing policy advisors, as discussed below. The following recommendations flow from what has been argued:

***Recommendation 1:***

*Postgraduate schools for policy professionals, including policy planning, should be set up.*

Indeed, a number of good public policy programmes already exist, in the USA and in some other countries. These, too, are in need of upgrading, but can serve as pilot experiments and resource for the more advanced programmes proposed here. However, indiscriminate copying of what may fit some countries and transferring it to very different countries and governments is a very dangerous practice, which should be strictly avoided.

Still, because of the scarcity of qualified teachers of the unique subjects and practical knowledge required in advanced university teaching of policy planning, it may be a good idea for a number of countries to cooperate in setting up regional postgraduate schools for policy professionals. Therefore:

**Recommendation 2:**

*Regional cooperation in setting up postgraduate professional public policy schools, to be shared by a number of countries that are similar in certain basic respects, is advisable.*

On the basis of experience, let me re-emphasize that unless such a school applies demanding minimum standards, in teachers, teaching materials, students and other facilities and resources, it cannot hope to develop adequate policy professionals. Setting up a programme with the high sounding name of public policy, which does not meet the minimum requirements is much worse than inaction. Creating an illusion that policy professionals are being trained will soon backfire once the inadequacies of their graduates become sadly obvious to all.

**Second best possibilities**

However essential and feasible, if the need is recognized, setting up a postgraduate professional public policy school is a major undertaking, all the more so in countries where many of the inputs are scarce and have a high opportunity cost. Furthermore, setting up such a school and producing a critical mass of graduates takes quite some time, while needs are very urgent. However, a number of possibilities to upgrade policy planning professionalism exist even in the absence of such schools or while they are being established. These include shortcuts, which can upgrade policy planning professionalism rapidly, if an intensive effort is made.

A first step is to try to upgrade actual policy advisors, whatever their background may be. A set of intense workshops (5-10) of one to two weeks each, with in-between readings, projects and hands-on tutoring, can accomplish a lot. Such workshops should focus on the core knowledge of policy planning professionalism, as described above, with hands-on exercises in order to develop application craftsmanship. There is experience available on developing policy planning pro-

What should not to be delayed are the first steps in institutionalizing policy planning positions in governance. Unless such positions become available, the development of policy planning

professionalism in a modular way by means of intense workshops. It shows that quite a lot can be achieved in this way, if participants are carefully selected and have an adequate background knowledge and experience.

A second step is to run policy professionalism programmes taking the form of very intensive residential studies for a period of four to six months, supplemented with readings and continuous modular studies. If well qualified candidates are selected, such a programme can produce fully-fledged policy planning professionals to meet pressing needs. Such second best endeavours are very practical ways of significantly upgrading policy planning that can be adjusted to the requirements and possibilities of different countries. Various combinations between short workshops and intense learning are possible, in combination with the building of a postgraduate professional public policy school. Regional and international cooperation could support such national efforts. Therefore:

**Recommendation 3:**

*Sets of intensive workshops and courses in policy planning can significantly upgrade actual policy advisors and prepare policy planning professionals. Such activities should be initiated urgently, with regional and international cooperation and support.*

Because of the demanding nature of policy professionalism, continuous learning and growth is a must. Career patterns should provide the relevant experience, through periods of work in policy R&D organizations ( think tanks ), at different levels of government. Time could also be spent on grassroots work. Equally important are periodic continuous learning and thinking opportunities. However, these are only preliminary observations on subjects which should be taken up after intense efforts to develop policy planning professionals are approved and started.

**Institutionalization**

professionals will prove difficult or futile. However, the reverse is also true: the establishment of policy planning positions and units without high quality professionals may be

counterproductive. Development of policy planning professionals and institutionalizing policy planning units in government are both essential and interdependent activities.

In principle, three main types of units are required to upgrade policy planning:

Policy planning units as enclaves of excellence near the heads of governments and senior ministers;

Policy professional advisory units near other centres of politics and policy, such as legislatures, political parties and major non-state actors;

Policy R&D units at arms length from the corridors of power, devoted to long-term, profound and multi-disciplinary consideration of main policy spaces, including iconoclasm in respect to widely accepted policy orthodoxies, when justified. Such units are often called think tanks. Some of them may work for governments, while others serve different political and social actors, and also the public at large.

Equally important is the inclusion of policy planning professionals in existing personal advisory staffs of heads of governments and senior ministers. Here, selection of policy planning professionals may be influenced by the requirement of identification with the values and ideologies of the senior politician and, sometimes, with him personally. However, all incumbents must preserve their professional integrity, in spite of the inevitable tensions which this will often entail.

To make a start and build on what exists in most countries, the first essential steps towards institutionalization are to set up a central professional policy planning staff for the head of government and the cabinet as a whole; and to set up one national think tank, to work for the government in close cooperation with the policy planning staff of the head of government. In addition, some professionalization of the personal advisory staffs of top politicians is essential, both by providing short-cut

policy planning training to actual political advisors and by introducing acceptable policy professionals into the personal staffs. Therefore:

**Recommendation 4:**

*Policy planning professionalism should be introduced into personal staffs of top politicians, both through accelerated training of present advisors and the injection of qualified professionals, who are politically and personally acceptable.*

**Recommendation 5:**

*A professional central policy planning staff, working for the head of State or government and the cabinet as a whole, should be set up and developed as an urgent and essential step.*

**Recommendation 6:**

*The creation of a National Policy R&D Organization ( think tank ) is an essential second step, though one taking more time to implement.*

Concomitantly, decision-making processes must be adjusted, so as to assure that policy planning units have a chance to work on the critical choices and to input their designs, analyses and recommendations into actual choice processes. Therefore:

**Recommendation 7:**

*Decision-making processes should be restructured so as to provide policy planning professionals with opportunities to work on critical choices and to input their products into actual choice processes.*

However, setting up and activating units and assuring their liaison with actual decision-making is a delicate operation, because of the sensitive environment in which they operate and the sensitive subjects they touch. Therefore, much care should be taken with the initial steps, bearing in mind that such units never operate in a vacuum, that their establishment has power map implications and must fit the personal preferences of a small number of top decisions makers. Therefore:

**Recommendation 8:**

*Careful surveys of decision-making realities should serve as the basis for custom designs, fitting actual conditions of policy planning, professionalization and institutionalization.*

Contextual improvements

Upgrading of policy-making involves multiple steps, in part independent from one another and in part to be introduced as a coherent set. Policy planning professionalism can serve as a module useful on its own, on condition that it is combined with some institutionalization, as recommended above. However, to assure the survival and development of professional policy planning in government and to achieve multiplier effects, a number of concomitant steps are required to improve interfaces between policy planning and heterogenous decision processes. In particular, all senior civil servants must be familiar with the fundamentals of policy planning, and apply them in their work through cooperative relations with the policy planning professionals and units. Therefore:

**Recommendation 9:**

*All senior civil servants should become familiar with the fundamentals of policy planning and be encouraged to cooperate closely with policy planning professionals and units.*

More is advisable and required, including making politicians more familiar with policy planning, e.g. by setting up National Policy Colleges, where politicians, senior officials, mass media commentators, academics and other policy-influential opinion leaders spend days together exploring in depth and off the record main policy issues with the help, *inter alia*, of policy

professionals. Policy planning professionals can and should make broader contributions to societal problem-coping capabilities, by working at diverse societal choice loci. However, these are matters for a separate study.

Implementation

Implementation involves many details adjustable to specific circumstances not touched upon in this paper. Furthermore, implementation will face many additional obstacles, ranging from the conservatism of universities to politicians' misgivings about working with advanced professionals. The likely political costs of high quality policy planning, mentioned from time to time, such as the exposure of fallacies, must also be taken into account. Therefore, political will and support by senior officials are required for professionalization of policy planning in government, with the attitude of the head of government being the single most pivotal factor.

Policy planning professionalization can provide significant help with the difficult predicaments facing governments. Indeed, upgrading policy planning professionalism may well be a relatively easy, but very useful step in redesigning governance in order to fit the requirements, challenges, dangers and opportunities of the 21st Century and to weave the future, so as to reduce the probability of the bad, increase the likelihood of the good, and cope with uncertainty and inconceivability. Therefore, policy planning professionalization, whether along the lines of the nine recommendations developed in this paper or otherwise, is well worthy of political and senior civil service support. It calls for practical steps, which must be taken urgently.



## *Professionalism in Public Service*

### *Management:*

#### *The Making of Highly Qualified, Efficient and Effective Public Managers\**

My experience of bottles tells me that the bottleneck is always at the very top of the bottle

*Swedish middle-level manager accused of forming a bottleneck in his organization*

In this paper, I will try to outline why public managers are important for the success of public administration reform, and how the performance of public managers in the Central and Eastern European Countries (CEEC) should be improved. The paper is not based on empirical research. It provides my personal views on a very important subject based on five years of practical experience within the SIGMA Programme, where my work has been related to the establishment of civil services in the CEEC.

The reform needs in most CEEC countries make the performance of public managers extremely important; and the existing situation makes it difficult to get well-performing managers. While the needs for good managers are vast, the supply is limited. Governments cannot meet the competition from the private sector. In addition, the legal frameworks, institutional capacities and systems necessary to recruit, develop and retain good managers are still weak, if in place at all.

In this paper, I will concentrate on the legal frameworks and institutional and management structures necessary for the making of good managers. In so doing, I will concentrate on the highest officials in government, with the presumption that much of what is needed to improve the performance of top managers is also needed to improve the performance of managers on other levels. I will, therefore, not look at the training necessary for the

making of good managers. Although training is crucial in this respect, it is at the same time a broadly and well recognized precondition for the making of good managers. Nor will I look at other means to inculcate shared values necessary for a common public management.

#### The importance of public managers

The above quotation comes from a frustrated middle-level manager in the Swedish Tax Administration. It clearly illustrates the importance of having good public managers on the higher levels. Without appropriate top managers, an organization cannot achieve its optimum. With substandard managers at the top, the performance of an organization becomes poor and operations tend to get blocked. The bottleneck is also present in organizations lacking systematic mechanisms for delegation and for accountability. Although the performance of top managers is crucial, it is, of course, equally important to have corresponding quality of performance on all management levels.

For a long time now, Western European countries have recognized the fact that management standards and the performance of managers are critical for the success of public administration reform, as well as for general public administration performance. Programmes to improve the selection and development of top managers have been a normal part of public administration reform for the past 10-15 years. Among all the reasons for the

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\* By Mr. Staffan Synnerstrom, SIGMA.

existence of such programmes, the following two

when public administration reform, as in several Western European countries, means delegation and fully developed responsibilities, when it means giving up power-sharing in decision-making and *ex ante* controls in favour of power allocation to managers and *ex post* controls, the quality of the managers vested with these powers becomes more than essential; and

when national policy-making, as in all countries, becomes more and more complex and more exposed to international cooperation and coordination, it becomes increasingly important for top managers to have holistic perspectives and an ability to harmonize their work with both national and international institutions.

France, with its career system and its corps, has by tradition defined groups of senior officials. Individuals in each corps, at the top of their career, are centrally managed and are assisted in career development through training and mobility. The State always has a pool of competent individuals to select from when a top position must be staffed. Other countries are now establishing correspondingly defined groups of top managers centrally selected, appointed and managed. The Netherlands, with its developed administration, is creating a Senior Public Service with strong emphasis on the professional development of managers and on coordination capacities.

More information, in this respect, on the development of OECD Member States can be found in the *Senior Civil Service A Comparison of Personnel Development for Top Managers in Thirteen OECD Member Countries* (PUMA/hrm(97)2), and in the SIGMA newsletter *Public Management Forum*, Vol. III, No. 2, 1997. In *Top Management Service in Central Government: Introducing a System for the Higher Civil Service in Central and Eastern European Countries* (SIGMA paper No 1), Professor Jacques Ziller analyzes solutions in some OECD Member countries in order to describe the options for the Central and Eastern European countries.

are striking:

This kind of senior civil service does not yet exist in any CEEC, but some of the countries concerned are gradually introducing special policies and management mechanisms for the highest officials. Hungary, Poland and Latvia are examples of countries that are currently implementing reforms related to top managers, although with very different approaches. Other CEECs are in the planning phase.

Rationale for public administration reform

In 1989/1990, Governments had two major reasons to reform the administrations of the CEECs: to make the administrations internalize the values of a restored democracy and to build a market economy. Later, a third reason has been used in ten of the countries concerned; to integrate with Europe and to facilitate accession to the European Union.

A democratic administration should represent the stability and continuity of the State. Under the constitution, it should be ruled by law and not use public powers and means with which it has been entrusted in an arbitrary way. The execution of these powers should be protected from partisan interests, and its staff should not be mainly occupied with the production of goods and services. Its task is to create fair and equal preconditions for economic activities, through regulation and monitoring the activities through impartial institutions, in order to establish a competitive private sector. This has nothing to do with the fact that States are producing goods; it only means that production is not a task for the core administration of the State.

Public administration in a country aiming at European integration, should be able to implement EU regulations effectively into the national context. Although the European Union does not have any direct powers in relation to how countries organize their governance system and public administration, membership and accession presuppose certain capacities and qualities in national administration. Public administration in a country aiming for Europe must be able to cope with all the preparations and negotiations required

in the process, as well as to adopt and implement  
The objectives of ensuring democracy and a market economy have already been achieved, to a large extent, in the majority of the CEECs in terms of the necessary legislation and institutions. Of course, there are still shortcomings in the enforcement of the legislation and in the functioning of the institutions in all countries, due to a scarcity of financial and, particularly, human resources. At the same time, some CEECs are still in the process of reforming their administration to ensure the basic objectives of democracy and market economy, i.e. redesigning the role of the State.

### The administrative heritage

In Western European countries, public administration reform is a continuous process. For reasons dictated by changes in substantive policies, and the achievement of greater efficiency, financial constraints, internationalization and service-orientation, Western European Governments are continuously adapting their public administration to changing requirements and demands. All the CEECs need to reform their public administration for the very same reasons, most evidently on account of financial constraints and of internationalisation.

To understand the needs of public administration reform and the possible ways of achieving results in a given country, one must have an understanding of the national administrative context. Although each CEEC has its special context and traditions, there are some characteristics that can still be found in most countries. These characteristics represent the heritage from the communist administration and they should be the target of reform in all CEECs. They and the impact they exert give public administration reform different characteristics than in most older democracies.

To make it brief and simple, one can say that an administration under democratic control, functioning in a market economy should at least adhere to the following basic principles:

In Western European Governments, civil servants have the authority to take decisions or to make

the *acquis communautaire* .

respect of fundamental rights;

legal certainty and predictability;

balance of powers;

instruments of accountability, control and transparency; and

coherence within the government.

Communist administrative structures and procedures did not emphasize any of the above principles, but rather contradicted them. This is still a starting point for public administration reform in CEECs. The heritage is part of the explanation for the observable slow progress in the development of certain horizontal government functions, such as policy-making processes, law-drafting, the budget process, financial control, audit and the staffing and personnel management of the civil service. The heritage includes the following characteristics:

### *Lack of coherence and coordination*

In the communist administration, sectoral ministries managed their activities down to the lowest level. Political and strategic decisions, including those related to funding, were coordinated within the party structure, not within the administrative structure. In the old system, there was, therefore, no real need for coordination between government institutions. The centre of government, including the Prime Minister and Ministry of Finance, were weak and did not have the policy-making, coordinating or financial authorities, which it possesses by law and tradition in Western democracies.

Although much of this has improved in CEECs, through the establishment of new constitutions, territorial reforms, restructuring of government, new institutions, improved budget laws and budget procedures, non-cohesiveness and low coordination capacity still prevail in CEEC government administrations. Many times no clear system exists for the delegation of powers, and officials have no clearly defined accountability.

agreements on behalf of their institution in the coordination process. They have clear definitions

of their authority in relation to others, i.e. a mandate detailed in regulations and job descriptions. Accountability is defined by law. Coordination negotiations are raised to the next level only if an agreement cannot be reached on the lower level. Few final decisions are made on the political, or ministerial levels.

In most CEEC Governments, the situation is different. First of all, there used to be, during the first years of transition, a clear mistrust on the part of incoming elected officials towards officials that had been appointed and worked in the old system. This mistrust can still be found in some of the countries when new governments come into office. This mistrust is part of the reason why non-political officials in a ministry do not have clear mandates. However, there are also structural or systemic weaknesses. Coordination procedures are insufficient and provisions for the delegation of responsibilities are inadequate. Coordination issues, therefore, are often brought upwards and appear unsolved on the agenda of the Council of Ministers. Negotiations between Ministers have to take place at regular government meetings, with long and demanding sittings, as a consequence.

Without mandates and defined accountabilities for the officials, negotiations cannot be concluded, and problems cannot be solved on levels other than the highest political levels and often not below that of the Council of Ministers. Without providing a permanent role and professional integrity for the higher non-political officials, the mistrust will remain.

Furthermore, administrative issues will continue to be driven from the political levels and from a political point of view, rather than from an administrative one. So what appears as a lack of horizontal coordination is, to a great extent, deficiency in vertical delegation, i.e. a lack of defined roles and mandates for officials within a ministry. It is also partly a matter of mistrust. The low capacity for horizontal coordination is frequently reinforced by coalition government without a Line ministers do not easily accept a system, where their possibilities for staffing would be more limited and subject to special standards and procedures, meaning that such decisions related to

common political programme. This could be addressed through selection and management of the highest non-political layers, i.e. through top management reform.

### ***Lack of coordinated staffing and personnel management***

A characteristic feature of the old administrative structure was that each ministry and state institution was an independent employer, subject to the provisions of the Labour Code. No common standards existed for the selection, recruitment, promotion or management of personnel. Each institution had its own regulations, and each minister or head of agency could freely choose or change his or her staff, even at the highest level. In the field of labour law, each institution was regarded as an independent legal entity. There was no notion of the State as a common legal entity with institutions acting on behalf of the State on issues related to employment and personnel management. This legacy still prevails in CEEC administrations today, even those that already have civil service legislation in force. There are a number of reasons behind the fact that countries have failed to change this uncoordinated and fragmented pattern of staffing and personnel management.

One of the reasons is the fact that, in most countries, there is no clear division between what should be political posts and what should not. In an administration staffed and managed under a labour code, it was at the discretion of the minister or head of agency where to draw the line. In practice, this opened the way for a spoils system. The authority to appoint is one important and attractive power for ministers. By using this power, they can surround themselves with individuals they know and whom they can rely on, instead of taking over staff they do not know and mistrust. By using this power, ministers can also reward individuals for political work, e.g. during election campaigns.

highest officials are taken at the centre of government instead of by themselves. From their point of view, such a reform would not mean an improvement. They would have to give up an important

power without getting much in return in the short-term. They are strong stakeholders in any top management or civil service reform and will not automatically become convinced of the benefits of such reforms.

As it is, few CEEC Governments have so far had the interest or power to convince, let alone force, sectoral ministers to accept a new and unified structure for decision-making related to the staffing of higher management positions in the government administration and for the career management of the position holders. This leads to continuing political staffing of crucial positions in the administration, a spoils system *de facto* although not *de jure*. It does not mean that individuals selected on political grounds are not fit for their jobs. They may be well qualified. However, in the long term, this spoils system means a lack of continuity and a lack of *professionally* independent inputs into the decision-making process. It also perpetuates the lack of delegation of responsibility to the lower levels of government, as decision-making and coordination continue to take place within the political structures of the administration.

### ***Absence of administrative and management professions***

In the old system, there was a common state administrative profession, such as being a civil servant. Each job was specialized in the employing institution with limited career bridges to other institutions. There were no clear professional criteria also valid for similar jobs elsewhere in the state administration. Mobility between different institutions was not encouraged and it rarely occurred. Due to this tradition and the fact that coordination between institutions was done within the political structure, there was no need for generalists or managers with a perspective broader than that of their own field.

The kind of permanent management positions that can be found at the higher levels of Western civil services was, and still is in most CEECs, the prerogative of the political class. Non-politically selected managers were, and many times still are, competent specialists within their field of

expertise, providing technical contributions, but doing little management and coordination. Accordingly, reform in CEECs should try to establish *a management profession in public administration*.

But how can relevant powers and responsibilities be transferred from the political structures to administrative ones and how can professional managers be rendered capable of managing these responsibilities? Or, to use the terminology of this Conference, how can the scope for professional managers be enhanced and managers professionalized ? That is the question.

### **Professionalization of the administration in the CEECs**

Professionalization is, of course, predicated on the appropriate training of managers and staff, but this is not all. It also requires introducing regulations, defining duties, accountabilities and corresponding rights of staff, as in civil service law. Even that is not enough. It is also predicated on personnel management and management standards, but it involves much more besides. It is, to a large extent, a question of establishing an administrative context in which officials can carry out their duties in a professional, impartial, transparent and accountable way. Professionalization is, therefore, not only about the professional quality of staff and about their status. More than anything else, it relates to:

- the quality of the law, providing the substantive framework for decision-making, i.e. a tool for the officials and a source of information for the public;

- the quality of legislation on procedures for administrative decision-making, for coordination and for balancing powers, for official relations and communication with the public and providing opportunities for interested physical or legal persons to have a say on or to appeal decisions;

- the quality of financial and administrative accountability and control mechanisms providing for transparency, checks on financial and

administrative decision-making, including professionalization is a much wider task than implementing civil service laws and introducing personnel management improvements. If the administrative context in which officials work is not improved, officials will continue to make arbitrary decisions on the basis of insufficient communication with the public and insufficient coordination with other institutions, even though they are selected on merit and subjected to systematic training.

#### Objectives for top management reform

It is reasonable to say that top management reform should aim at the following targets:

##### ***Improved quality of the outputs of public institutions***

This objective can only be met through a combination of measures related to the position of the manager and to the corporate functioning of the organization. The administrative context must be addressed, as stated above. Managers should have defined responsibilities for the quality of outputs and there should be incentives for improvement in this regard.

##### ***Improved efficiency and cost-effectiveness in public institutions***

It is necessary that the role of the manager in the organization be addressed in a broader context than just in terms of appointment conditions. The responsibilities of managers, especially in relation to the political level, the accountability, decision-making and reporting structures must be clearly defined, and financial management and mechanisms for financial control must be addressed as well. If not, there is a risk that top management reform will end up as a one-man show, with limited impact on the performance of the organization.

##### ***Better coordination between public institutions***

This objective can be reached through top management reform. Establishing a professional group of permanent managers selected on the basis of common qualitative criteria and subject to common training and networking activities supporting a

visions for remedies, prosecution and redress. common corporate spirit, will improve both the understanding of coordination and the capacity to do it. However, the administrative context must also be addressed. Permanent managers must have a defined responsibility, an obligation to coordinate, a mandate to take decisions and the right to come to agreements on behalf of the institution. In addition, government procedures should establish preconditions for effective coordination.

##### ***Improved professional continuity and development within public institutions***

Since top management reform should build on an establishment where managers and other civil servants have permanent status and are selected on the basis of professional merit; and dismissal or transfer is subject to special legislation, it goes without saying that professional continuity should be improved. Improved job security provided by law will support a behaviour characterized by professional integrity. For professional development, there should be training related to management skills and to management in an improved administrative context.

##### ***Reduced scope for nepotism and corruption***

This should be an objective of top management reform, as it should be the goal of general civil service reform. To prevent nepotism, it is necessary to select managers on the basis of merit using transparent criteria. These must be communicated throughout, even outside the administration. Decision-making must be shared in such a way that the immediate superior should not be the only one taking the final decision on selection. There should either be collective decision-making, e.g. through commissions of some kind, or the grandfather principle should be introduced. This principle for balancing powers means that decisions on selection or recruitment are formally taken on the level above that of the immediate supervisor. The highest civil servants or managers should formally be appointed by decision of the Council of Ministers, or by the Prime Minister.

To reduce the scope for corruption is, of course, more complicated. Corrupt behaviour might vary from one country to another and from one culture to another. What are regarded as bribes in one part of Europe, might be normal social behaviour in another. However, there exists consensus on behaviour that is regarded as corrupt in any democratic State.

In addition to the above-mentioned selection mechanisms, a clear professional role must be established for managers and other civil servants, which is based on shared values, i.e. public service ethics. Incentives for refusing corruption should be built into the salary schemes. Corruption should be openly discussed, and how to fight and resist corruption should be on the agenda of any training programme for managers. In addressing public service ethics, the PUMA Ethics Infrastructure is a useful tool. It is published in *Ethics in the Public Service, Current Issues and Practices* (PUMA Occasional Papers No. 14).

In order to fight corruption at the top levels in the administration, the administrative context must be the right one. There should be a balance of powers in all decision-making, justification of decisions, transparency and freedom of information. Mechanisms must be in place to control the appropriateness of decisions, as well as for correction, prosecution and redress.

Finally, if the permanent staff in an administration is subject to all these measures, permanent managers and civil servants must also have the power to act with integrity towards their political masters; they ought to have the mandate to react against improper action and refuse participation in inappropriate decisions, without risking their career or social situation.

### ***Increase the public trust for the administration***

Public managers, at all levels, have a crucial role to play in improving relations between the administration and the public and the way the public perceives the actions of officials. Managers should have the responsibility, within the administrative context, to improve the quality of their outputs, improve external communications, develop services and explain to the public what public institutions are doing and why.

This is necessary even when special government communications and information programmes exist. This important long-term, yet everyday task can only be pursued by managers that are selected in a way which the public can both understand and accept. There must be a clear perception, outside the administration, that officials are selected on merit and that they are carrying out *professional tasks under the rule of law*. It should be clear that they are the ones to have been found best suited for the job through transparent, competitive processes.

### ***Attract and retain highly qualified individuals for management positions***

This objective can be reached through pay reform and performance in combination with an improved definition of the role of managers in the context of institutions and in relation to their political masters. Though this may be easy in theory, it is still very difficult in practice. To raise salaries significantly may be difficult at times of financial constraints and budget deficits. Of course, a country could afford to raise the salaries of a limited number of officials. The question really is whether such limited pay reform would have an impact on the general performance of the institutions, if pay reform does not continue down to lower levels of the administration.

The objective to attract and retain qualified individuals is often used as an argument for civil service reform, or top management reform. To attract and retain good staff is certainly very important. However, rather than an objective *per se*, it is a means to reach the operational objectives set out above. Top management reform cannot be carried

out merely through raising salaries, if everything else remains unchanged.

Governments which try to reform the management of public administration, mainly by increasing the salaries of a limited number of officials, without changing the administrative context, including their selection and professional role, risk ending up

#### How to advance top management reform

Permanent higher officials and managers selected on the basis of merit are an essential feature of successful public administration reform and a condition for improved administrative performance in the CEECs. Their presence constitutes a prerequisite for professional continuity and for the depoliticization of administrative decision-making. At the same time, an establishment of permanent top officials implies a dramatic change in administrative and staffing procedures. It will be seen as interference in the traditional and highly valued prerogatives of politicians.

Three things must, therefore, be considered in a top management reform, in addition to all the technical issues. The first is the need for strong political commitment behind such a reform. Without strong and active backing from the Prime Minister and from the Centre of Government, a reform aiming to change the selection and management of higher officials, as well as their roles in the government machinery will fail.

The second is that the reform must be accepted by the affected line ministers. Line ministers will have to give up one of their most valued powers, at least to some extent. This must be justified by the fact that they will benefit from this sacrifice, in terms of the improved quality of professional support they can expect in their respective domains. But it must equally be understood and accepted that it will take some time before this investment in professional managers will yield its full return. It will take some time before sufficient numbers of qualified managers can be in place.

The third absolutely crucial point to consider is the need to create a system of selection and *management of managers* which is transparent and which guarantees that the individuals are selected on the basis of their professional merits alone. If a system

with lower public confidence, without any guarantees of improvement in the administrative context, or in the service delivery of institutions. It is difficult to win public acceptance for a pay reform, as long as citizens do not see that officials are selected on professional grounds, through transparent and competitive processes.

is implemented without such guarantees, the selected managers will never be accepted by the political parties of the opposition. With every change of government, one will start from square one. There must be a political consensus and shared understanding among all important political parties that this system represents a significant improvement. These considerations are mainly of a political nature, but they must be taken into account.

In order to establish a cadre of permanent managers at the higher levels, there are a number of technical considerations that must be addressed. These are specific needs related to their posts and to the management of the managers. For managers on lower levels, the same structures and management systems should be applied as developed for the top managers, with possible differences in the pace of implementation, remuneration and career management. Two types of action can be identified.

The first thing that needs to be done is to separate the political positions from the permanent ones. This can be done in two ways. The first is to transform existing political positions into permanent ones, e.g. to change the positions of, say, State Secretary or Vice-Minister into a kind of Permanent Secretary position. The second way is to keep the political positions political, and instead introduce new permanent positions into ministries, such as Secretaries-General or Directors-General.

The first option was chosen in Hungary, but may not be feasible or even desirable in most of the CEECs. In all CEECs, there is a tradition of strong politicization which cannot be broken overnight. Trying to do so would result in a manipulation of the system, not in professionally selected vice-ministers or state secretaries. The fact that most countries are governed by coalition governments



adds to the complexity of the issue and the need for political leadership in individual ministries;

The second option is probably more feasible. It is easier to establish new functions than to try to change traditionally political ones. The fact that ministries in many CEECs have flat organizational structures with heads of departments reporting to the political head facilitates the introduction of a level of permanent managers in between. It would not introduce more red-tape into the administration. Rather it would be a means of good bureaucracy and actually facilitate the translation between the political and permanent levels of an institution.

Creating a new kind of top permanent position will raise a crucial problem of scope in relation to the existing political posts. What should the new officials' responsibilities be? How will they be able to establish themselves as a power centre within established structures? They will need clear definitions of their functions and authority within the institutions. They will also need external support from a central management facility and from their colleagues in other institutions.

It would be realistic to give the new top permanent officials responsibility for the functional services of the organization. They should be responsible for the financial, organizational, personnel and legal affairs within their institutions. With time, they will be able to strengthen their position within these institutions. Eventually, they should become a general link between the political and professional levels of the institutions, providing professional, impartial input to the decision-making process, and acting externally on behalf of the institutions.

With this kind of new high-level professional permanent managers in place, the scope for political staff might eventually become reduced as the role of the permanent staff or of professional managers on lower levels is upgraded. Thus, instead of abandoning political positions, their numbers might be gradually reduced as the permanent components of the institutions develop their capacities and cooperation between the political and professional levels improves.

#### Civil service legislation

It is absolutely necessary to define, in public law, i.e. the management of a civil service law, the duties and rights of officials entrusted with public powers and public funds. Duties and accountabilities cannot be agreed upon between a state institution and an individual in a private law employ-

ment contract under the labour code. In a general labour code, regulations are not sufficient for officials to whom the authority of the state is delegated.

A civil service law should strike a balance between the duties and the accountabilities implied in a public office and the rights securing the professional integrity in carrying out the office. A civil service law should thus contain provisions protecting civil servants from arbitrary interference. However, it is equally important that a law should contain provisions aiming at raising or safeguarding the professional quality of the staff subject to the law. This is crucial for the development of better public management at all levels. The primary goal of a civil service law is not to define better and safer employment conditions for public employees. Rather, it is for the State to safeguard a certain quality, professionalism, ethical values and standards in the performance of administrative tasks, while improved appointment conditions become necessary means to reach this primary goal.

Civil service laws are not yet common in the region, although such laws have been on the reform agenda in most countries for a long time. In fact, civil service laws are in force only in Hungary, Estonia, Latvia and Poland. Similar laws have been passed, but not yet implemented, in Lithuania and Albania. Instead of enforcing the existing law, Lithuania is currently drafting a new law.

No other CEEC has succeeded in passing a civil service law, although drafts have been prepared in most of them. There are many reasons for this. The main one may be found in the financial situation and prevailing mistrust between political factions, and within the administration. The fact that many such draft laws have targeted the improvement of

employment conditions, but not the need to raise the quality of public servants, has added to the difficulties of passing those laws.

It is necessary to pass a special legislation defining the duties, accountabilities and rights of civil servants, if a layer of new top managers is to be. One problem with the inherited administrative structures is a lack of coordination in staffing and a lack of common standards in personnel management. The resulting fragmentation should be discontinued and personnel management should be harmonized within government administrations.

This calls for some kind of central capacity for the management of the civil service. The competence and the institutional character of such a capacity should also be defined in a civil service law. It can be a unit preparing decisions for the Prime Minister or for the Council of Ministers. It can be a special ministry, or it can be a separate institution reporting to the Prime Minister.

The civil service should be subject to a common management function within the government. The selection and management of civil servants should be based on professional criteria and common standards. To establish such standards and to monitor the management within state institutions are important tasks for a central management unit. It should not be directly involved in staffing and personnel management, but should draft government regulations related to the civil service, issue guidelines, provide advice and monitor career management throughout the civil service.

If a new layer of top officials is introduced into the administration, there will be need of a central capacity both for selection and for career development. New Secretaries-Generals or Directors Generals should not be appointed directly by the line Ministers (cf. the above-mentioned grandfather principle). The power to appoint should be shared with the Prime Minister or the Council of Ministers in a balanced way. Decisions related to these officials should be taken at the centre and prepared by this central unit, independently of narrow sectoral interests.

### Selection mechanisms

established and function properly. It is necessary to give them sufficient protection to be able to act with integrity in the discharge of their functions as managers, in general.

### Central management capacity

The system of selection is one of the most crucial component of top management reform. While a system of selection of civil servants in general and of middle-level managers in particular, can be introduced without major complications, the system of selection of top managers cannot. It is, therefore, important that a system provides for transparency, and that guarantees be in place to ensure that the person is fairly and properly selected. If that is not the case, or even if it is perceived not to be the case, there will be mistrust towards those individuals appointed, from both the public and the political opposition.

On the other hand, it must be possible to recruit individuals with a background of political affiliation to permanent top positions, at least for the first generations of top officials. Many top officials in most CEECs have that background. The important thing is that once selected, the political affiliation ceases to be operative and the selected manager should act in his or her work according to the accepted civil service standards. Their performance must be impartially monitored to that effect.

### Decision-making structures

As already stated, there must be balanced power-sharing in the decision-making related to the staffing of the administration. This is necessary to guarantee a selection on merit and to prevent nepotism. Two principles for balancing powers could be used. One is to establish collective bodies for decision-making (e.g. a Civil Service Commission). The other is the grandfather principle, where selection and appointment decisions are formally taken one level up.

Decisions related to selection, appointment and career development of the very top officials should be taken at the centre of government, i.e. by the Prime Minister and/or the Council of Ministers. The two principles for balancing powers could

also be combined. In a civil service system with permanent managers and officials, it is important that decisions related to their selection and career. So far, three countries have established measures to manage top level officials in a more coherent way. Hungary, Latvia and Poland, although none of those countries have yet a Senior Civil Service. All three countries have civil service laws, a necessary precondition, but Latvia has recently decided to introduce additional management mechanisms that do not yet seem to be defined in the law. The solutions for the management of top managers are very different from one country to another. However, all the solutions aimed at improving the performance of state institutions and, in the case of Hungary and Poland, at providing cohesion, professional continuity and stability.

#### Top management in Hungary

In Hungary, permanent and professional senior management positions have existed since 1992, when the Civil Service Act came into force. The top positions are: Administrative State Secretaries (one per Ministry), Deputy State Secretaries and Directors-General. They constitute the Senior Civil Service. Although Administrative State Secretaries are appointed by the President, they have not really been managed as a coherent group of top managers. Their career development has by and large been in the hands of their respective ministers, which is true of all other managers, who are still appointed by the responsible Ministers.

One important part of the Government Plan for Public Administration Modernization (1996) is to develop top officials responsible for the implementation of the modernization programme and for the preparation for Hungary's accession to the European Union. The programme intends to provide position-holders with possibilities for professional development and with improved conditions, matching the higher demands that will be placed upon them, in terms of their tasks and the evaluation of their performance. A top management training programme is currently being implemented, offering training in important and relevant subject areas and aimed at strengthening cohesiveness and networking in the group.

management do not lie solely with one person, especially if that person holds a political mandate for a limited period of time.

The competitive textures in career development and the selection procedures will be strengthened as performance evaluation is introduced. Job security will be strengthened, and it will not be possible to dismiss senior civil servant from their positions without cause, as defined in the Civil Service Act. Remuneration of senior civil servants will be improved, through an approximation of their salaries to those in the private sector.

Though this reform is necessary, the need for balance between higher quality demands and improved rights and benefits must be emphasized. As stated previously, civil service reform is never a rigid either or . It always has to strike a balance between duties and rights, between quality demands and benefits. However, with the lack of structural adjustments in the Hungarian top management reform, there is a risk that the reform might end up as mostly a training programme; that the objectives of cohesiveness and professional development might not be reached, at least not throughout the administration.

#### Top management in Poland

Poland is currently implementing a new civil service law. The law is being applied gradually, starting with the highest positions, the Directors-General. These new positions are intended to be the highest permanent officials in each Ministry, Central State Institutions and regional offices. The Polish Government has considered that introducing this new category of posts will help stabilize the institutions and provide for professional continuity. While the positions of Under-Secretaries of State, Plenipotentiaries and Voivods remain political, the Directors-General will take on responsibility for all administrative matters related to the budget, organization and personnel of the institutions.

All the relevant positions are now filled and the Directors-General have been selected according to the law, but not without criticism in some cases. Directors-General have a two-year grace period in which to pass an examination, after which time

they can be confirmed by the Prime Minister as permanent in their positions. Once confirmed, the Directors-General will receive an improved remuneration. If they fail the examinations, they will have to leave their position. Many of them have already passed the examination and some have even been confirmed in their positions by the The Polish system envisages a Head of the Civil Service reporting to the Prime Minister. Affiliated to him/her are three Commissions entrusted with special tasks related to the management of the civil service. The Prime Minister appoints Directors-General in Ministries and central state offices on the advice of the Head of Civil Service, while DGs in regional offices or voivodships are appointed by the Minister of the Interior and Public Administration. Civil servants at lower levels will be appointed by the Directors-General according to procedures set out in the law. This means that the appointment to permanent positions, as well as the management of civil servants will be handled within the civil service structure. In the future, ministers and political appointees should not be involved in the selection, appointment or career management of permanent staff.

There are currently some 100 top positions of Directors-General. The next step will be to select and to appoint into positions below their level. The pace will be decided on the basis of available funds in the budget and the capacity of the Office of the Civil Service and the Qualification Commission. It is envisaged that full implementation of the law and civil service establishment, might take as long as ten years. It is clear that the incoming Polish Government will be critical of some of the appointments and especially of the fact that Directors-General were confirmed in their positions at a very late stage by an outgoing Government. Will the new Government actually accept the existing law or will it abolish it, amend it and start all over again? This is the real test.

The new Government has two major options. One option is to amend the law or abolish the new system and start all over again, in order to get rid of those Directors-General whom they do not consider as selected on strictly professional merit.

outgoing Government. In the Polish civil service system, as defined in the law, the top management service will include positions in Category A, i.e. some 1300 posts. In addition to Directors-General, Category A will include directors of departments and their deputies.

The other option would be a solution closer to what one can find in some Western European civil services, i.e. that the system will not be abolished and that these Directors-General will not be dismissed from the civil service. They will keep their status as civil servants, but will be transferred to other positions in the government administration.

#### Top management in Latvia

In Latvia, a Civil Service Law has been in force since 1994. The law stipulates a three year probation period for everyone. Overall responsibility for civil service management reform lies with the newly created Bureau for Public Administration Reform. The Civil Service Administration is responsible for monitoring of civil service management and the School of Public Administration is actively involved in shaping reform initiatives and providing training related to administrative reform.

The Latvian Government is currently implementing a top management reform based on individual contracts between the ministers and state secretaries, between state-secretaries and heads of department, as well as between such heads and their subordinates. The contracts are called Management Contracts. They have been implemented in some 200 cases, in the State Chancellery and the ministries.

Management contracts are agreed upon between the two contracting parties. Funding is provided through a lump-sum in the budget of the ministry. The selection of the contract-holder lies with the responsible minister, the state secretary or the head of department. The contents of the contract depend to a large extent between the two contracting parties. There is no transparency in the system. The only public information is the lump sum provided in the budget. The regulations defining

the form of contracts are not yet fully developed, with the exception of a defined ratio for the

Management contracts are intended to serve as institutional contracts defining the targets for the institution as such and not only for the individual contract-holder. But the system for the formulation and coordination of institutional targets is not yet in place. Mechanisms and criteria for performance evaluation have still to be developed. Coordination of the contracts is the responsibility of the State Chancellery and mechanisms are being developed, allowing for a standardization of contracts. Contracts are time-bound and intended to fulfil a set of project objectives or to manage a programme on the state budget. Basic job security and other issues related to the employment of the contract-holders are regulated in the civil service law.

Although inspired from models in New Zealand, the United Kingdom, Denmark and Sweden, the Latvian system of management contracts has so far been different from contract systems in countries with developed structures and mechanisms for coordination, control and performance evaluation. However, the development of the system is a priority and the objective is to make the contracts institutional and to guarantee a better general performance of the state institutions. These improvements seem urgent and important in order not to end up with an opaque, discretionary and fragmented system topping-up the salaries of a limited number of officials. Also it seems important to recognize the need for improved coordination and coherence while developing the top management system in Latvia.

### Ten conclusions

From the foregoing analysis, the following conclusions regarding pressing needs appear to be in order:

1. Improving the quality of public managers through proper selection, training and career management, and by improving the administrative context in which they have to work (professionalization).
  2. Identifying the professional top management positions and regulating the selection to these
- additional payment of state-secretaries, which is the ceiling in the system.
- positions, as well as the professional integrity of the position-holders.
  3. Defining the status of civil servants, particularly of the top permanent officials in a special law; a civil service law. The law should strike a balance between duties and accountabilities implied in a public office and the rights provided to safeguard the professional integrity of managers and other civil servants. The law should further strike a balance between the professional demands made on the officials and the benefits offered to ensure that sufficiently qualified individuals will be attracted, retained and motivated. The law should not cover officials employed in political positions.
  4. Establishing a central capacity within the government to ensure a common harmonized management of top officials and of the civil service.
  5. Establishing a separate system of unified selection, appointment, training and career development for the very top officials. This could be an additional task for a central civil service unit.
  6. Recognizing that making high quality managers entails a broader task than just providing them with training and improving their appointment conditions. It is equally important to recognize that it will take some time before the investments necessary to improve the quality of managers begin to yield returns.
  7. Recognizing that implementation of civil service reform, based on a new law, is a long-term process. This should be done gradually for reasons of limited civil service management capacities and for reasons of financial constraints. Top management reform should be included in any early implementation phase, but reform should not stop at the top levels.

8. Recognizing the need for broad political consensus on civil service reform and especially on a new system of selecting, appointing and developing top managers in order to avoid manipulation of the system and undesirable changes when government changes. It is
  9. Recognizing that top management reform should aim at improving both the coordination capacity of government and cooperation between permanent professionals and the political levels. The quality of permanent managers should make the case for an upgraded role of permanent officials in the
- equally important to have civil service reform, and especially top management reform, recognized and accepted by the public, as well as by other kinds of employees in the state administration.
- government decision-making and in the administrative process.
10. Being pragmatic in the implementation of reform and especially recognizing the need for special transitional provisions and mechanisms in the early stages of any civil service or top management reform.

## Public Service Professionalism

### *in Performance Measurement and Evaluation*<sup>\*</sup>

#### Public service professionalism

Changing assumptions about the role of government at the end of the twentieth century have brought about a parallel quest for reorientation in the role of civil servants. While a professional civil service remains an essential requirement for effective government, budgetary pressures, a perceived lack of responsiveness to public concerns and globalization of many domestic issues have made new demands for enhanced skills, attitudes and ways of doing business.

Civil servants in all countries are working in an environment in which they need to cope with accelerating changes, increasingly complex problems, intense citizen pressures requiring rapid governmental response and demands for transparency and accountability in all their activities. Professionalism, whether in industrialized, developing or transitional countries, now takes on enhanced connotations, as civil servants are involved in fundamental analyses of the role, scope and organization of government. (See Organizations for Economic Co-operation and Development, 1996: 15)

What constitutes *professionalism*? Obviously, expertise in a specific area; but expertise is rarely enough. We expect professionals also to exercise

These particular characteristics of government professionals exert extraordinary demands on the normal professional obligations for expertise,

judgement in making diagnoses of complex situations, in offering recommendations and in taking responsibility for their actions. We expect them to act according to standards of intellectual honesty, ethics and objectivity. We understand that they have a commitment to their chosen field, to advance their knowledge and skills, to perform at the cutting edge, to be passionately involved in the issues concerning their practice. These qualities—expertise, judgement, standards and commitment—are underpinned by training, membership of professional bodies, codes of ethics, accreditation, regulation and socialization.

In government, professionalism is characterized and complicated by the fact that there is no single profession of government, but many. Governments employ all kinds of persons—such as doctors, meteorologists, teachers, lawyers, public security personnel, as well as those whose field of expertise does not easily fit under any single heading. Yet government professionals have certain attributes in common. They work in a common institutional and legal framework, which offers its own constraints and opportunities. They share a commitment to use their skills for the public good, in public service as against private gain, for a fixed remuneration. They are subject to public accountability for their actions.

judgement, standards and commitment. They give rise to special problems, including conflicts of interest, privileged information, enhanced decision

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responsibilities, politicization, transparency and elitism. In addition, the responsibilities of professional civil servants are multi-faceted and often very complex. They include such activities as policy advice, management of human and financial resources, provision of services, interpretation and application of regulations and the administration of contracts. All of these are undertaken not for their own sake, to maintain a regime in power, or to entrench party rule, but rather to serve the public by upholding justice, ensuring law and order, providing a common defence, protecting the helpless, preserving the environment, and advancing the health and welfare of the public.

As governments undertake activities to achieve these objectives, an obvious question arises as to their degree of attainment. As an integral part of their commitment to advance the public good, civil servants must also be prepared to assess their own performance in bringing it about. In addition to applying their expertise and judgement to the tasks at hand, they need to use them to measure honestly their degree of accomplishment.

Recent decades have seen a serious drop of confidence in government. In Western industrialized countries, this trend has been associated with a variety of conditions, including lagging economic performance and the stresses of globalization, as well as perceived inefficiency and ineffectiveness of government. In transitional countries, the identification of government with the abuses of the previous communist regimes has bred a similar disillusionment. In both cases, restoration of public trust may only be achieved by an honest demonstration by governments that their activities contribute to the common good.

For over fifty years, efforts have been made to measure the results of government activities. During the 1980s and 1990s, these efforts accelerated as a key component of more general civil service reforms. There is increasingly urgent enquiry into the means by which government programmes may be evaluated, their results measured, their quality improved, and performance standards created or maintained. These efforts have met with varying degrees of success and have encountered many obstacles. However, they form

an integral element in a movement to redirect government toward a *results orientation*.

This endeavour takes on greater salience as new concepts of governance come to replace more traditional views about how governments should operate. These include regulatory reform, decentralization and devolution, user fees for intra-government transactions, performance assessment and evaluation, re-analysis of the functions of government, improved access to information, greater consultation and accountability to the citizenry. (Organization for Economic Cooperation and Development, 1996: 8) A fundamental component of the notion of governance is the idea of partnership and cooperation among government, the private sector, and non-profit organizations.

One implication of such a partnership, in practice, is that government, in many countries, is no longer the sole or even the dominant provider of many public services. Its role changes to one of funder, lender, contractor, or regulator for services provided by others. In this situation, the need for standard-setting, compliance monitoring, measurement of performance and evaluation of services is essential to maintain accountability, quality provision and value for money. Civil servants, therefore, require professional knowledge and skills to carry out these functions, as well as the integrity and commitment to the public good required for the judgement necessary to handle the inevitable risks, uncertainties, conflicts and competing values involved.

This paper focuses on the measurement of performance as a professional task of civil servants. It discusses the nature of performance measures, their purpose, difficulties in their implementation and issues of institutional design and feasibility.

#### The nature of performance measures

Performance measures should be designed to answer the primary question: How are we doing? Performance measures are systematic quantitative or qualitative assessments over time of what an organization is doing, how well it is doing it and what the effects of its activities are. It is unlikely that any single kind of measure can adequately capture an organization's per-



formance. Some of the most commonly used performance measures include:

*workload or activity levels*, such as applications processed, inventory levels, inspections carried out, students in class;

*outputs*, such as the number of children vaccinated, miles of road built, tons of trash picked up, students graduated;

*outcomes of products or services*, such as illnesses prevented, percentage of taxes collected, clean air levels achieved, accident-free workplaces attained, poverty alleviated;

*productivity*, such as cases investigated per detective, applications processed per person, emergency calls handled per dispatcher;

*costs*, such as coverage costs to build one mile of highway, educate one child, maintain one swimming pool;

*customer satisfaction*, such as numbers of complaints received over a period of time, results of surveys, use of participative processes;

*service quality and timeliness*, such as police response times, ability to contact an agency by telephone, compliance with transportation timetables, breakdown rates, service availability (United States General Accounting Office, May 1992: 2).

Where levels are specified for any measure, these constitute performance standards. Where reference is made to identifying and implementing best practices in order to set out a standard for comparison of results and to drive performance improvement, this is known as benchmarking. When output is not directly measurable, proxies known as indicators may be used. (United Kingdom Audit Office, June 1992: 16)

Performance incentives may be used to assess individual performance to determine remuneration. These measures are designed to assess the economy, efficiency and effectiveness with which an organization delivers its services.

The fundamental purpose of instituting performance measures in an organization is to evaluate its performance. Briefly, they may be used in accounting for past activities, managing

*inputs*, such as money, personnel equipment, materials;

Economy is concerned with the capacity of an organization to operate at the lowest possible cost and may be assessed through input measures and comparisons through benchmarking. Efficiency is the relationship between inputs and outputs, i.e. using minimum inputs to achieve a given output, or gaining maximum outputs for a given level of input. It may be measured through output, productivity and cost measures. Effectiveness delineates the success of programmes and focuses on their results, as assessed through outcome measures. In addition, the quality of services may be assessed through process measures relating to customer satisfaction and perceptions.

While any of these measures might be used to assess an organization's performance, recent emphasis has been on quantitative effectiveness or outcomes measurement. A recent report of the United States General Accounting Office on Performance Budgeting in the States has suggested a change of focus from ensuring that funds are spent properly to managing dollars to produce agreed upon results. (United States General Accounting Office, February 1993: 3)

If such a change really is taking place, it is not a trivial one. It is a move associated with administrative reforms in many European countries, as well as Australia, Canada, New Zealand and the United States. Such reforms go beyond reorganization, to question whether specific programme areas continue to serve a public interest; whether they should be transferred, entirely or in part, to the private or voluntary sectors; and how, if the programme continues, it might be made more efficient and affordable. In effect, programme evaluation is tied to the evaluation of the entire role of government.

#### Purposes of performance measures

current operations and assessing progress toward planned objectives (United States General Accounting Office, May 1992: 2) One of the oldest uses of performance measures was for

purposes of accountability, specifically related to the budget process. Performance measures were to be incorporated in agency budget presentations in an effort to replace traditional line-item budgeting with performance budgeting. Decisions on future resource allocation would be based on performance data, which would reveal the degree to which agencies had met their targets.

In fact, this reform and similar later attempts (programme performance budgeting, zero base budgeting) encountered serious difficulties, since apart from the political nature of budgetary allocations, it was not at all clear how performance measures could be used to determine budgets. This experience seems to have contributed to a recent de-emphasis on the budgetary aspects of performance measurement, although a major purpose is to improve accountability for programme results, including strengthening the audit process. However, the United States Government and Performance Results Act, 1993 still sets, as a major purpose, closer and clearer linkages between resources and results. (United States General Accounting Office, March 1997: 1)

More jurisdictions report that they find performance measures useful in managing current operations. They may promote cost consciousness, form a basis for the introduction of performance related pay systems and set standards for acceptable work norms. They may also be used to improve the quality of public services, by identifying and meeting changing public needs; comparing performance over time, between organizations and against standards; and monitoring and controlling the results of policies and programmes. They should help improve agency management by focusing on results, service quality and customer satisfaction and by planning to meet programme objectives. They should help optimize efficiency, clarify decisions and report publicly on programme performance. They should improve legislative policy-making, spending decisions and programme oversight.

For example, legislators may stress the importance of agency oversight, short-term performance, consistent information and accountability, i.e. elements which sustain their political agendas and

A further use of performance measures is to assess work being conducted under contract. *Contracts should set out clear standards for performance, make provision for monitoring them and specify terms of compliance.* Where one level of government provides funding for another to carry out certain functions, again, performance standards need to be set out, monitored and compliance enforced.

Finally and most recently, performance measures have been advocated as an integral aspect of strategic planning, in which they might be used to work out goals and assess progress toward planned objectives. In the United States Government Performance and Results Act of 1993, performance measures are closely tied to strategic planning in a three-fold process. Firstly, agencies are called upon to produce a strategic plan identifying their goals, including the outcomes of programme activities. From this they must derive annual performance plans, which develop performance measures to measure their progress toward the stated goals. Finally, they collect and analyze data to report their results in annual performance reports. In this way, it is hoped to make outcome measures an integral part of planning and policy-making at all levels of government. (See United States General Accounting Office, May 1997)

The design and implementation of performance measures for all these purposes require considerable work and resources. Even relevant, accurate and timely data will serve no purpose unless they are actually used. Potential users of performance and evaluation information include programme managers, top agency administrators, legislators, ministers, the central finance agency, audit bodies and the general public. While each of these may subscribe to the general purposes of programme evaluation and oversight, they have their own preoccupations and agenda.

justifications. On the other hand, executive officials may stress long-term goals, adaptability to changing needs and flexibility in execution. (United States General Accounting Office, March

1997: 3) Unless participants are prepared to build capacity and cooperate in the development and use of performance information, it will be disregarded and will fail to influence decision-making. However lofty and worthwhile the purposes of performance measures may be, if they cannot be implemented, for whatever reason, they will not be used. Past experience suggests caution.

#### Difficulties in implementation

The fact that efforts have been made for nearly fifty years to develop and use performance measures in government programmes and major difficulties are still being encountered in so doing, should give some pause. The strongest indictments have been that the measures, even where developed, have not been used. For example, after nearly three years lead-in time, the United States General Accounting Office reported, in June 1997, that agencies of the federal government still have not developed the information necessary to determine whether their programmes are accomplishing their intended results. Even in those instances where agencies have results-oriented information, agencies are generally not using the information to a great extent to make decisions affecting their programmes. (United States General Accounting Office, June 1997: 50)

Similarly, an earlier report on performance budgeting in the American states concluded that:

Most programme managers noted that they do not use measures currently reported in their budget documents. (United States General Accounting office, February 1993: 7) Several obstacles have arisen in the development and use of performance measures.

In the first place, developing meaningful programme performance measures is not an easy task. Many agencies lack the capacity and orientation to do so. Particularly in a time of budget constraints, skilled personnel, time and resources may be lacking for a demanding activity that does not contribute directly to the day-to-day operations of the organization. Incorporation of performance data into decision-making also depends not only on timely availability, but also on

the culture of the organization, which may be used in conducting its affairs, for example, according to established custom, by rules of thumb, in line with unquestioned obedience to its head, or in reaction to external events, as they occur. Use of performance data to make decisions, in such cases, would require an organizational revolution.

Where performance measures are being developed explicitly to aid in the budget process, further difficulties have arisen. It has not been clear how changes in funding levels actually affect outcomes for programmes. The link between performance measures and resource allocation decisions is not straightforward. Differences in perspective between legislators and executive officials have also contributed to dissatisfaction with their use. Legislators have ignored performance data because they required an unfamiliar format, using programme based information as opposed to customary appropriation account structures. They have felt that the use of the measures stimulated conflict, that they merely served the purposes of executive officials and that they increased executive discretion. For their part, executive officials have developed programme measures for their own internal agency purposes and as justifications for their initial budget formulations, without concern for outside users. (United States General Accounting Office, February 1933: 6-7)

Developing measures has also been difficult, particularly in specifying outcome measures. For many activities, measuring outcomes does not appear to have been appropriate and not everything can be quantified in a meaningful way, e.g. prevention and deterrence activities, or those involving rare events. Often agencies are able to summarize their programme activities, but have had problems going beyond outputs to outcomes, and disputes have arisen even over how an outcome should be defined. (See United States General Accounting Office, June 1997 (a). In some cases, outcomes occur only over many years, so that there has been a need to develop interim or alternative measures. Finally, even where outcomes may be specified and measured, there is a difficulty in specifying a reasonable standard for performance.

These problems have been exacerbated where performance outcome measures have been tied to strategic planning. It has been difficult to establish clear, quantifiable objectives where agency missions and goals are unclear. Clarifying them often involves contentious policy issues and trade-offs, which have been deliberately left vague in the past for political reasons. Where it has been possible to establish long-term strategic goals, it has been difficult to translate them into annual performance goals and the process has often involved disagreements over priorities, approaches and roles.

Fundamental to the whole question of evaluating outcomes is whether it is possible to establish relationships between governmental activities and results. Did a programme actually produce results, or was some external event or trend responsible for the trend? Outcomes are not always easily traceable to agency efforts, as for example in regulatory programmes or scientific research. Developing performance measures may require analysis of programme impacts.

Finally, there has been the problem of the quality of information and questions about its accuracy and timeliness. In particular, where information is collected by third parties, such as sub-national government units or non-profit organizations, verifying accuracy may be difficult. There have also been problems in establishing base line data from which to measure progress in later years.

These obstacles seem daunting and critics have questioned the worth of the entire endeavour. Aaron Wildavsky, for example, confessed: I started out thinking it was bad for organizations not to evaluate and I ended up wondering why they ever do it. (Wildavsky, 1987: 458).

There is also the old issue of whether it is justifiable, realistic or even ethical for so-called experts in rich countries with well-established administrations to ask their counterparts in poorer countries, who work in an environment of extreme constraint, to undertake theoretical reforms, which even the former, with all their advantages, find extremely difficult or even impossible. This is the landscape through which observers and analysts of

public administration have travelled before a landscape littered with failed schemes from which few, save out-of-town consultants, have profited.

Yet contemporary activities of governments require *a new dimension for accountability*, additional to and different from legality, adherence to set processes, bureaucratic hierarchy and financial probity. Even as governments divest themselves of enterprises, deregulate, and attempt to cut services, they still are involved in the conduct of large businesses (post office, defence, airports, pension funds); economic services to markets; responsibility for the health, welfare and education of large populations; ensuring law and order; maintaining and restoring safe and ecologically sound environments; and investing in large infrastructure projects.

However, the ways in which these functions are carried out are changing from past practice. Firstly, budget constraints, in the face of very large demands, mean that it is necessary to find new ways of meeting them. For example, as populations age, health care costs soar and existing ways of caring for old and frail people are both expensive and may not be acceptable.

Secondly, there has been a recognition that previous ways of dealing with problems entirely through government bureaucracies may not work well in a complex post-industrial society. Areas such as education, urban security, disposal of solid waste, caring for dependent populations, environmental regulation, require active cooperation from recipients.

Thirdly, monopoly provision of services by governments has often been regarded as too inflexible, allowing little room for variation of circumstances or choice by those using the service.

Fourthly, a movement toward greater autonomy at the sub-national levels of government, mandating greater responsibility for raising and spending revenues has required local and regional administrators to run complex, multi-functional organizations, which have to respond to citizens and local economic forces, even as it complicates the tasks of national officials in implementing national policies.

Fifthly, new information technology has changed ways of doing business, expanding sources of information and communications for ordinary citizens and opening up new possibilities for different ways of implementing government programmes.

Finally, with globalization, public policy-makers have to respond to issues which go beyond the borders of their respective jurisdictions, involving an understanding of global forces, capability to respond to international trends and events, and cooperation with organizations across international boundaries.

These developments have affected what governments do and how they do it. They are involved in a constant series of choices of ends and means. They operate in an environment of complex, converging uncertainties and are required to make sophisticated decisions, respond to multiple pressures, engage in trade-offs and take risks. Almost every action they take enmeshes them in relationships with other agencies, other levels of government, private companies, pressure groups, non-profit organizations and citizens. In order to be effective, they have to encourage cooperation and participation and engage in joint ventures, operate quasi-public agencies, contracts and agreements and a variety of financial arrangements.

In this situation, accountability is no longer served entirely through a bureaucratic hierarchy, which only ensures that set legal procedures are carried out. As government officials are expected to act with greater autonomy, to exercise their professional judgement on a day-to-day basis and to rely upon others to carry out public policies, other means are needed to ensure that policies are made and implemented in the public interest and to justify public programmes by their results. What is

Not all activities may be meaningfully quantified. Routine activities, such as processing of forms, picking up garbage, enrolling students, serving meals, carrying out inspections are easily adapted to quantitative measures. At the other end of the scale, policy advice, negotiations, cultural activities, research and many human services are

a viable approach to measuring and evaluating public programmes and policies?

A viable approach to performance measurement and evaluation

No policy is made without a purpose. In a democratic society, debate takes place on that purpose and also on the means to achieve it. It only makes sense to discover if such means are actually gaining their purpose. Yet, as we have seen above, this has not been easy to accomplish. If viable performance measurement and evaluation are to take place, then it is necessary to adopt a strategic approach. Some preliminary considerations are in order.

In the past too much has been expected of performance measures and programme evaluation. It is unrealistic to believe that they can solve the problems of governmental effectiveness. They are simply an informational tool, whose efficacy depends not only on their quality, but also on the motivation, sophistication, strategies and effectiveness of those who use them.

Even if good performance measures are adopted and used, they represent only one dimension of an organization's activities. An organization may fulfil its goals, but may do so in a way that contradicts democratic values and subordinates all other relevant considerations. For example, a tax agency may intimidate taxpayers and treat them unfairly, even as it raises large amounts of revenue. Police may claim to reduce crime, but do so at the cost of brutality, discrimination, the creation of a climate of fear or the dominance of a militarized power in a civilian society. Performance measures may even contribute to these results, especially if individuals are rewarded or penalized solely according to results, no matter how unacceptable the means they take to achieve them;

not. In between, lies an area where performance measures would need to be applied along a variety of dimensions because it is necessary to capture quality of service, as well as quantity. In this area lie, for example, public health (e.g. air quality, control of contagious diseases, infant well-being), public safety (enforcement of traffic codes, clean

streets, drug enforcement), education (curiosity, socialization, enjoyment, development), welfare (foster care, domestic abuse, job training and development, pre-natal and post-natal care). Such areas pose challenges for evaluation because they involve considerable variations in behaviour and judgement which co-exist uneasily with standardized measures;

Performance measures have high political salience. Evaluation of programmes is politically sensitive. Programmes publicly shown to be failing according to the chosen criteria are subject to attack. Supporters of evaluation would maintain that this is as it should be. But programmes are not abstract entities: they are people – administrators, politicians and clients. All these stakeholders in a programme may fairly question the performance measures chosen to evaluate the programme, which are certainly not neutral. They may also query the quality of the information and its interpretation, for rarely are results of evaluation entirely unambiguous.

On the other hand, astute stakeholders will ensure that performance measures show their programme in a good light and justify its continuation. Evaluators may see their measures and criteria as neutral and objective: stakeholders see them as one counter in the political struggle. Evaluation research is not infallible: its results depend on the measures chosen, the quality of the data and the interpretation of findings. Competing studies in complex areas, such as crime prevention, or the costs of immigration, may come to quite different conclusions and become ammunition in the ongoing political debate;

The use of programme evaluation and performance measures as routine elements in budget processes has been shown in the past to be of disappointingly limited value. The difficulty seems to be that this information does not provide real guidance to resource decisions. If a programme is doing badly and showing few results, does this mean that it should be terminated, or that it should be provided with more resources to do a better job? Conversely, if a programme is doing well and achieving its objectives, should it be provided with more resources to do an even better job, or should

it be cut back on the grounds that its purpose has been achieved and, therefore, that the programme is no longer needed?

What is the standard of value in deciding whether a given sum of money is too little, too much, or just right to preserve species, operate a system of trauma centres, or monitor and control contagious diseases? Moreover, a programme starved of resources for political reasons or because of budgetary constraints may be doomed to failure, irrespective of the worth of its purpose, and the capability of its implementors. Furthermore, the effort to generate performance data across the board for the whole budget annually may result in superficial measures, which are of little use to decision-makers, while at the same time, overwhelming them with their detail and volume;

The use of evaluation and performance measures raises questions not only of selection of measures, collection of data and interpretation of results, but also of their management. Who should be involved in evaluating programmes? Outside evaluators might be more objective, but also would be handicapped by their lack of knowledge of the programme. In any event, their employment on a regular basis would be expensive and raise the specter of a whole army of professional evaluators, whether public or private, who do not contribute directly to programme results.

If self-evaluation is used, bias is likely: after all officials are unlikely to choose measures that will show them in a bad light. In any case, the issue of who is to do the evaluating may split the organization into evaluators and evaluated. If high-level officials are in charge of evaluation activities, this reinforces their authority, but also means that lower-level officials have little identification with the evaluation process, may see it as a threat, or fail to provide the necessary information and cooperation.

If lower-level officials are charged with the task, they have every incentive to justify their own activities. If everyone does evaluation, how much does this drain resources from actual programme activities? Furthermore, if performance measurement is used to provide monetary incentives for

performance, unless the criteria are absolutely clear relating to routine activities, the way is open

None of these issues should be considered as negating the implementation of performance measures or evaluation studies, but they do indicate that thought needs to be given to system design, particularly where resources are limited and institutions are in the process of development.

### Performance measurement and evaluation in transitional countries

There is a tendency, as new ideas about administrative reforms arise, for their proponents to advocate them everywhere and in identical form. Past experience has suggested that no single system is appropriate for all places and all times. The conventional wisdom of yesterday is often held up to ridicule today. Rather, the challenge is to discern the essential elements in the current advocacy and to adapt whatever seems useful to the circumstances at hand.

Transitional countries vary in size, economy, culture, policies and institutions. Their primary characteristic is that of emergence: they are still choosing their direction and much is in the process of evolution. Notably, they are still concentrating on the construction of a private sector, requiring the development of property rights, financial institutions, and business relationships. In many countries, the balance between executive and legislature remains fluid and, in particular, the functions and capacity of the latter are still relatively unformed.

Similarly, relations between national, regional and local governments are typically still evolving. Governments are shedding some functions (particularly the operation of state industries) and taking on others (e.g. social safety nets, responsibilities for environmental quality). In some countries, governmental accountability is not well established: budgets are embryonic, and conceal more than they reveal, while independent audit institutions have yet to emerge. While some countries are well-organized and their economies are progressing, others are in a state of disorganization, to the extent that government

for favouritism and the morale of those unrewarded is likely to suffer.

payments are not made or are diverted, and corruption is systemic.

The introduction of evaluation and performance measures in this situation may be regarded as a critical contribution to building up a *professional public service* and the development of viable government institutions. Or, it may be regarded as an extra burden on already over-burdened staffs and a diversion from more urgent issues.

It may be seen as an essential requirement for the construction of an effective and democratic public sector, or as a development which should come later, after the basic structures are in place. Inevitably, the introduction of performance measures and programme evaluation will be assessed in political terms, according to how they affect the balance of power between the executive and the legislature, among levels of government and among sectors of the population. They may also be expected to affect demands on governments for programmes and efforts to cut down or eliminate other programmes.

Yet the central purpose of evaluative and performance measurement remains; properly performed it constitutes a watch on government, an assurance of the public's value for money, an essential enquiry into the effectiveness of programmes and their contribution to the public good. Published performance measures contribute to the dissemination of information about governments, as well as to the creation and maintenance of an informed citizenry and a vibrant civil society. They also underpin and reinforce professionalism in public service, as against the image of self-serving bureaucrats, corrupt politicians and *nomenklatura*. But if performance measures are to be taken seriously and be of value, much depends on how they are introduced and implemented in a turbulent, stressful and complex work environment.

Any effort to introduce change into an administrative system is likely to spark resistance, at least among some. For this reason, change agents need to be strategic and much may be learned from

earlier efforts. Performance measurement is not easy, and requires considerable understanding. Therefore, it should not be introduced across the board overnight. There would need to be a lead-in period, during which it should be possible to It is essential that everyone affected should, in some way, gain ownership of the new measures and see the benefits to them, rather than feel threatened by them. The aim is to unfreeze older attitudes and behaviour, to make way for new arrangements and then to institutionalize these in their turn. Much of the literature attributes past difficulties in successfully introducing performance measures to an organizational culture, which fails to accommodate them.

Critical to this endeavour is the support and commitment of top management. In the absence of such support, performance measures may be implemented, but will be disregarded, or not be taken seriously. Outside support and public pressure are similarly essential and might be solicited through publicization of pilot projects, which demonstrate the genuine usefulness of performance measures in specific areas (although these will fail, if they are seen as propaganda by a cynical public). Obviously, it is most fruitful to start in easier areas, where performance measures are more straightforward, than in more difficult ones.

In several countries, including the United States, performance measurement has been interpreted as outcome measurement and tied to a strategic planning process. In fact, as shown earlier in this paper, there are a variety of measures that might be used and that might prove more applicable than outcome measures which, however desirable, have encountered conceptual problems. For example, simple workload measures are of considerable utility for understanding the current position of a programme and planning for the future.

The publication of reliable budgets and financial statements for agencies or local governments would be an excellent addition to public knowledge in many countries. Surveys about how the public perceive the delivery of services are likewise helpful and their results should be published. It is also useful for governments to

educate staff in what is expected of them and to bring in other stakeholders politicians, pressure groups, the public in order to explain to them what they also might expect.

collect and publish indicators, such as health, economic development, or environmental quality, even if these are not tied to specific programmes or agencies. These examples show how performance measures of various kinds, as well as specific evaluative studies, might contribute to civil society and help strengthen professional conduct in government.

Every country has to determine its own need and uses for performance measurement and evaluation and also to consider how best to implement them within its own political and administrative institutions. Whatever direction it chooses, it will be necessary to allocate responsibility in order to ensure that reforms are actually carried out in a meaningful way. As with all innovations, commitment from the top is essential, as is understanding by frontline administrators. All too easily, performance measurement may become a simple exercise in self-justification and thus be disregarded, or not taken seriously. Therefore, performance measures and evaluation studies should not be conceived in isolation, but as the result of consultation between executive and legislative officials and among the various stakeholders, who will develop and use them.

The aim is to gain agreement and cooperation in the interests of real understanding of how programmes operate and may be made to operate better. Beyond this, there are a variety of options in designing institutions in order to ensure quality performance measurement and evaluation. Institutional arrangements might include, for example, a special unit attached to the Prime Minister's office, evaluation offices in larger departments of government or groups of agencies, the extension of audit functions of audit offices responsible to the legislature and/or the executive, additional functions for auditors-general and internal auditors, the involvement of citizens commissions, independent think tanks and so on. Information might be disseminated, for example,



through budget documents, financial reports, regular reports on indicators in particular areas or affecting specific population groups, special No doubt, objections will be raised that such information will be used for political purposes, or to aggrandize certain groups. However, democracy demands information and knowledge about the working of its institutions. The better the quality of such information and the freer its flow, the less likely it is that it will be manipulated or distorted.

Finally, if quality performance information is to be produced and used, it is necessary to develop professional expertise and judgement among those responsible for its production and use. It is not necessary to reinvent the wheel, as there has already been considerable experience in development and implementation. There are several handbooks and examples available that may be adapted to specific needs and the subject can easily be added to existing training curricula. Examples of performance measures may be seen in the Appendix to this paper.

## Conclusion

reports requested by legislators, audit reports, and the media.

Professionalism in public service demands that public servants should have the expertise and judgement to enquire into the performance of the organizations and programmes for which they are responsible. While the construction and use of performance measures and programme evaluation are not straightforward undertakings, the endeavour is still worthwhile, particularly in a context of declining confidence in government and rapid disorienting changes. Recent changes in the views of the role of government, the emergence of governance as a dominant concept and reforms allowing greater flexibility and choice in the organization of government activities also indicate a need to ensure that accountability will encompass not only legal operations, but effective performance, value for money and responsiveness to the public. Public servants need to apply their expertise, judgement, standards and commitment to developing sensible, useful and truthful measures of performance to advance purposes.

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## Appendix

### Examples of performance measures

#### Performance measures for city lighting maintenance

The lighting maintenance section is responsible for maintaining traffic signals and street lights within the City, which includes 49 traffic signals and 2,747 street and safety lights.

#### **Programmes and Functions**

1. Administration of contracts and payments for traffic signal and street lighting functions.
2. Maintenance of street lights and traffic signals.
3. Coordination of signal maintenance work with county and state.
4. Maintenance of parking lights for Commuter Rail Station.
5. Processing payments for energy, for signals, parking lot, safety lights and street lights at various locations.

#### **Workload Outputs**

1. Number of traffic signals maintained.
2. Number of traffic signals minor repair.
3. Number of traffic signals major repair.
4. Loop replacement.
5. Number of street lights repaired.
6. Process payments.
7. Inspect major repair.
8. Inspect loop replacement.

#### **Efficiency**

1. Maintenance and operation cost per signal.
2. Energy cost per light, per year.
3. Administrative cost per signal, per year.
4. Administrative cost per street light, per year.

#### **Effectiveness**

1. Percentage inspection completed.
2. Average number of hours to repair each signal malfunction.
3. Average number or hours to respond to signal malfunction.

*Source:* Budget for Fiscal Year 1997-98, City of Baldwin Park, California.

#### Performance measures for a fire prevention programme

#### **Workload**

1. Number of inspections.
2. Number of investigations.
3. Number of plan checks.
4. Number of construction evaluations.
5. Number of fire extinguishers tested, licensed and certified.

#### **Efficiency**

1. Cost per inspection (by type).
2. Cost per fire investigation.
3. Cost per plan check.
4. Number of inspections per position year.
5. Number of fire investigations per position year.

#### **Effectiveness**

1. Annual number of fires of varying magnitude.
2. Fire rates per 10,000 population, per year.
3. Annual dollar value of property loss due to fire.
4. Reduction in number of fires, injuries, lives lost and dollars of property loss from the base.
5. Average dollar value of property lost, per fire.

*Source:* Comprehensive Management Planning and Programme Budgeting Proposal for the City of San Diego, California.

Performance measures for an employment service agency

**Activities**

Responsible for running the national Job centre and unemployment benefit office network. It places people into jobs and organizes special government programmes to encourage the unemployed to get jobs.

**Key Performance Indicators**

1. To place at least 1,650,000 unemployed people in jobs in 1990-91, of whom 520,000 should be from inner cities and 275,000 should be long-term claimants.
2. To increase the number of people sent on training schemes so that, for example, 335,000 unemployed would be involved in 1990-91.
3. To improve the accuracy and speed with which claims for benefits are processed. For example, details should be put into the computer within six days of the claim being made in 91 per cent of cases and the total value of incorrect payments of benefit be less than 5 per cent of total values.

*Source:* United Kingdom Audit Office, *Performance Measurement in the Public Sector*, June 1992.

Framework for performance measurement for regulatory agency officials to be considered results-oriented to a great extent

**Strategic goals**

Must provide a clear definition of what results, effects, or impact (i.e., outcomes) are expected from the regulatory programme and permit assessment of progress in meeting the goal.

5. Average evaluation score on courses offered by the Occupational Safety and Health Administration Training Institute and Education Centres

**Programme performance measures**

Should 1) assess the actual results, effects, or impact of a programme activity compared with its intended purpose; 2) be linked to a goal; 3) permit comparison of organizational performance over time; and 4) if appropriate, include a range of measures such as quality, quantity, cost and timeliness.

**Employee performance standards**

Should describe the objective or overall results which the frontline regulators are expected to accomplish and set forth tangible or demonstrable criteria for evaluating each performance element directly associated with desired results. (It should enable a cold reader to clearly understand how an individual would have to perform to meet the standard.)

*Source:* United States General Accounting Office, *Managing for Focusing on Results*, June 1997 (GAO/CGD-97-83), p. 81.

Performance measures for a work safety regulatory agency

**Strategic Goal**

To eliminate hazards through offering partnerships or traditional enforcement.

**Performance measures to assess progress**

1. Percentage of programmed inspections that result in the identification of significant hazards;
2. Median time for hazard abatement for inspections;
3. Median time for hazard abatement for consultation visits;
4. Median time to respond to request from smaller employers in high hazard industries and operations;

*Source: United States General Accounting Office, *Managing for Results: Regulatory Agencies Identified Significant Barriers to Focusing on Results* (GAO/CGD-97-83), p. 29.*

### ***Part III***

## **Public Service Professionalism: Its Ethical Dimension**



## Introduction

Professionalism in government, or any other field, rests on two foundations: one is a competence base, a special body of knowledge or a definable skill acquired through study and practice. In Europe, Plato's *Statesman* began the quest for answers on what particular knowledge is needed in order to rule. Of course, the quest continues. The concept of professionalism, however, also suggests a shared values system, a code of ethical conduct that manifest themselves in the application of knowledge, the use of particular skills, and in the exercise of control over practice. To Aristotle we owe the idea that ethical behaviour is the result of socialization and habit, as ethics, a derivative of *ethos* (habit) implies.

The wave of discontent against the current prevalence of graft and corruption explains, to some extent, the focus on this malady in any discussion of ethics in the context of the public service. While this is understandable, we should not overlook the broader dimensions of ethics and its important role in shaping professional conduct. Approaches on ethics and corruption in public administration can roughly be grouped into three categories: economic, legal and behavioural.

The economic approach tends to focus more on corruption than ethics, emphasizing the financial causes of bribery, fraud, the use of public office for personal gain, etc. This approach argues that personal financial enrichment is a powerful motivating force and that corruption flourishes when benefits outweigh costs. Corruption is, at best, an alternative response to government failure; at worst, it is a highly distorted method of public choice. Because corruption increases the costs of doing business or receiving services, it restricts investment and slows economic growth. When the State loses credibility, then investors are reluctant to take risks with their capital. This economic approach advocates a realignment of economic incentives to corruption: decrease benefits and increase costs. These can range from eliminating corruption-inducing situations, such as poorly paid

public servants to steeply increasing penalties for financial irregularities.

The legal approach tends to stress encoding standards of behaviour for public officials and building capability for the enforcement of those standards. This approach argues that illegal and corrupt behaviour in the public sector is a failure of the law and a threat to the rule of law itself. When laws do not clearly spell out the rights and duties of public servants, or do not give independent investigative or adequate prosecutorial powers to the government agencies charged with oversight, then unethical and corrupt conduct arises. To remedy this situation, proponents of this approach suggest conflict-of-interest and disclosure-of-assets laws, codes of conduct and protective reporting procedures, including whistleblowing.

The United Nations Commission on Crime Prevention and Criminal Justice has drafted a code of conduct approved by the General Assembly, a *Model Law Against Corruption*, for consideration by national legislatures and a manual for use by law enforcement agencies. Still, it is not enough to have laws on conduct in the public sector. There should also be laws which allow the citizenry access to decision-making processes. These lift the veil of secrecy on governments allowing more transparency and ultimately accountability.

The behavioural approach points out that although proper economic incentives and legal frameworks are in place, these in themselves are inadequate to influence and shape behaviour of public officials. This approach is concerned not merely with eliminating corruption, but also with promoting professionalism and performance through higher standards of motivation and integrity. Socializing factors help public officials avoid not only illegal but also unethical acts. They seek to reinforce pride in the public service through exemplary conduct by leadership, proper induction and training and sensitising public officials on common moral dilemmas.

Environmental pressures within the public service incorporating ethics into management frameworks, accountability controls and performance measurements keep undesirable behaviour in check. Environmental pressures outside of the public service, such as citizens' advocacy groups, professional associations and active mass media also serve to keep governments honest.

The United Nations' approach is a blend of all three approaches. For instance, conferences on professionalism and ethics in the public service encompass the legal and behavioural approaches. Technical cooperation assists in better managing anti-corruption government agencies, stopping tax evasion, improving auditing and other financial management measures which foster the economic approach. Furthermore, the Department of Economic and Social Affairs recognizes that globalization, technological advances and fiscal crises are challenging the State to deal with strong external forces, to be smart in serving citizens and to divest itself of obsolete activities. As public servants are asked to take on new roles, there is a need for cost-effective structures and a supportive culture in order to strengthen integrity and fight corruption. These goals can be best achieved within a governance setting which fosters partnership between public administration and civil society.

Two technical reports were placed before the Conference by leading specialists. The one by Professor Kathryn Denhardt has as its theme 'Enhancing Ethics in the Public Service: Setting Standards and Defining Values'. The other by Professor Robert Klitgaard dwells on 'Combating Corruption and Promoting Ethics in the Public Service'.

Professor Robert Klitgaard defines corruption as 'the misuse of office for official ends' and comments on its prevalence world-wide. It thrives under conditions of power monopolization, lack of transparency and accountability. Combating corruption, accordingly, begins with better governance. Professor Denhardt's paper further explores the role of Ethics Oversight Agencies and conditions to make them effective. The former includes prevention, detection and investigation; the latter

systems, more competition, transparency and accountability in government. In line with this approach, anti-corruption strategies should focus on repairing institutions prone to corruption, involving people at large in both the diagnosis and remedy of those ills and punishing major offenders.

Progress in this direction may be slow and politically costly. Precisely on this account, international cooperation can prove a useful strategy by helping national leaders justify anti-corruption measures that might otherwise be embarrassing, or difficult to make credible. Top leadership initiative, active participation by heads of key departments and the involvement of civil society are critical components of a successful strategy. A regional approach could prove extremely effective in galvanizing systemic action by both the private and public sector to reduce corruption in a region. The need for this approach and broad cooperation in targeted activities over a period of time highlight a role for international organizations like the United Nations, which can help establish and sustain the required programme framework.

Professor Denhardt takes as her point of departure the premise that ethical foundations are necessary for both effective government and a stable democracy. Hence measures to reinforce values and ethical standards go hand in hand with the reform agenda of the new public management. Thus, process re-engineering and performance measurements have been applied to strengthen transparency and accountability in government. Other strategies for ethics reform include enforcement of the rule of law, regulations relating to conflict of interest and legislative measures to enhance transparency in government. Accountability mechanisms point in the same direction but often, on account of bureaucratic controls, carry a cost in terms of efficiency and effectiveness.

They call for operational autonomy, adequate funding and enforcement capability. Citizens review panels and telephone hotlines are other instrumentalities that serve a similar goal. The place of codes of



ethics, training and socialization are also discussed. Professor Denhardt concludes that the key to successful ethics socialization is making it meaningful, responsive to important issues of the day and, as much as possible, taking the high road of appealing to the nobler instincts of participants .

In this regard, most countries rely on a mix of approaches, some stressing the need for compliance, while others are more integrity-based . The need for wider sharing of information among the countries concerned is stressed in Professor Denhardt s report, which sees a major role for the United Nations in developing an information network and promoting a region-wide debate on both ethics and related management reforms. Building partnerships of government, civil society actors and private corporations is a strategy conducive to creating a much needed consensus on baseline ethical practices and providing moral leadership on issues of global concern.

A healthy *esprit de corps* and codes of professional conduct can be effective antidotes against the fragmentation brought by over-specialization and the attitudes it breeds within the public service: departmental rivalry, complacency, isolation and tunnel vision. As Professor Gerald Caiden has pointed out in his paper on the *Essence of Public Service Professionalism* , it is also a powerful argument against the simplistic

belief that public administration consists of routine tasks, which can be safely entrusted to amateurs and persons without substantial qualifications or training. This view, which all too often has served to excuse the practices of jobbery and patronage, has over time produced a certain downgrading of government and undermined the core of public service professionalism, which constitutes the backbone behind a competent, capable and credit-worthy public administration .

On a very different level, a reductionist approach, which excluded public servants from the policy-making arena has also had the effect of lowering expectations and narrowing the range of values, skills and knowledge required for the performance of public service functions. The tendency to equate public administration with programme implementation and the management of service delivery has, as one might expect, accorded pride of place to efficiency and effectiveness in the hierarchy of values. By the same token, however, it has obscured the relevance of another set of values to which Professor Caiden s paper has aptly drawn attention. These include: objectivity, fairness, open-mindedness, responsiveness, courage, accountability, compassion, civic mindedness and selfless devotion to duty. Perhaps most important of all are commitment to democracy, respect for human rights and for the rule of law.

## ***Combatting Corruption and Promoting***

### ***Ethics in the Public Service\****

Corruption may be defined as the misuse of office<sup>\*</sup> for official ends and is prevalent worldwide. It thrives under conditions of power monopolization, lack of transparency and accountability. Combatting corruption, accordingly, begins with installing better systems, and promoting competition, transparency and accountability in government. In line with this approach, anti-corruption strategies should focus on repairing institutions prone to corruption, involving people at large in both the diagnosis and remedy of those ills and punishing major offenders.

Progress in this direction has been slow and politically costly. Precisely on this account, international cooperation can prove a useful strategy by helping national leaders justify anti-corruption measures that might otherwise be embarrassing, or difficult to make credible. Top leadership initiatives, active participation by heads of key departments and the involvement of civil society are critical components of a successful strategy. A regional approach could prove extremely effective in galvanizing systemic action by both the private and public sectors to reduce corruption in a region. The need for this approach and broad cooperation in targeted activities over a period of time highlight a role for international organizations, like the United Nations, which can help establish and sustain the required programme framework.

#### **Corruption as an international problem**

Once in Mexico I was interviewed by two journalists about how to control corruption. They

began with hostile questions. Do you really think there is more corruption in Mexico than in the United States? they asked. Don't you think the United States is deeply involved in many of the incidents of corruption we have in this country?

About the second question, I said that USA was probably historically the number one exporter of corruption. This changed after the passage of the Foreign Corrupt Practices Act, but it still makes an arresting line. I tried to address the first question by saying that the United States has some forms of corruption that are still in their infancy in Mexico. For example, insider trading and Washington lobbyists represent such forms. On the other hand, Mexico probably has more corruption in its justice system and its economic management.

In any case, I told them that the issue on which I had something new to say was not whether Mexico has more corruption than America (or vice versa), but how either country might analyze the types of corruption that exist, examine the causes and consequences and design workable strategies for reducing the problems. The rest of our breakfast covered these practical issues. My two interlocutors said that they were fascinated, as I was, by the detailed examples and acute powers of analysis, once stimulated.

However, the next day, the newspaper headline was: USA Number One Exporter of Corruption, Says American Professor. I saw one of the journalists later and expressed my surprise. I know, we were disappointed too, she said. But it was difficult to summarize all the useful things we talked about, and the editor loved the point about the gringos exporting corruption. You see, it's not just our problem and it is not all our fault.

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\* By Professor Robert Klitgaard, University of Natal, Durban, South Africa

As if there were any doubt. In Belgium and Great Britain, Japan and Italy, Russia and Spain, among other countries, corruption is today playing a more central role in politics than in recent memory. Corruption is hardly a problem that is exclusive to the Third World. True, in Venezuela a local dictionary of corruption has been published in two volumes.<sup>1</sup> However, it is also true that a French author, apparently independently, had the same idea for France.<sup>2</sup> Probably every country could publish a similar volume. The fact that much Third World corruption has important First World sources and participation is also now a commonplace. The international non-government organization Transparency International focuses on corruption in international business transactions and points out that there are First World givers of many Third World bribes. In coming years, the World Trade Organization will find this issue to be a central one.

A reminder that corruption exists everywhere, in the private as well as the public sectors, in rich countries and in poor, is salutary, because it helps us avoid unhelpful and misleading stereotypes. But to contextualize the discussion in this way is not to end it. In fact, noting that corruption is widespread may convey its own unhelpful subliminal messages. It may suggest, for example, that all forms and instances of corruption are equally harmful. Even more perniciously, it may lead lazy listeners to the conclusion that because corruption exists in every country, nothing can be done about it here. As in the case of the Mexican newspaper, saying it is not only our problem and it is not all our fault, may sidetrack more useful discussions on how to do better. Consider the analogy of pollution or disease. Both exist everywhere on the planet. However, the extent and patterns of the problems differ radically. Questions of how much and what kind are crucial and so they are with regard to corruption. No one would conclude, for

example that, because water pollution and AIDS exist in every country, nothing can or should be done to reduce them.

Corruption is a term of many meanings, and indeed the beginning of wisdom on the issue is to subdivide and unpack the vast concept. On the broadest level, corruption is the misuse of office for *unofficial ends*. The catalogue of corrupt acts includes bribery, extortion, influence-peddling, nepotism, fraud, speed money, embezzlement and more. Although we tend to think of corruption as a sin of government, of course it also exists in the private sector. Indeed, the private sector is involved in most government corruption.

Different varieties of corruption are not equally harmful. Corruption that undercuts the rules of the game for example, the justice system or property rights or banking and credit devastates economic and political development. Corruption that lets polluters foul rivers or hospitals extort patients can be environmentally and socially corrosive. By comparison, some speed money for public services and mild corruption in campaign financing are less damaging.

Of course the extent of corruption matters, too. Most systems can stand some corruption, and it is even possible that some truly awful systems can be improved by it. However, when corruption becomes the norm, its effects are crippling. So, although every country has corruption, the typology and extent differ. The killer is systematic corruption that destroys the rules of the game. It is one of the principal reasons why the most underdeveloped parts of our planet stay that way.

Corruption as a system

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<sup>1</sup> *Diccionario de la corrupcion en Venezuela*, 2 vols. Caracas: Ediciones Capriles, 1989.

<sup>2</sup> Gilles Gaetner, *Argent facile: dictionnaire de la corrupcion en France*. Paris, Stock, 1991.

Can anything be done to reduce corruption? It is surprising how cynical many of us have become. We tend to short-circuit policy analysis with fatalistic refrains. And yet experience teaches us that broad social changes, as well as specific anti-corruption efforts, can make a big difference. In the long run, more democracy and freer markets will help. The benefits of privatization in this domain are less clear. If we privatize a corrupt governmental activity and simply call a price what was a bribe, has much changed? In general, it may help to reduce state monopolies, but it is hardly an improvement to install another monopoly that is private. Metaphorically, corruption follows a formula:  $C = M + D - A$ . Corruption equals monopoly plus discretion minus accountability. Whether the activity is public, private, or non-profit, whether you are in New York or Nairobi, you will tend to find corruption when someone exercises monopoly power over a good or service; has the discretion to decide whether or not you receive it and how much you get; and also is not accountable.

Corruption is a crime of calculation, not passion. True, there are saints who resist all temptations and honest officials who resist most. But when the size of the bribe is large, the chance of being caught small and the penalty, if caught, meager, many officials succumb. Combating corruption, therefore, begins with better systems. Monopolies must be reduced, or be carefully regulated. Official discretion must be clarified. Transparency must be enhanced. The probability of being caught must increase and the penalties for corruption (for both givers and takers) must rise.

Each of these headings introduces a vast topic. But notice that none immediately refers to what most of us think of first when corruption is mentioned: new laws, more controls, a change in mentality, an ethical revolution. Laws and controls prove insufficient when systems are not there to implement them. Moral awakenings do occur, but seldom by design of our public leaders. If we cannot engineer incorruptible officials and citizens, we can nonetheless foster competition, change incentives, enhance accountability; in short, fix the systems that breed corruption.

Four components of an anti-corruption strategy

This is not easy. However, successful examples do exist and they contain several themes.

### ***Punish some major offenders***

Firstly, they begin by frying the big fish. In situations where corruption has grown extensive, people no longer believe even the finest promises from politicians and chief executives. When a culture of impunity exists, the only way to break it is for a number of major corrupt figures to be convicted and punished. Often, there are many cases pending, which have been set aside for reasons ranging from political sensitivity to corrupted justice officials. These cases should be pushed forward, or the government should quickly attempt to identify a few big tax evaders, a few big bribe dispensers, and a few high-level government bribe-takers. Since a campaign against corruption can too often become a campaign against the opposition, the first big fish that are fried should come from the party in power.

### ***Involve the people in diagnosing corrupt systems***

Secondly, successful campaigns involve the people. If only they are consulted, citizens can be fertile sources of information on where corruption occurs. The mechanisms for consulting them include systematic client surveys, citizens oversight bodies for public agencies, the involvement of professional organizations, hot lines, call-in shows, educational programmes, village and borough councils, and so forth. Business people and groups should participate with the protection of anonymity in diagnostic studies of how corrupt systems of procurement, contracting and the like actually work. The emphasis is on systems and not individuals. Self-policing by the private sector, especially when supported with international investigative capabilities (and credibility), can help businesses say no to requests for bribes.

### ***Focus on prevention by repairing corrupt systems***

Thirdly, successful anti-corruption efforts fix corrupt systems. They use a formula such as  $C = M + D - A$  to carry out vulnerability assessments

of public and private institutions. Like the best public health campaigns, they emphasize prevention. Of course reducing corruption is not all that we care about. We might spend so much. Suppose that you are the principal and I am your agent. Let us suppose that you are not corrupt and that your objectives coincide with the public's interest. However, as your agent, I am tempted by corruption. You wish to induce me to undertake productive activities and to deter my corrupt activities. Therefore, you consider reducing my (or our agency's) monopoly powers, clarifying and circumscribing my discretion over who receives how much service, for what price and enhancing accountability. You want to intensify my incentives to undertake productive activities and raise the effective penalties for corruption.

However, each of these possible initiatives may be costly, in several dimensions. They may cost money. They carry opportunity costs. They may create externalities. Your economic problem is, therefore, much more complicated than fighting corruption. Ideally, you would balance the social benefits of your efforts (in terms of improved productivity and reduced costs of corruption, which you would need to estimate) and their social costs. From such considerations, one can derive a framework for policy analysis.<sup>3</sup> The principal may select agents, alter their incentives, collect information in order to raise the probabilities of corruption being detected and punished, change the relationship between agents and clients and raise the moral costs of corruption.

In my consulting work around the world, I have found that this sort of economic perspective on corruption, combined with case studies of successful anti-corruption efforts, can stimulate tremendous creativity on the part of political leaders and top public managers. The method is often a workshop running ten to sixteen hours over 1 to 5 days. It begins with a case study of a corrupt situation outside the country in question.

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<sup>3</sup> Robert Klitgaard, *Controlling Corruption*. Berkeley and Los Angeles: University of California Press, 1988. Translations in Arabic, French, Portuguese, Russian, and Spanish (two editions, Chinese pending).

money attacking corruption, or generate so much red tape and bureaucracy, that the costs and losses in efficiency would outweigh the benefits of lower corruption.

Participants are given the problems via an overhead projector and break into small groups attempting to find lines of attack. After presenting their analyses and recommendations in plenary sessions, they learn what actually happened in the successful anti-corruption story, again with the help of an overhead projector. In later sessions, they learn how to analyze corruption as a systematic phenomenon, rather than as a purely legal or moral problem.

They analyze other cases of successful anti-corruption efforts, sometimes in a particular ministry, sometimes a bureau or programme, sometimes in a whole country (such as Hong Kong, in the 1970s). The last hour or two are spent trying to apply the same logic to corruption in their country. I call this participatory diagnosis and have seen it produce remarkable results in a dozen countries. One indirect result of such workshops is that participants learn to apply the same analytical effort and managerial creativity to corruption as they do to other problems of policy and management. This removes what is almost a conceptual block for many of us in dealing with corruption.

### ***Reform incentives***

Finally, governments wishing to stop corruption must improve incentives. In many countries public sector wages have fallen so low that a family cannot survive on a typical officer's salary. Moreover, measures of success are often lacking in the public sector, so that official earnings are not linked with what they produce. It should be no surprise that, under such conditions, corruption flourishes.

Fortunately, around the world experiments in both the public and private sectors are emphasizing performance measurement and the overhauling of pay schemes. Fighting corruption is only one part of a broader effort that I call institutional adjustment, the systematic recasting of information and incentives in public and private institutions.

Institutional adjustment is the next big item on the development agenda.<sup>4</sup>

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<sup>4</sup> Robert Klitgaard, *Institutional Adjustment and Adjusting to Institutions*. Discussion Paper No. 303. Washington, D.C.: The World Bank, September 1995.

But is this too bloodless, all this talk of systems analysis and civic involvement and pay for performance? Doesn't this leave out the heart of the problem, namely our shortcomings in public duties and civic ethics? Should we not be sermonizing about how venal leaders and materialistic cultures lead to social disintegration? I will not argue with these indictments. What I am suggesting, however, is that successful reforms proceed on a different track; one that brackets issues of permissiveness and decay and instead focuses on the economics of corrupt systems and on practical steps toward systematic reform.

### Political will

What you say is fine, it might be argued, but what if the people at the top are themselves corrupt? What if international business people and local business cliques have powerful incentives to do the corrupting? If the people on top in the public and private sectors are benefiting, can the reforms you mention have a chance of taking hold? The worry is that corrupt officials on top are monopolists unwilling to sacrifice their rents; that international and local businesses people are locked in a prisoner's dilemma, where the dominant strategy is to bribe. A corrupt equilibrium results, where rulers and top civil servants gain and some private companies gain, but society loses. In such a situation what can be done? The reflexive answer is nothing. Consider, on the other hand, the analogous question: Why would national leaders, in their self-interest, ever undertake free-market reforms, privatization and the like, all of which sacrifice their personal control over the economy? And yet such reforms have swept the world, as has a remarkable third wave of democratic reforms.

It is true that some governments resist good governance. However, in the decade ahead the paradigmatic problem will not be inducing governments to do something about corruption, but deciding what in fact should be done and how. Because of democratic reforms, new leaders, dedicated to fighting corruption and improving public administration, are entering power as never before. Most election campaigns now feature corruption as a major issue. New leaders would

like to improve customs and tax agencies, clean up campaign financing and elections, reduce bribery and intimidation in legal systems and the police and, in general, create systems of information and incentives in the public sector that foster efficiency and reduce corruption. Their problem is less absence of political will than a lack of know-how.

It is true that, in many countries, leaders are of two minds. They do appreciate and decry the costs of systematic corruption. However, they also recognize that a lone actor has little chance to make the difference—even a Minister or perhaps a President—and they are aware of the personal and party benefits of the corrupt system. To assist them in moving ahead, toward a long-term strategy, several almost psychological steps are necessary:

- Firstly, leaders must see that improvements are possible without political suicide. Here is where the workshops mentioned above, with their examples from other countries and an analytical framework for analyzing corruption, can be particularly helpful;

Secondly, leaders must develop a strategy which recognizes that not everything can be done at once. Behind closed doors, one should undertake a benefit-cost analysis, assessing those forms of corruption where the economic costs are greatest (for example, corruption that distorts policies, as opposed to who gets a specific contract), but also taking into account where it is easiest to make a difference. The anti-corruption effort might begin where the public perceives the problem acutely. A good rule of thumb is that, to be credible, an anti-corruption campaign must have some tangible successes within a six month period;

Thirdly, leaders need political insulation. International collaboration can help provide it, as countries together admit a common problem and move to address it (corruption is not just our problem, or my party's or my administration's). Indeed sometimes, international conditionality that applies across many countries can help a national leader justify anti-corruption measures that might

otherwise be embarrassing, or difficult to make

The question of political will has yet another dimension: if there is the political will, how can this be communicated credibly? In both theory and practice, when a situation grows systematically corrupt, it is difficult even for leaders with political will to make their reforms believable.<sup>5</sup> Citizens may have grown too cynical; a culture of impunity may exist; and actors, both national and international, will not believe an announcement that the rules of the corrupt game have changed.

Given such a situation, what can a leader, for instance, the Head of State or Government do? Here are some practical ideas:

Organize a high-level workshop for ministers and leaders of the private and NGO sectors to address corruption and what to do about it. From this event, ideas will emerge, including a six-month action plan, which will be followed up with the help of international agencies. This workshop might be followed by other seminars, in various key ministries (particularly finance), public enterprises, the police, and the judiciary. The participation of international experts may help make clear that corruption, like pollution and AIDS, is a problem everywhere, not just in the country in question.

Announce that all public officials will sign a standard of conduct that precludes the acceptance of bribes. At the same time, declare that no one will be allowed to bid on a public contract who has not signed a similar standard of conduct concerning the offering of bribes. The private sector will be enlisted to form an independent monitoring capability to follow up complaints. International organizations offer financial support for such investigations, by international NGOs and investigative firms, among others.

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<sup>5</sup> Jean Tirole, *A Theory of Collective Reputations* (with Applications to the Persistence of Corruption and to Firm Quality).

credible.

Announce an experimental programme within the Customs Agency and Tax Bureau, whereby officials will be paid a proportion of additional tax revenues generated within the next year. The bonus will amount to about 25 to 50 percent of existing pay and will only come into play if revenues exceed a certain target increase (perhaps 25 percent). At the same time, officials in the both agencies will be assisted to develop a performance evaluation system, where revenue targets are conditioned by region and activity and where non-revenue indicators of excellence and abuse are generated (for example, time to clear customs). International organizations provide technical assistance and credibility to the design and evaluation of the experiment;

Announce a focal point for a coordinated, inter-agency campaign against corruption. The focal point may be the Minister of Justice, the Attorney-General, the Comptroller-General, or perhaps the Minister of State Administration; or it may be a new agency, such as Hong Kong's Independent Commission Against Corruption. Perhaps with the help of international consultants, this new focal point will coordinate a review of bureaucratic procedures, with an eye to reducing opportunities for corruption and abuse, what Hong Kong's ICAC calls vulnerability assessments. The first agencies to be reviewed will be those where the public perceives that corruption is systematic: for example, permit and licensing agencies, tax bureaus, procurement, and so forth.

This new focal point will seek ways to involve the public in the fight for clean government. The people know where corruption exists; they need vehicles for reporting what they know. Ideas include:

giving village or district councils and urban groups lists of the projects to be undertaken in their areas, over the next year, with detailed specifications and offering these groups a chance to report shortfalls and excellence;



funding small, confidential surveys of the private sector, to identify the areas where corruption exists in the procurement system, the courts, various licensing schemes, customs and other spots of concern;

organizing focus groups, where manifestations of corruption can be revealed and analysed in confidence;

creating citizen oversight boards, at various levels of the police and the courts, the prosecutors, the procurement authority, customs, internal revenue and the comptroller-general, or equivalent;

involving associations of accountants and lawyers in both the diagnosis and oversight;

organizing a hot line for people to report illicit activities;

putting together teams of senior civil servants and young, excellent university graduates to investigate reported instances and also random samples of important cases of tax payments/exceptions, public procurement, and so forth.

The Head of State or Government may initiate a process to identify and prosecute several big fish tax evaders, smugglers, and bribe-givers or receivers. He/she may challenge the providers of social services to indicate measures of success against which their performance may be pegged. Then the President sponsors experiments linking increased compensation to such performance.<sup>6</sup>

#### How the United Nations can help

Notice how many of the headings just mentioned include possible contributions by agencies of the United Nations family. Such cooperation can help engender both the will to fight corruption and the capability to do so. Despite the obvious sensitivity of devising and implementing strategies against systematic corruption, the United Nations can

carrying out systematic client surveys, which cover negative bureaucratic behaviour, as well as the benefits and costs of public programmes;

help and indeed already does help, through aid for democratic reforms, the growth of more competitive economies and the improvement of governance. However, a more focused effort is needed: *a systematic attack on systemic corruption.*

In coming years donor nations will face ever greater pressures from their citizens not to aid countries perceived as corrupt. At the same time, the new wave of democratically elected governments in the developing world will be looking to the international community for help in controlling bribery, extortion, kickbacks, fraud and other forms of illicit behaviour. They recognize that neither free markets nor multi-party democracies will survive and succeed, if the institutions of the private and public sectors are riddled with systemic corruption. As a few countries make progress in fighting corruption, others will follow.

Outsiders can assist in a variety of ways, ranging from the indirect and subtle to the direct and forceful. Let us mention four international initiatives that could galvanize the incipient international movement against corruption:

#### ***Regional diagnostic studies***

***Purpose:*** Galvanize systematic action by both the private and public sectors to reduce corruption in a region (e.g. Latin America or Francophone Africa).

***Basic idea:*** Each country invites the private sector to carry out confidential diagnostic surveys of three or four areas prone to corruption, such as procurement, government contracting, health care and revenue agencies. The surveys ask business people anonymously to diagnose how corrupt systems work in practice; where the holes and weaknesses and abuses may be. The idea is to analyse systems, rather than identify particular individuals, in either the public or private sectors. The goal is not academic research, but an action-oriented diagnostic. A small sample of 40

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<sup>6</sup> Robert Klitgaard, *Adjusting to Reality: Beyond State vs. Market* in *Economic Development*. San Francisco: International Center for Economic Growth and ICS Press, 1991, esp. ch. 7. Translation in Spanish.

business people may well be sufficient and produce a useful report. When each country's diagnostic study is complete, an international

**Political benefits:** The fact that such a study is international would make clear that corruption is not just a problem of country X, but an international problem which calls for international solutions. It also makes it clear that corruption is not just a problem of the government (or this government); the private sector is part of the problem and part of the solution. Political leaders are able to make the face of the issue much more politically attractive. They can say that the diagnosis is being done continent-wide, addressing the international dimensions of bribery as well; the problem is not just in their country, but really a world-wide problem. They can point out that the diagnosis is carried out by and about the private sector, who are usually accomplices where corruption exists.

**Analytical schedule:**

1. Develop an idea with collaborating international institutions.
2. Hold a two-day regional workshop on strategies to reduce corruption, including case studies. This will demystify the issue and will lead participants to the conclusion that diagnostic studies of corrupt systems may be highly useful, both analytically and politically. Participants should include high-level public and private sector figures from each participating country (e.g. Minister of Finance and Head of Chamber of Industries). More than one workshop might be held, by sub-region.
3. Design the diagnostic study with the help of an international NGO, such as Transparency International.
4. Organize the private sector in each country to undertake the study. Again, an international NGO might play a central role. Country studies might differ in details and coverage, depending on the problems of each nation.
5. Carry out the diagnostic study. Confidentiality of individuals surveyed is important, so it may

conference would share the results and analyse remedial measures, including possible international cooperative action.

It would be advisable to involve non-nationals in the administration of the survey.

6. Share the results of the diagnostic study with government officials. Redraft and produce joint recommendations (with private sector and government).
7. Share results and recommendations with other countries in an international meeting.
8. Pursue international cooperation in the fight against corruption.

**A contest for national anti-corruption programmes**

**Purpose:** Communicate the idea that a country can have a strategy against corruption. Capture the imagination of people around the world by means of an international contest.

**Basic idea:** International aid should be allocated to countries willing to undertake reforms which address systematic corruption. Suppose an international organization or the DAC countries created a programme that promised seven years of special and significant support to the three developing countries that proposed the best national strategies against corruption. To help kindle interest in this contest, donors would fund international and local workshops in participatory diagnosis, as described above.

Then cross-country studies, involving both the private sector and the government, might focus on key areas such as revenue raising, procurement and public works and the justice system. The focus would be on the vulnerability of systems to corruption, rather than on particular individuals. Participating countries would share the results of these studies. Measures, both national and international, would then be designed to remedy structural defects. (This idea obviously dovetails with the proposed regional diagnostic studies.) At this stage, interested countries would prepare their national strategies against corruption. The three best strategies, perhaps one each from Africa, Asia, and Latin America, would be supported by

special funds from the sponsors. Other country strategies, or components thereof, might well be

**Political advantages:** Competition would create incentives for countries to show they are serious about corruption and in preparing for the competition they would be assisted in learning (including from each other) what an anti-corruption strategy might contain. The measures to be included in this strategy would depend on the context, but they would often include experiments with incentive reforms in the public sector; mechanisms to enhance accountability, especially through the involvement of business leaders and citizens; enhancing capabilities in investigation, prosecution and judging; legal reforms in campaign finance, illicit enrichment, regulatory and administrative law; and administrative reforms that designate an anti-corruption focal point and simultaneously facilitate inter-agency coordination. Such an initiative could also be helpful to donors in their efforts to show that they are taking corruption seriously. It would give them a chance to fit various development initiatives, including civil service reform and institutional development, into a new and dynamic framework, with high political salience.

**Analytical schedule:**

1. Develop an idea within or among international organizations.
2. Exploit existing initiatives among developing countries, such as the Organization of American States follow-up to the Summit of the Americas, or the September 1996 report by the African Governors of the World Bank, which called for a new initiative in governance and capacity building.
3. Hold regional or sub-regional workshops on anti-corruption strategies, which emphasize south-south learning, case studies of success and frameworks for policy analysis.
4. Design the terms of reference for the contest, including the time-frame, the availability of technical assistance and the judging process (to include international NGOs).

supported by other donors and, of course, by the participating countries themselves.

5. Develop the strategies in each participating country.
6. Share the country strategies in regional or sub-regional workshops.
7. Submit final strategies.
8. Announce the results, perhaps at an international conference, emphasizing positive ideas, as well among non-winners (and help in finding funding for those good ideas).

**Tool kits**

**Purpose:** Accumulate and disseminate best practice in reducing corruption, by function, sector, level of government and other relevant categories.

**Basic idea:** The international community can help to assemble and disseminate examples of best practice, as well as frameworks for policy analysis. A combination that might be called tool kits for fighting corruption. For example, the United Nations Development Programme has already selected the fight against corruption as 1) close to its priorities; 2) important to developing countries; 3) in accord with its comparative advantage; and 4) areas where it believes that we can learn from each others experience. Possible areas might be revenue-raising, including tax and customs agencies; the justice system broadly construed; health care (from hospitals to pharmaceuticals); and government procurement, licensing, and contracting. Another possibility is an area where many industrialized countries have much improvement to make: the interfaces between money and politics, including political contributions, party finance, and campaigns.

**Tasks:** In each chosen area, the United Nations would try to create tool kits containing the following:

1. Analytical frameworks for diagnosing and dealing with corruption in general (generic frameworks), but also specific ones for tax administration, customs administration, police,

criminal prosecution, judges, procurement and contracting.

3. Participatory pedagogies, which means a variety of devices to enable citizens, business, NGOs, the media and government employees to learn and teach each other about corrupt systems and what to do about them.
4. Strenuously pursue the OECD recommendations

The international community should also take steps that acknowledge that international actors are also both part of the problem and part of the solution. It is in this light that the OECD recommendation and its focus on bribery in international business transactions have strategic importance. Because of corruption sensitivity, foreigners will not be welcome discussants, until they show that they recognize their own complicity in many corrupt activities. It may be only after the countries of the OECD show that they are serious about their part in the corruption problem of developing countries especially the bribes that their citizens pay that the developing countries will be willing to accept international assistance in addressing systematic corruption.

#### Concluding remarks

A campaign against systematic corruption needs more than better economic policies and better laws and more training, helpful though these may be. It requires a shock to upset a corrupt equilibrium.

In this shock treatment, governments must be bold. They should challenge citizens to become involved in the diagnosis and improvement of corrupt systems, with an early step being confidential surveys and interviews. Public officials must be challenged to design experiments with measurable results, which might help break the incentive systems that now encourage and even demand corrupt behaviour. Impunity must be rooted out. Thus, a campaign to improve governance should supplement the usual capacity-building activities and new laws, with such programmes as:

Therefore, combatting corruption should focus on the reform of systems, combined with great

2. Case studies of best practices and success in reducing corruption, at different levels of government and in different sectors or domains.

the formation of a national-level coordinating body that is responsible for devising and following up a strategy against corruption, along with a citizens oversight board;

the identification of a few key agencies or areas where the anti-corruption efforts might be focused in the first year, with hopes of achieving some momentum-building successes;

a capacity-building strategy, within key ministries, that takes the problems of incentives and information seriously, including experiments with performance-based pay;

the identification of a few big fish, whose cases will be prosecuted;

For maximum impact, these steps should be carefully prepared before being announced, and their announcement should be simultaneous.

What about the promotion of ethics in the civil service? As part of a wide-ranging campaign against corruption, the promulgation of a simple and easy-to-understand code of conduct may be a useful step. For example, government officials would sign a simple declaration to the effect that they will not accept bribes. All firms participating in public-sector procurement would also sign one saying that they will not offer bribes. The symbolism is helpful.

However, experience in many countries shows that efforts to improve public service ethics through codes of conduct and exhortations alone are non-starters. There are numerous examples of the most scandalous regimes making the loudest noises about public ethics (witness Marcos's 1975 reforms in the Philippines, or Mobutu's many moralizing campaigns in Zaire). It is true that, if we could transform ourselves into more ethical beings, corruption would be reduced or vanish altogether. It is also true that governments lack ready tools for accomplishing such transformations.

*political sensitivity and strategy.* The design and implementation of the measures which have been

discussed must obviously be tailored to each country's special conditions. And yet, as we have seen, international cooperation can make a big difference. Providing specialized skills can help, *inter alia*, in organizing high-level seminars or in hiring international investigators to track down ill-gotten deposits overseas. International action can help develop or stiffen political resolve. International cooperation conveys the recognition that we are all involved in the problem of corruption and together must find ways out.

Discussions such as those of this Conference are important. We need to advance the debate beyond which country has a higher degree of corruption than what other. We need to remind people and policy makers that fighting corruption is not a morality play, at least not only that. It is a sensitive subject, where we have to be at our coolest and most cerebral in order to make progress. However, in closing I would like to offer an exhortation: corruption can be reduced, even where it seems to be endemic; international cooperation should be part of the solution.

## ***Enhancing Ethics in the Public Service: Setting Standards and Defining Values\****

Democracies survive, in the long run, only if there is a sufficient level of confidence that government officials will act ethically. At a recent conference of the Council of Europe's forty Member States, ministers from several nations bluntly acknowledged that corruption and lack of accountability among public officials poses a serious threat to democracy, human rights, and the rule of law. Some officials saw corruption and organized crime as undermining the fragile foundations of emerging civil society. Few discerned sufficient political will among government officials to be optimistic about meaningful reform. However, failure to achieve ethics reform spells economic, social and political disaster. Ethics reform will be an enormous challenge in some nations, but the unimaginable costs of failing in this effort demand that the challenge be met with creativity and perseverance.

When faced with mounting disaster on the Apollo 13 space flight and no known solution to the problem, the flight engineer supervising the mission on the ground gathered a group of people together to solve a problem that everyone thought was impossible to resolve. Nevertheless, the flight engineer pushed them to do the impossible, saying

Failure is not an option. They succeeded, and Apollo 13 returned to earth safely. While the challenge of corruption and the lack of political will to mount a serious reform movement might make this seem impossible, *failure is not an option*. The costs of failure are simply too high to contemplate. Ethics reform must succeed in order that democratic and economic reforms can move forward.

This paper addresses alternative strategies for enhancing ethics in government and among public

officials. Legal, organizational and institutional frameworks which might be utilized to enhance ethics in the public service are presented. Civil service standards, codes of ethics and ethics enforcement agencies are also discussed as potentially useful approaches to ethics reform efforts. In addition, integrity based approaches are included, in which values, individual integrity and moral leadership serve as the foundation of the reform effort rather than rules, regulations and procedures. All of these approaches will be discussed in light of past experiences with creation, implementation and enforcement. Choosing which approaches are most likely to succeed in a particular nation is a task best done by those closest to the situation and most knowledgeable about the unique complexities of that locale. But choose something and try it, because failure is not an option.

### ***Ethics and democracy***

It is the premise of this paper that ethics reform is central to the survival of democratic governments because institutions based on sound ethical principles are necessary preconditions for stable democracies. Sabrina Maret<sup>1</sup> suggests two sets of preconditions necessary for a stable democracy to exist. The *situational preconditions* are:

- a modicum of economic prosperity;
- general system stability and ethnic harmony;
- agreement on the rules of the game;
- the presence of valued and effective institutions; and
- general popular contentment.

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<sup>1</sup> Sabrina P. Maret, How Democracy Fares: Balkan Pluralism and Its Enemies, *Orbis*, Fall 1992.

The *institutional preconditions* are:

free elections for a popular mandate, with elected officials held responsible to the citizenry;

the existence of an effective, independent judiciary;

a depoliticized bureaucracy functioning according to written rules;

legal guarantees (usually of a constitutional nature) of basic rights; and

a free press.

Any democracy considering ethics reform should scan this list to determine which preconditions, by their absence, most imperil success of both the democratic institutions and the ethics reform efforts. A second scan should determine which preconditions do exist that can be utilized in an ethics reform effort. Knowing the opportunities and the threats will allow the reform effort to be designed more effectively. For example, a strong free press can help hold elected officials responsible to the citizenry by publicizing their deeds and misdeeds. If a nation is experiencing instability and ethnic clashes, this might be countered and influenced by the enforcement of basic rights by an effective, independent judiciary. An effective ethics reform strategy should target the greatest threats to a nation's stability and utilize its strengths.

### ***Ethics and effective government***

A second premise of this paper is that ethics reform efforts should not come at the expense of effective and efficient government. Many times improvements in ethics are a by-product of improved management strategies. Certainly, it is the case that ethics reform efforts can go hand in hand with a management reform agenda, including the new public management reforms sweeping through many governments today. For example, Public servants are subject to the rule of law, just as all citizens are subject to the laws and constitutions of a nation state. Respect for that legal framework and adherence to the rule of law are the most fundamental of all ethical precepts for public servants and serve as a minimum standard

performance measurement is one form of holding officials accountable and accountability is a fundamental principle in public service ethics. Process re-engineering, another management reform strategy popular today, simplifies and publicizes processes that were once overly bureaucratic, time consuming or confusing. Process re-engineering can contribute to both the fairness and the transparency of government, as well as to its effectiveness.

When ethics is thought of as separate and apart from good management, then it is possible to create reforms that make it impossible to govern effectively. For example, purchasing regulations intended to assure that no preferential treatment is given to certain suppliers, has led to such a complex purchasing system in the United States federal government, that government often pays much higher prices than is necessary for some products and services.

The goal should be to enhance ethical accountability, but to do so in a way that also enhances good management practice, or at least does little harm. For example, a system that allows individual public officials complete discretionary control over purchasing, with no accountability, invites ethical abuse and is fundamentally bad management.

Reform of such a system can either be presented as a management reform effort or as an ethical reform effort, whichever would be most successful in the climate of the time. But that reform effort should not result in such a morass of complicated rules and procedures that the public official spends excessive resources in time and energy to purchase something in a procedurally correct manner, which could have been purchased more easily at the corner store.

Strategies for ethics reform

### ***The Rule of Law***

to which all will be held. Charges of public officials considering themselves above the law are not uncommon and are perhaps the most devastating to overall citizen confidence in government. Bribery, theft, abuse of position and inappropriate favouritism or discrimination are

common elements of laws that could be violated by public servants. The enforcement of criminal codes of law, as well as specialized civil service laws, should be a cornerstone of any ethics infrastructure.

Enforcement of the law is lacking or sporadic in many national, provincial, and local governments. Sometimes this is true because corruption extends to law enforcement agencies and the judiciary. Sometimes lack of enforcement occurs because the laws even ethics reform laws were never intended to be more than window dressing to appease critics of government corruption, so that serious efforts to enforce the laws were never undertaken. Such abuses of the legal system further undermine the rule of law in any government. Citizens lose confidence and respect for legal institutions, imperiling the very foundations of democratic government.

While the law is a powerful force in establishing minimum standards of behaviour, nations must be cautious not to create rules of law that cannot be enforced reasonably, or that step out too far ahead of common practices in the society. The law can and should be used as a force for social change, when values and norms in a society are undergoing change (e.g. with regard to tolerance for corruption and bribery), but having laws that are openly disregarded will soon undermine confidence in the underlying sanctity of the rule of law. When this happens, civil society is in great peril. The consistent and fair enforcement of laws should be the first ethics reform strategy considered. It is an essential element in both ethics reform and in maintaining the foundations of a civil society.

### ***Conflict of interest regulations***

Employment past, present, and future is another potential area for a conflict of interest, often dealt with by imposing *employment restrictions*. Many wonder whether a former chemical industry executive can fairly and objectively regulate the environmental impacts of the chemical industry, especially if close relationships are maintained with former colleagues. Government employees serving as project managers on a major

Avoiding a conflict of interest between the official obligations of a public servant and the private commitments or self-interest of that individual is a fundamental way of assuring a government in which public office is a public trust. This ethical commitment to public office as a public trust enhances popular contentment and confidence that government officials are serving the public interest. It enhances both the value of and the effectiveness of public institutions. Requiring *financial disclosure* of all investments and financial dealings that could give rise to a conflict of interest is one way in which senior public officials (especially in policy-making positions) can be subjected to scrutiny. By openly revealing these financial entanglements, conflicts can be detected even if the public servant does not recognize or acknowledge the conflict publicly.

Even the *appearance* of a conflict of interest can have a deleterious effect on public confidence in the decision or the office. There is some concern, however, that many honest and qualified people will find such full public disclosure of their finances to be too much of an invasion of their personal lives and will choose not to seek public office. When financial disclosure is not required, the government will have to rely upon the individual public servant publicly identifying potential conflicts of interest, when these arise. By stating for the public record that this decision impacts a personal investment or a friend or family member, the public official has allowed the public and peers to judge for themselves the official's words and actions in light of the potential conflict of interest. In many cases, the public official might be expected to *recuse* himself or herself from the discussion and decision as a way of honouring the public trust.

construction project could be perceived as compromising their professional objectivity, if they are considering an employment offer from the business building the project. Public servants planning a career move into the private sector could be tempted to court favour with a particular business or industry, if they think this might enhance their chances for later employment. Thus, some governments have imposed requirements that



public servants cannot conduct business with former employers, cannot consider employment offers from current projects and are restricted from going to work for businesses that directly benefited from their actions, in a public capacity.

Standards of reasonableness for these kinds of restrictions tend to revolve around a balance of the burden and benefit to the public servant. A high level public official making key policy decisions and receiving a substantial salary can be expected to bear a reasonable burden of disclosure and restriction from future opportunities. On the other hand, a lowly paid entry-level public administrator, or a person serving on an unpaid advisory committee might reasonably object to bearing the same burdens and restrictions. The balance seems to be achieved when the restrictions do not prevent a sufficient number of qualified and capable people from seeking the positions. Even where such restrictions are not imposed, the value of avoiding even the appearance of a conflict of interest should lead public servants to avoid these situations or announce the conflict publicly, when it arises in order to allow others to hold them accountable for their actions.

Family and friends are another form of *personal association* that can create a conflict of interest for a public servant. Here there are some cultural differences that influence whether helping members of one's family or group is seen as detrimental to the public good. What does seem to effectively cross cultural boundaries, however, is that the help or form of favouritism should be widely known and understood as how things are done and accepted by the general public on whose behalf public servants are acting. In other words, favouritism should be conducted in the open and subjected to open debate, rather than merely accepted because it has been standard practice in the past.

### ***Transparency in government***

The intent of transparency in government is to assure that governmental decision-making and implementation take place according to rules and standards. What is the best way to accomplish this outcome? Procedural requirements can be developed, in

regulations that are known and understood by the affected parties and citizens. In addition, transparency assures that citizens (including the press) have access to decision-makers, procedures, and government documents as a method of assuring accountability, detecting wrongdoing, and achieving full knowledge of government's inner workings. Transparency supports several of the preconditions of a stable democracy mentioned above: agreement on the rules of the game; a depoliticized bureaucracy functioning according to written rules; and transparency allows a free press access to information necessary to keep the public informed. Four different approaches to assuring transparency in government will be discussed: written administrative procedures; government in the sunshine laws; freedom of information laws; and whistle blower protection laws.

*Administrative procedures regulations*, as well as other methods of assuring due process are common elements of transparency regulations. These assure affected parties that procedures will be fair, will be known in advance, will be followed appropriately and that there will be recourse if procedures are not followed, as intended. Both internal systems, such as grievance procedures and external systems, such as recourse through the judicial system are common. Often, due process and other administrative procedures guidelines are thought to be time-consuming and a hindrance to quick decisions because they may require specified advance notification periods before action is taken.

While such protections are needed to help assure that all parties are aware of the action and can participate appropriately, protections can cause unnecessary delays, when all parties are in agreement to move forward. In the development of procedural protections, then, consideration should be given to creating expedited procedures for uncontested or emergency situations, being aware that such expedited procedures could become an opportunity to abuse or manipulate the system. The expeditious treatment of these special situations should not harm any party or violate the spirit of transparency and fairness. Consultation with the affected parties, thus assuring that the potential uses and abuses are

understood and negotiated in advance. Many governments are finding that such a negotiated approach to developing regulations of any type bringing all interested stakeholders to the table to discuss and design regulations results in far more effective regulations that are more easily enforced.

A different approach to transparency in government is *government in the sunshine laws* that are intended to assure that the deliberation and decision-making of government officials (both elected officials and civil servants) take place in a manner open to public scrutiny and participation. In its simplest form, this requires open and public meetings, with notice given to the public in advance when and where a meeting will be held and what topics will to be discussed and decided upon. In addition, there would be a definition of which proceedings are public and which can be legally and reasonably kept confidential (e.g. certain personnel deliberations and decisions are usually kept confidential).

In a more extreme form, *sunshine laws* can restrict access to public officials and restrict conversations and casual meetings of officials in order to avoid the opportunity or even appearance of making secret agreements or deals. Experience in the United States is that these more extreme versions of *sunshine laws* do more to interrupt and detract from accomplishing the public's business than they do to help the public be assured access. Restricting public officials from riding in the same car to a meeting in a nearby location violates the standard of common sense and is likely to increase public disdain for government rather than enhance public trust.

These issues become particularly acute at the local government level, where elected officials are friends, neighbours, and co-workers of others in the community, as well as being elected representatives of a constituency. It is necessary to adopt an approach that accommodates the natural tendency of people to bring up public business during routine contacts at the soccer field or during a casual conversation on the street. The best approach would seem to be one which sensitizes

public officials to the potential for violations of the public trust and prepare those officials to recognize and ward off actions of themselves or others that would create opportunities for wrongdoing.

A public official who consistently acts in accordance with the *spirit* of *sunshine laws* and other transparency rules is in a much stronger ethical position than an official who abides by the *letter* of the law, but does not fully believe in the public's right to be a party to decisions made on their behalf, or who believes that public office may be used for private gain. Therefore, educating public officials in the values and ethical principles of public service should receive as much or more attention than creating rules and restrictions. Rules, however, do provide recourse when public officials choose to violate these values and principles.

*Freedom of information laws* have become fairly common methods of assuring public access to information. These specify what public documents are, who has access to them, and under what circumstances. It provides the public, the media and any other interested party some assurance that they can gain access to information that might be crucial to detecting or proving that a public servant or an agency is engaging in unethical actions.

Providing access to the financial disclosure statements of high ranking public officials has been a cornerstone for deterring and detecting conflicts of interest among these officials. While there is some controversy about requiring such disclosure for *all* public officials, it has proven very effective within the limited scope of elected representatives and certain high ranking officials with policy-making authority. Requiring the financial disclosure, but not providing the press and the public access to the information is likely to defeat the purpose of the reform effort. Freedom of information regulations need provisions to protect the bureaucracy from unwarranted and unreasonable expectations in terms of copying, searching or providing access to information. However, broad public access to the internet could prove a boon easily and simply providing access to information.

*Whistle-blower protection laws* are another method governments have used to assure that the public and the media can gain access even to information government organizations might wish to withhold. These work by stating that employees, contractors, or clients who reveal truthful but damaging information about a government agency or policy will not be subject to retribution. Given the powerful forces of self-protection within government agencies, it is too much to expect that whistle-blower protection laws will really prevent retribution, but they can assure some recourse for the whistle blower in order to offset any retribution experienced. In healthy, ethical organizations, however, embarrassing or negative information is welcomed as an opportunity to identify and solve problems and one would find no retribution against the messenger. Therefore, it may be more effective to focus on developing healthy organizations, with a culture oriented to identifying and solving problems, in order to prevent the whistle blower phenomena.

#### ***Routine accountability mechanisms***

Routine requirements such as mandatory *reports*, internal and external *audits*, *programme evaluations* and *procedural requirements*, such as multiple signatures or levels of approval, all help assure that public servants are acting ethically and appropriately. Recent cases of unethical use of public funds such as the high ranking military official who sold two aircraft-carrying cruisers to South Korea and used the money to buy housing for the fleet's officers might have been prevented through mandatory approval processes from individuals or agencies that can serve as a check on the appropriateness of the use of funds. Yet these same requirements are often criticized for creating bureaucratic inefficiency and preventing public servants from doing their jobs in the most effective and responsible manner possible. Excessive paperwork and time-consuming procedures can detract from effective governmental action.

If used appropriately, new public management strategies that focus on *performance measurement* and accountability for outcomes can enhance both ethical behaviour and citizen confidence in gov-

Some governments have found the appropriate balance by engaging both the bureaucrats and the outside auditors or accountability groups in re-engineering accountability mechanisms in a manner that provides the necessary accountability information without negatively affecting efficiency, effectiveness and responsiveness. Such cooperation between the oversight body and those being held accountable need not lead to co-optation of either, but rather to a healthy respect and cooperative working relationship that achieves the desired outcomes for both.

Technological advances are one way in which *accountability mechanisms* can be routinely built into organizational systems. For example, technology that counts cars going through a toll plaza, riders on a bus, or the quantity of material used in a road paving job can all serve to detect and deter cheating. However, this type of surveillance can also create an element of mistrust, as it conveys a presumption that employees or contractors will cheat if not checked upon. Prevention of this negative by-product starts with working *with not against* employees and contractors who are working for the government.

Involving employees, unions, and contractor groups in the design and development of accountability mechanisms can make these systems work to the advantage of both groups. For example, contractors have an interest in being able to prove that they complied with the specifications of a contract, especially if the job (e.g. road pavement) begins to crumble prematurely. Employees have an interest in being able to demonstrate the quality and accuracy of the work they are producing and might welcome the routine feedback provided by accountability mechanisms, so that they can detect and correct their own mistakes. Having shared in the development of the accountability mechanisms, employees are more likely to utilize the information to improve their work rather than seek ways to circumvent or to escape accountability.

ernment. An appropriate use would be characterized by measures that take into account such matters as the fair distribution of services, as well as the absolute cost or quantity of a service.

Citizen or client involvement in the development of these measures can help assure this type of balanced approach. Another characteristic would be the involvement of those whose work is being measured in the development of the performance measures, including both public employees and those whom governments contract to perform a service. Experience shows that measures developed in this cooperative manner are both better measures and far less likely to exploit workers, or to be subject to cheating.

### ***Ethics oversight agencies***

Ethics agencies serve three general purposes:

*Prevention*, i.e. to prevent or avoid unethical conduct through devising and publishing standards, training public servants and offering advice and assistance to those facing questionable issues;

*Detection*, i.e. to detect potential conflicts of interest, usually through the collection of information such as the financial disclosure forms; and

*Investigation*, i.e. to investigate formal complaints utilizing investigatory powers such as the subpoena hearings and quasi-judicial administrative proceedings, with the potential for civil or criminal prosecution.

Ethics agencies can serve as an institutionalized, permanent message that ethical issues are important, and that the government is committed to assuring high standards of ethical behaviour. However, ethics agencies can also be structured as inflexible, unilateral reactions to one form of unethical conduct their reason for being created and might be very ineffective in serving the current needs or ethical challenges of the government and nation.

In evaluating the capacity of ethics agencies to do the job expected of them, observers have suggested three essential ingredients: *autonomy, adequate funding and enforcement capability*.

Those serving on the ethics agency or commission should have independent authority and should be

*Telephone hot lines*, in which suspected wrongdoing can be reported (sometimes anonymously),

insulated from the influence of other government agencies, political parties, or individuals. Their funding should be adequate for doing the job, including investing in the computer technology necessary to develop and access the database that financial disclosure, campaign finance and other regulations necessitate. Ideally, the funding would be based on a formula or a fee that would allow it to be independent of politicized budget battles, where ethics agencies traditionally do not fare well because they take unpopular actions against public officials, or are seen as expendable, when no recent ethics crisis has made the headlines of the newspapers.

Finally, the ethics agency needs the power to enforce the laws through sufficient staff to offer advisory opinions and training, having the authority of full investigatory power, public disclosure, and enforcement of standards when violations occur. An ethics agency that does not have autonomy, adequate funding, and enforcement capability undermines the very foundation of any call for high standards of integrity among public officials by being viewed as a mockery of the government's own commitment to ethics.

### ***Other oversight and reconciliation mechanisms***

*Citizen review panels* that examine or investigate complaints against government agencies are one method by which the public's expectations regarding ethical standards are communicated and enforced. *Inspectors-General* assigned to specific government agencies can offer an independent oversight and reporting mechanism that can detect problems of ethics or management, and report wrongdoing or questionable conduct. The inspector-general may or may not have the power to remedy the situation. *Ombudsman* institutions, coming in many forms, can serve as a method of oversight if they receive complaints from the public, or from harmed parties. Their ability to investigate and seek alternative solutions can find resolutions to problems that could be idiosyncratic in nature or could represent a more serious and pervasive problem.

are another method of bringing ethical misconduct to the attention of the authorities, which can act

upon it. The body receiving the reports must do a thorough and fair investigation in order to ascertain whether the complaints were warranted, but the importance of having some method of reporting wrongdoing that does not put the person reporting it in jeopardy cannot be overemphasized. Despite the efforts of many nations and many laws to protect whistle-blowers, it is nevertheless a fairly pervasive problem that whistle-blowers feel the effects of retaliation for reporting what they considered to be wrongful conduct.

### ***Codes of ethics and ethics socialization***

While ethics agencies and even civil service law might outline standards of conduct, it is usually left to either professional associations or to individual agencies to develop codes of ethics. Codes vary from highly specific and *enforceable codes*, to what are known as *aspirational codes*, which are intended to convey the highest ideals and aspirations of the profession without necessarily being enforceable.

Professional associations and agencies are in a position to get beyond the general standards of conduct normally contained in civil service law because they are able to take into consideration the special needs and circumstances of the client population, the relationship between the professional and the client, the unique forms of wrongdoing or temptations for that profession or agency. For example, public administrators working in penal systems have certain obligations in the treatment of clients, who are in the system against their will. Similarly, professionals working with children or other vulnerable populations, have special ethical obligations to those clients.

Professional education can and should involve socialization into the norms, values and responsibilities of the profession. However, professional education and ethical socialization may not be sufficient for those going into public service. Many engineers, physicians, and Some common mistakes have trivialized well intentioned ethics socialization efforts: expecting employees to adhere to standards that administrative superiors ignore; mandatory, repetitive and boring ethics training; creating an

accountants enter public service fully versed in the ethics of their profession, but unprepared for the ethical obligations of the public sector. For example, they may be unaware or unaccustomed to the public scrutiny of every action that takes place in the fishbowl of public service. They may not be accustomed to the obligation to look beyond the interests of the organization or administrative superior, in order to consider the public good, legislative intent and judicial opinions.

*Socialization* into the ethics of public service must take place as people enter the public realm, making them aware of the special nature of public service values and why these values are essential to the successful functioning of a democratic government. This is true for professionals, whose ethical training did not prepare them for the specific values of public service, just as it is true for others entering public service for the first time. The same can be said for contractors, consultants, newly elected officials and others, who enter into contractual or other partnerships with the public sector. Socialization into the ethics of public service is a crucial element in successful partnerships and collaborations on behalf of the public. Many promising collaborations have been derailed because of missteps made out of ignorance of the ways of operating ethically in the public realm.

Socialization can be approached in a variety of ways: making a code of ethics part of a *contractual agreement*; *orienting* new people into the culture and values of public service; the creation of an *ethics committee* to consider ethical matters routinely; formal *training* in ethics and ethical decision making; making values congruence an intentional part of *selecting employees and contractual partners*; developing mechanisms for an ongoing *ethics dialogue* about ethical issues of current concern. Any of these approaches can backfire, however.

ethics committee whose recommendations are ignored and whose work has no impact on actions in the organization. The key to successful ethics socialization is making it meaningful, responsive to important issues of the day and, as much as

possible, taking the high road of appealing to the nobler instincts of participants.

Some concluding observations

### ***Compliance-based or integrity-based ethics regimes?***

One fundamental choice to be made in the design of an ethics reform programme is whether to develop a more compliance-based ethics regime or a more integrity-based ethics regime.<sup>2</sup> Compliance-based approaches depend on rules and enforcement, while integrity-based approaches are based on aspirational values, inducements and support. Most countries take a mixed approach, but the United States provides an example of a more compliance-based ethics regime, while New Zealand's recent reforms were based on an integrity-based ethics regime.

Compliance-based approaches seem more appropriate to situations in which unethical behaviour is rampant and will be difficult to change widespread corruption, for example. Integrity-based approaches seem more appropriate to situations in which there is a strong shared sense of values, and a higher degree of homogeneity. However, every situation requires some enforceable rules, that provide recourse when wrongdoing occurs. Every situation also requires an appeal to the higher standards to which most people adhere, even in a government experiencing widespread corruption. Responding only to the corrupt is demoralizing to the exemplary.

### ***Designing an action agenda for ethics reform***

Because an ethics reform may be a necessary precursor to successful economic, political and social reform, the action agenda should be carefully designed for success. It is not necessary to call the

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<sup>2</sup> The OECD (Organisation for Economic Cooperation and Development) has several excellent publications analyzing the approaches taken by OECD Member States in the area of public service ethics. These include: Occasional Paper No. 14: *Ethics in the Public Service: Current Issues and Practice*; *The Ethics Checklist*; and a policy brief on *Managing Government Ethics*. OECD contact information can be found at the bottom of the chart contained in Appendix B.

action steps ethics reform, but it is necessary to design the action agenda with the goal of achieving high ethical standards in mind. This agenda may be successfully linked with other reform efforts currently experiencing broad popular support, such as new public management reforms, reinventing government efforts, or programmes to build democratic institutions and civil society. All of these reform efforts can support and encourage such ethical principles as honesty, accountability and fairness, as well as make them mutually reinforcing and also help assure that ethics becomes institutionalized throughout the culture of government.

Logical steps in developing an effective action agenda include the following:

Scan the environment to determine which pre-conditions for a stable democracy are present and which are absent and in need of development. Enhancing ethics can only be accomplished in the context of a stable government.

Focus on developing the weaknesses identified in the above by utilizing the strengths. For example, if a strong free press is present, build policies and regulations that publicize information about areas of weakness, such as the absence of an effective, independent judiciary. If there is general agreement on the rules of the game and only a few individuals or agencies are violating those rules, then enforcement through the judiciary or publicity through exposure in the press could bring the errant ones into line with the accepted rules of the game. If there are no accepted rules of the game, perhaps they can be produced through the process of developing written administrative rules, that agencies are expected to follow and publicizing these to the general public.

Choose an approach to ethics that addresses the problems most important to the citizenry. Remember that ethics reform is a method of civic engagement and building civil society, just as much as it is an effort to develop good government. Citizen involvement is essential to designing a good system that will build confidence and trust in government.

Select reforms that can and will be implemented effectively and enforced consistently and which provide an appropriate balance between compliance-based approaches and integrity-based approaches. Only in this way will they have the effect of changing the culture and climate of society and government.

### ***The role of the United Nations in ethics reform***

The United Nations has served as an international forum in which dialogue about basic values and principles can take place. Certainly this was the case with human rights. Perhaps that same model could be applied in the arena of generally accepted ethical practices. Through dialogue and debate, some level of consensus can be established, which would serve as the baseline standard of international ethical practice. Nations or governments, which fall short of meeting these standards, could be subject to the type of scrutiny and international pressure that is seen in the arena of human rights. While there will be controversy associated with this role for the United Nations, the need for an international dialogue about these issues is sufficiently great that it should be explored.

The United Nations might also support governments in their ethics reform efforts by providing a network of resources such as model laws and codes of ethics, so that governments can have ready access to information about the practices and experiences of others. Since all

nations benefit from rising levels of ethical integrity, there should be general support for this role and activity within the United Nations.

The economic reform efforts of many countries are slowed or impeded by corruption. The international business community, as well as the nation itself suffers under such circumstances. Therefore, it might be possible for the United Nations to cultivate creative partnerships with international firms in developing mechanisms for building strong ethical foundations in developing economies.

Finally, there is considerable international interest in developing methods of civic engagement and empowering civil society. A fundamental part of this is developing shared values and ethics to which the citizenry can hold public officials and to which the citizens themselves can be held. The United Nations could be instrumental in creating opportunities for a constructive dialogue and civil discourse around these issues. Through this process, shared ethical values would be articulated, while simultaneously developing civic engagement.

Just as they have in the arena of human rights, the United Nations could provide much needed moral leadership in calling for the highest ethical standards among nations throughout the world. By providing a forum for ethical dialogue and leadership in creating partnerships to encourage and sustain ethics reform efforts, the United Nations could play a key role in supporting reform movements. In nations where corruption is rampant, or where ethics violations are constantly in the news, this type of international attention and support could be essential in bringing about the change in culture necessary to overcome these problems.

## ***The Essence of Public Service Professionalism\****

Aim above morality. Be not simply good; be good for something. Thoreau

### Public service professionals

Ever since government was institutionalized, at the\* dawn of civilization, the need has been recognized for career public servants to staff its machinery to ensure that public policies were implemented and made a reality. This was in contrast to employing amateurs who proved unfit, unqualified, incompetent, exploitative, untrustworthy and corrupt. It was a mistake to believe that government work was so simple that anyone could do it. Actually, it was quite complicated and required considerable skill and experience to do it well, as many goodhearted and otherwise qualified volunteers have found throughout the years.

It was a mistake to think that blind loyalty, blood ties or friendship or ideological identification alone were sufficient to prevent deceit, fraud, skimming, theft and other criminal acts. It was a mistake to assume that amateurs had the best interests of the rulers or the ruled at heart, rather than their own irresponsible and dangerous self-interests. Time and time again, the incompetent deserted or abandoned their posts, misled the military, sold out to foreigners, absconded with funds, plotted treason, provoked civil war or civil disobedience; in short, made a complete mess of public business. Nevertheless, despite the overwhelming historical evidence, some rulers still ignore professionalization and have only themselves to blame when disaster strikes and their regimes turn into plutocracies or kleptocracies, for lack of a professional public service infrastructure.

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For centuries, it has been recognized that a proper professional public service has been a crucial link between rulers and the ruled. It transmitted instructions from the rulers to the ruled and relayed the reactions and responses of the ruled to the rulers. For the rulers, it was seen as an important tool through which they exercised their power and commanded obedience. For the ruled, it represented the majesty and authority of government and delivered a host of public goods and services unavailable from any other source. As intermediaries, public service professionals were expected to give their undivided loyalty to the rulers and devote themselves wholeheartedly to conducting public business, giving assistance to the best of their abilities, in return for which they were accorded favoured status and a secure remunerative livelihood.

Like other embryonic professions, career public servants were expected or obliged to (a) learn their craft (in their case, the craft of public administration) carefully; (b) become experts in some chosen specialty (such as conducting diplomacy, raising, preparing and organizing the military, supervising the construction and maintenance of public works and buildings, obtaining loans and raising taxes, keeping records and auditing accounts, issuing and enforcing regulations, administering justice and guarding prisoners, and delivering welfare to the needy); (c) set a personal example of exemplary behaviour and conduct; (d) maintain the highest level of knowledge and skill; (e) avoid conflicts of interest, by placing their concern for the public interest over their own self-interest; (f) discipline wrongdoers and any other member believed to be disgracing the profession; (g) exposing malpractices; and (h) generally advance the state of their art through research, experimentation, creativity and innovation.



In time, with the evolution of democracy, public service professionals were obliged to stay in the background in order not to embarrass their superiors, but more importantly, to be advocates of the public interest, guardians of public property and resources, stewards of properly conducted public business, protectors of the rule of law, patrons of the under-represented (including the under-privileged, the defenceless, and the future generations), and social change agents (planners, policy formulators, educators, socializers, mediators, community activists, and reform advocates). Like Trappist monks, as John Portelli suggests, they were seemingly bound by vows of silence and poverty, if not quite chastity. Indeed, their origins as public administrators and managers of public organizations have been increasingly obscured by a higher responsibility to see that the machinery of government runs smoothly. This calling has become more constitutional politics centered on democratic governance than techniques of policy implementation and specialized management knowledge. It is professionalism in the profession of public administration ... where the public develops distinctive selection and promotional criteria, ethics, values and, perhaps, administrative and other technologies.<sup>1</sup>

Public service professionalism is no longer just another job or occupation. It is a challenging calling involving a commitment to serve the public interest and, therefore, to resist temptations to put oneself before one's civic and professional obligations and responsibilities. It entails that one's actions and behaviour are open at all times to public scrutiny; that one is subject to public judgement over one's failure to act. This implied obligation to go to the assistance of fellow human beings, to help others in distress, is law in some countries, but it applies especially to all professional public servants, often at great risk to themselves. There are no time limitations; they are on call all the time, vacations not exempted. In

short, the public is a hard taskmaster, though not a particularly rewarding employer.

Professional public servants, short of the bureaucratic pinnacle, rarely enjoy the largesse that private organizations may provide because prerequisites and even competing salaries are considered unnecessary or wasteful public expenditures. The rewards have to come from within the job itself, from satisfaction in serving the public and the community, delivering much needed public goods and services, without which the public would gravely suffer, being close to the centre of government power and thus able to exert some impact on decision makers. Public servants are better able than most to influence the shape of the society and environment of the future. Often, they earn the respect and admiration of the public at large for a job well done.

Changes in shared assumptions about the role of governance bring about a parallel quest for reorientation in the role of public servants. While a professional public service remains an essential requirement for effective government, budgetary pressures, perceived lack of responsiveness to public concerns together with and globalization of many domestic issues have made new demands for enhanced skills, attitudes and ways of doing public business. Public servants everywhere are working in an environment in which they need to cope with accelerating changes, increasingly complex problems, intense citizen pressures requiring rapid governmental response, together with demands for transparency and accountability in all activities. Professionalism now takes on enhanced connotations as public servants are involved in a fundamental analysis of the role, scope and organization of government.

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<sup>1</sup> David H. Rosenbloom, 'Public Administrative Professionalism and Public Service Law' in *State and Local Government Review*, Spring 1984, p. 53.

Public service professionals are expected to exercise judgement in making diagnoses of complex situations, in offering recommendations and in taking responsibility for their actions. They are expected to act according to high standards of honesty and objectivity. They are committed to their chosen field, in which they are expected to advance their knowledge and skills, to perform at the cutting edge and to be passionately involved in the issues concerning their practice. These qualities—expertise, judgement and commitment to excellence—are underpinned by training, membership of professional bodies, codes of ethics, accreditation, regulation and socialization.

In government, professionalism is characterized and complicated by the fact that there is no single profession of government, but many. Governments employ all kinds of persons in all manners of occupations, crafts and skills. What unites them all are a common employer and certain shared attributes. They work in an institutional framework, which offers its own constraints and opportunities. They share a commitment to use their skills for the public good as against private gain, for a fixed remuneration. They are subject to public accountability for their actions. These particular characteristics exert extraordinary demands on the normal professional obligations for expertise, judgement, standards and commitment. They give rise to special problems, including conflicts of interest, privileged information, enhanced decision responsibilities, politicization, transparency and elitism. In addition, their responsibilities are multi-faceted and often complex. They include such activities as policy advice, management of human and financial resources, provision of services, interpretation and application of regulations and administration of contracts. All these are undertaken not for their own sake, to maintain a regime in power, or to bolster party rule, but to serve the public by upholding law and order, providing for a common defence, protecting the weak and the environment, and advancing the health and welfare of the public.

All government activities give discretion to public administrators to use the authority and resources entrusted to them to greater effect, which suggests

Today, so many conflicting demands are made on professional public servants, that they have to prioritize and choose among several competing value sets. Which particular set is preferred depends on cultural socialization, political regime, social conditions, economic pressures, institutional arrangements, peer group pressure, organizational culture and even personal orientation. Again, which set is employed varies from country to country, regime to regime, government to government, organization to organization, according to the conditions obtaining at any particular time and the nature of the organization's activities, supporting groups, vested interests and clienteles; not just internal rules, group norms and individual preferences. An example of a specific model code of ethics for a particular public service profession, that of public policing/law enforcement, is given in the appendix to this paper.

#### Providing public benefits

No professional public organization works entirely for its own benefit. There has to be a much wider redeeming social, community or global purpose. This should, in theory, eliminate self-perpetuation and bureaucratic aggrandisement. Furthermore, a professional public service organization endeavours not to harm, but to advance human welfare and values.

#### *Meeting an identifiable social need*

The activities pursued must be grounded in a perceived public need. They must add value to society. They must advance certain objective standards of public welfare and public well-being. The costs and efforts involved must be judged by people to be worthwhile and demonstrably so as they are, for instance, in saving and preserving life and alleviating pain, hunger or sickness. Public service means exactly what it says, namely, service of the public; service of real value to those for whom it is provided.

#### *Doing good or furthering the public interest*

that they use their expertise to shape their programmes by questioning their future direction, objectives, policies and outcomes to discover

whether they could be improved in furthering the public interest. The idea of the public interest, advancing the human condition, encompasses expressions of doing good for (a) fellow human beings, indeed for all humanity; (b) not only the present generation but future generations too; (c) not only human beings, but other living creatures, too; (d) not only other living creatures but the whole environment, and also presumably one day; (e) the galaxy and the universe, once human beings voyage outside the planet.

### ***Advancing universal human values***

In the United States, the Constitution specifically mandates public officials to establish justice, insure domestic tranquility, provide common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. But these are universally cherished objectives of all representative democratic and responsible governments. The U.S. Constitution also includes a bill of human rights, which has since become a model throughout the world. Such a statement of fundamental human rights has since been extended through the United Nations Universal Declaration of Human Rights (1948), which enjoins all Member States to enforce them along with several other United Nations declarations for the benefit of mankind, such as the declarations against genocide, capital punishment, dangerous substances and organized crime.

### ***Improving the quality of life***

As public benefits include qualitative gains which are not quantitatively measurable, so the theory and practice of economics do not suffice. Making a difference in people's lives for their betterment is considered a worthy aim in itself. Such is the goal of helping people become more secure, more comfortable, and more capable of coping with their situation. No accurate price can be put on preventing war, crime and violence, avoiding epidemics, ensuring peace of mind, developing better citizens, preserving natural beauty, safeguarding clean air and water and the like, which are valued in themselves.

### ***Avoiding harm***

Public service professionals do not act out of malice, or spite. They do not kill for the sake of killing. They do not torture or maim or inflict unreasonable punishment. They do not cause needless pain or discomfort. They do not tax or charge just because they have the power to do so. They do not exploit their position to hurt others.

### ***Doing one's civic duty***

Public service professionals understand that they are required to put the greater public benefit above their own comfort or convenience and even life. Members of the military, police, fire-fighting and emergency health services are reminded of this every working day. However, every professional public servant is expected to lead the way in doing their civic duties and in being on call at all times to volunteer to help others in distress.

### ***Being accessible and allowing access***

It is not enough for professional public servants to promise to deliver key public goods and services; they actually have to deliver, not merely go through the motions. The public have to receive those public goods and services; not just a select few, but all who need them. They should be physically and financially accessible to all who are entitled to receive them. Such access should be made convenient to those who need to avail themselves, not deliberately inconvenient, in order to discourage access and thereby reduce demand. Of course, the public goods and services provided should be the best available under prevailing conditions.

### ***Enforcing the rule of law***

The law is meaningless unless it is enforced. Meaningless law makes a mockery of government and of the rule of law. Uncertainty and unreliability wreck the credibility of government. Arbitrariness invites exploitation, abuse, discrimination and corruption. If the situation should get completely out of hand, chaos gives way to anarchy or to the harsh imposition of order under tyrannical rule. People like to know where they stand, even if they disagree with the law; they prefer the law to the discretionary rule of fallible human beings. They know that the worst excesses of government have been committed by rulers who

considered themselves above and beyond the law. The rule of law affords some protection against the wanton misuse of power. It is the first principle of democratic government.

Constitutions put express limitations on the jurisdiction and the power of government and build in institutional safeguards against its worst excesses. They override all other laws, which must conform to their provisions, with the possible exception of martial law. They determine who really exercises legitimate authority; where legitimate power is located; what valid procedures and processes must be followed; and how disputes over interpretation are resolved. Whether or not professional public servants are obligated to pledge allegiance to the constitution, they are expected to uphold its precepts, which detail what they are or are not permitted to do by defining their rights and obligations, their liabilities and immunities.

#### ***Respecting political subordination***

Professional public servants are subordinate to the lawmakers legislators, elected officials, judges and non-career executives. They serve their will and hence are politically directed. Although they may try to convince their superiors to do their bidding, they cannot overstep their subordinate position without usurping government itself, thereby exiting public administration for the political arena, where they will be judged like other politicians. Otherwise, there are strict boundaries to their political initiatives and, when exercised, they may be publicly attributed to their political superiors, while they themselves must keep in the background, unless permitted to take front stage. Furthermore, they may be bound by rules that limit their active participation in public political activities meant to keep them visibly neutral and their personal views unknown outside their offices.

#### ***Accepting governmental restraints***

To ensure that experts remain on tap rather than usurp power on top, the three branches of

Since all are subject to the same law, all should be treated with the same respect when being judged. Everyone, from the highest to the lowest, should be informed of all relevant information, provided

#### ***Following constitutionalism***

government (executive, legislative, and judiciary) impose restraints on their public administration subordinates and issue orders as to what they may or may not do. They have their separate and independent means of enforcement. Similarly, different levels of government restrain the freedom of action on one another, as do institutionalized bureaucracies at the same level of government, which protect their turf when threatened by possible intruders.

#### ***Observing official propriety***

Professional public servants are loyally expected to support the institutional status quo. Besides pledges of allegiance, they may be obliged to demonstrate daily their support by wearing special uniforms and displaying certain symbols representing government. Should they find that, in good conscience, they can no longer serve loyally, they are expected to resign and leave the public service. They may not undermine or sabotage the government from within. Even so, their willingness to show support may be restricted by prohibitions on holding office in more than one jurisdiction, on public political activities, and on public demonstrations of fidelity.

#### ***Obeying administrative limitations***

Professional public servants may not commit their governments to any course of action without express delegation of authority before, or permission after. This is especially true of pledges of public resources and finance, which must receive higher approval. On the other hand, they must apply the law without reservation. Slipshod application, half-hearted implementation and, worse still, neglect of enforcement makes for ineffective government, discrimination and corruption, as government decisions lose their authority.

#### ***Pursuing justice and fairness***

with equal protection, dealt with according to fair and non-discriminatory procedures, accorded a proper hearing and allowed the right of appeal to a separate and independent authority removed from

the original hearings. The whole process should be open and transparent to prevent possible miscarriage of justice. In short, similar judicial procedures should prevail in public administration to ensure fair administrative practices, recognizing that administration operates differently from the parliament and the judiciary. It is difficult in public administration to justify giving special consideration and treatment to particular individuals or groups, unless such privileges are provided specifically in legislation binding public administrators and other delegated agents.

#### Ensuring public responsibility and accountability

What largely distinguishes the public from the private realm is that, in the latter, the actors are only responsible to and for themselves, within the bounds set by the law. In the public realm, actors are responsible to the public both for what they do and for what they should have done, but failed to do. Professional public servants cannot just sit idly by and watch the public being wilfully harmed and the law ignored. They are obliged to pursue the public interest and enforce the law irrespective of the difficulties encountered, or the harm that may befall them. They act not on their personal behalf, but on behalf of all the public.

#### ***Being brothers keepers***

Being in the very heart of government, professional public servants are in the best position to act as protectors of the public interest, guardians of their property and stewards of public welfare. They have to act as if they were dealing with their own personal affairs and were affected personally by everything the government does. As children are dependent on their parents, so members of the public are, in a way, dependent on public servants in many respects. Besides being patrons of the weak, the underprivileged and the poor, they have now become patrons of the arts and sciences, wild life, the wilderness, sustainable development, fair market conditions, equal opportunities and a whole range of research and cultural amenities. While we all may be responsible for one another, professional public servants are becoming increasingly responsible for everyone in need.

#### ***Being open and transparent***

As secrecy tends to hide wrongdoing, as much of government as possible should be known to the public. Openness guarantees that wrongdoing will eventually be exposed, even if at a later stage it cannot be reversed, corrected or compensated. Openness deters simply because public officials always have someone looking over their shoulder; the onlookers get to know all that is knowable.

#### ***Being informed***

In government, ignorance of the rules is no defence. Professional public servants are obliged to inform themselves fully about government intentions and anything else relevant to public decision-making and administrative actions affecting their work. Being knowledgeable is a key indicator of professionalism and professionals, worthy of the name, keep current.

#### ***Being on record***

The great virtue of bureaucracy is that it rarely forgets. It can be relied on to reproduce the facts when required, as so often is the case when people lose personal documents issued by the government, which are all part of the permanent public record. Thus, professional public servants not only obtain information; they must also release it to inform, explain, educate, guide and report. Official reports are major instruments for keeping the public informed about public administration and justifying administrative expediency.

#### ***Being honest***

If the government does not tell the truth to the public, or if the public is deliberately misinformed and misled, then there is little reason why the public should not reciprocate by lying, cheating and defrauding. Without mutual trust and fair dealing, there can only be corrupt and ineffectual government. It is incumbent on professional public servants to see that governments do not exceed the bounds of good taste and correctness. The public always has the choice to withdraw its cooperation and openly defy an officialdom it no longer trusts or respects.

#### ***Being responsive***

Besides following the law and political instructions, professional public servants also have to consider the recipients of their goods and services and everyone else with whom they deal in conducting public business. Recipients have decided views on what they want, how they wish to be treated and what they consider satisfactory service. Often they are made to take what is offered without having any say at all. They have to follow unnecessary bureaucratic requirements just to be considered. If mistreated, they may be unable to seek let alone obtain redress. In short, they may not find public administration at all user-friendly. Professional public servants understand this and do their best to overcome negative outcomes and feelings. Specifically:

- they try to make dealing with public administration simple and understandable;
- they respect people's rights to fair and courteous treatment;
- they provide easy and cheap avenues for redress of grievances;
- they insist on proper training in handling members of the public;
- they try to find out what people think of their work and ask for suggestions on how to improve performance;
- they take public relations and information seriously;
- they encourage genuine public participation in all their activities, thereby sharing decision-making, policy changes and administrative designs;
- they endeavour to be as flexible as possible, within general guidelines to accommodate individual needs;
- they understand that ensuring greater public accountability and responsiveness is currently considered a distinct professional activity that requires continuous attention.

### Setting an example

Public service professionals are always in the public eye. Their every action is carefully watched

by someone. Their conduct sets a standard and provides an example to the rest of society. What may be accepted in private, may be outrageous public behaviour. What the government condones, quickly becomes the practice for everybody. So, if the government wants to change people's behaviour, it must set the example itself by practicing what it preaches and refraining from doing what it wants nobody to do. By government, we mean not only the transitory holders of public office, but also the permanent career public service professionals, who buttress them and on whom they rely for their effectiveness.

### *Being idealistic*

Public service professionals have to be committed to the ideals of serving the public altruistically, advancing the public interest and improving the human condition, even though they may not receive adequate recognition, compensation and reward. On the contrary, one's stance may be frequently misunderstood or resented. Worse still, one can be blamed or villainized, even when later proved right. In short, one must really believe in what one is doing and seriously committed to one's mission, to weather the trials and tribulations of making a lasting impact on the human condition.

### *Being virtuous*

Higher moral standards have always been expected of public leaders. For those who conduct public business, the consequences of setting a bad example can be grave. For public service professionals, doing good also means being good. They are expected to demonstrate all the virtues of the righteous, such as being kind, decent, tolerant, considerate, hard-working, modest, respectful and so forth. And they are expected to avoid doing evil and exhibiting vices.

### *Being correct*

One of the things that people often complain about is that public service professionals seem to have an answer for everything and conduct themselves so correctly that it is hard to find specific fault with them. They are law-abiding. They respect the spirit, as well as the letter of the law and this

correct attitude is carried over into their private lives.

Professional public servants present the human face of a distant government and anonymous bureaucracy. Understanding and compassion translate into being human and humane in conducting the public's business. Discerning weaknesses in others, means also recognizing fallibility in one's profession and oneself. Although they profess to know better when it comes to the practice of government, professionals know where their expertise is full of holes. Therefore, they need to temper any air of superiority with a good dose of humility. In government, there is much that cannot be correctly diagnosed, many outcomes that are unpredictable and many cause-effect relationships that cannot be linked. In short, much is still subject to chance and circumstance.

### ***Being meritorious***

Like other great professions, the public service profession is grounded on the merit system. That is to say, entry is based on open competition among the talented. Career progression is similarly based on competition among proven performers, and the highest positions must go to the professionally most deserving, based on objective criteria that include competence, knowledge, innovation and contribution to the profession. Because of their public nature, public service professions try to act as model employers in avoiding prejudicial/exclusionary criteria unrelated to job performance in selection procedures. They provide decent working conditions, embrace fair employment practices and encourage self-development.

### ***Being fit***

Public service professions in many countries require high levels of physical fitness and mental alertness and generally expect their members to keep in good shape while in practice. They are keen to promote good habits, regular exercise and the avoidance of harmful substances. They hope that professional example and education will encourage other people to follow their lead.

### ***Being human and humane***

#### **Improving professional performance**

Professions are given much leeway in self-government, because they enforce at least certain minimum standards of performance and try to push their members to achieve increasingly higher standards. Public service professions, because of their politically subordinate nature, may have less autonomy, but because of their idealism they are intent on improving professional performance. Where once they were confined to merely improving house-keeping activities, in time their vision has been widened to include the smooth running of the machinery of government, improving the relations between government and other social institutions, improving the quantity and quality of public goods and services, improving the quality of public leadership and policy-making, and generally improving the effectiveness of government on their way to improving the human condition. The trend in recent years has been away from the style of the reactive, overcautious bureaucrat to that of a more proactive, innovative administrator/manager, altogether more business-like, more entrepreneurial, more resourceful, more creative and more change-oriented.

#### ***Questioning public sector utility***

Where once government may have been the only social institution capable of performing certain activities, other social institutions have developed to the point where they are now in a position to share those activities or assume their discharge altogether. Professionals now realize that, if they can indeed do a better job, then government should give up rowing and becoming a steerer instead. On the other hand, they understand that, where no other social institution can yet provide needed public goods and services, or where others are obviously failing to deliver to public expectations, the government needs to intervene and either take the responsibility altogether or assist other social institutions do a much better job. Thus, in turbulent times, the public professions may find themselves sharing or shelving certain

activities, while adding others in a constant state of flux.

Oftentimes, better performance results from improvements in public policy-making abilities, rather than in managerial abilities. The policy sciences now claim professional status and recognition, in their own right.

### ***Undertaking continuous legal, regulatory and administrative reforms***

So much government and professional work deals with daily operations that public service professionals rarely have the opportunity of stepping back and reviewing arrangements from afar. A perspective reveals shortcomings and remedial difficulties that get obscured in the detail. Legal, regulatory and administrative reformers, like their colleagues in the policy sciences, now seek professional status and recognition.

### ***Adopting more businesslike methods***

Public service professionals recognize that, although government is not a business, public administration could benefit by adopting a more businesslike approach to their work. Specifically:

they must seek to be more cost-conscious, not to be cheap but more economical; not extravagant and wasteful, but cost-effective by keeping costs down without cheeseparing;

they seek to be more productive, to accomplish more with less without being exploitative, or punitive, by adopting proven organizational and managerial techniques;

they seek to be more efficient by applying rationality and scientific method to the conduct of public business, by streamlining arrangements, cutting out unnecessary intermediaries, eliminating bottlenecks and delays, reducing paperwork and, generally, reducing the time taken for transactions;

they seek to establish meaningful standards of performance, competence and responsibility for achieving such standards and applying the results of systematic study and research to become more effective;

### ***Expanding public policy-making capacity***

they seek to strengthen professionalism, through better training, higher standards of conduct and approved accreditation.

### ***Combatting bureaupathologies***

All large organizations suffer from deficiencies and shortcomings which, if untreated, get out of hand and eventually result in severe obstacles to work. Public service professionals realize that these bureaupathologies need to be admitted, diagnosed quickly and tackled promptly, with the best available remedies.

### ***Proving worth***

Public servants know how valuable their work and contribution are, but the true value of public goods and services is never self-evident and has to be justified to every generation, not by slick public relations, but by understandable and provable information and performance measures. Because public service professionals do perform so well, people tend to take them for granted until things go wrong, or their particular dealings do not turn out as expected. Nevertheless, there is no substitute for good performance and valid measures of public worth.

### ***Promoting democracy***

The international community seems set on democratization as a key means to better governance. However, democratization involves not just simple tinkering with the political system, but fundamental changes in the roles of social institutions, the readjustment of the rights of individuals vis-a-vis the State, liberalization of social and economic arrangements, as well as political arrangements and the transformation of the organizational culture of public administration. Public service professionals have to adopt an additional set of values, which, like others, may require some reordering of priorities.

### ***Altering the master-servant relationship***



Professionals often assume to be master and their clients to be servants, but democratization reverses the relationship and enthrones the clients as masters, while they become the servant. The roles are reversed. Any traces of past authoritarianism have to be eliminated; thus, symbols have to be changed, nomenclature revised and titles and places renamed. The State's subjects are now citizens, with guaranteed rights and freedom enforced by public service professionals.

### ***Enforcing liberty and individual rights***

Instead of the State restricting liberty and rights, dedicated public service professionals actually seek to enlarge the scope of liberty and protect individual rights against unwarranted interference by the State.

### ***Advancing deconcentration of power***

The State divests itself of any old totalitarian features, abandons central direction of all aspects of people's lives and encourages the diversification of social institutions. Instead of public service professionals holding on to their monopolies, they do all in their power a) to promote a civic culture through greater voluntarism and private initiatives; b) to support greater institutional competition by strengthening the market system and property rights; and c) to master all the complicated technical complexities, from utility regulation to land titles, from anti-monopoly laws to protection of intellectual property, from secure banking to viable co-production. In short, public service professionals promote a genuine pluralist society.

### ***Decentralizing government***

Just as the State no longer attempts to do everything but stimulates devolution and pluralism, so government does not centralize all public business, but decentralizes government activities which can better be handled regionally, locally or communally. Public service professionals possess the expertise to determine which government activities can best be centralized or decentralized, what trade-offs are involved and how much can be entrusted to more directly participatory forms of public administration, more closely identifiable responsibility and

accountability and more publicly responsive and sensitive kinds of activities.

### ***Guarding against corruption***

Democracy cannot be built on shaky foundations and the many forms of corruption imperil both the basics and operations of democratic public administration. Public service professionals cannot allow corruption to take root by ignoring it and failing to discipline professional offenders. Unless public service professionals clearly demonstrate that they do not tolerate corruption, there is little possibility that good governance can survive, let alone flourish. Democratic governments and public service professionals are obliged to keep their hands clean and rebuke those who cannot.

### ***Experimenting with public participation***

Professional public servants have long pondered how to share decision-making in public administration with the public directly. Democratic public administration entails bringing people, other than fellow professionals, into the machinery of government and into administrative arrangements such as juries in criminal justice systems and volunteers in public libraries and hospitals, not to relieve them of routine work, but to give administration a human face, provide expression for public opinion, educate citizens, foster partnerships and strengthen policy-making.

### ***Conclusion***

These sets of values are not unique to the public service professions: other callings, occupations and social institutions may also share them. However, no other social institution embraces them as a whole. It is this inclusiveness that sets the public service profession apart and makes public service professionals different from other people. These values seem so obvious that few of their professional associations even bother to articulate them as listed here. Obvious or not, they are the threads that run through public service professionalism; that link the public service professions of the world together; that public service professionals accept as their *leitmotif*. Without them, the institution of government cannot win the respect trust and cooperation of those it seeks to serve.

Thus, being professional means more than just paying lip service to professional values. It requires a thorough understanding of professionalism and strict adherence to public norms of model behaviour. It entails providing an organizational environment that promotes professionalism and enables professionals to thrive

by doing what professionals do best. It demands the promotion of professional standards, monitoring professional performance and adherence to higher performance measures. Above all, it necessitates seeing the bigger picture, the overall progress toward bettering the human condition and avoiding making matters worse.

## Appendix

### Law enforcement code of ethics

As a law enforcement officer, my fundamental duty is to serve the community, to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder, and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied, as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature, or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with

relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favour, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take very reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession law enforcement.

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## Summary of Conclusions

Cooperation and synergy were major themes of the Conference. A range of common problems emerged from the debates. The title of the Conference appeared to single out those countries of the region which are currently undergoing an extensive transformation. Juxtaposition, however, of Eastern and Western experiences revealed a different picture. Discussion at the Conference brought into sharp relief the fact that at a time of rapid global change, *we are all in transition*.

In all the countries concerned, the public service represents a major actor in the process of change. To ensure a smooth transition and success in ongoing reforms, its role must be reinforced and this, in turn, entails reinforcement of its competence, professional core, ethical standards and values. In accomplishing this task, as most participants saw it, the past affords little guidance. Globalization, the rapid advances of science and technology, and the emergence of a vibrant civil society not only make transition a universal phenomenon, but also appear to set the course of change in the direction of a State markedly different from that which emerged after the Second World War. A State accustomed to thinking for its citizens, telling them what to do, is gradually ceding its place to one that listens and communicates, one that actively seeks partnerships with business and other civil society actors. Such a State, as participants observed, requires a civil service of a very different type.

A new configuration of requisite skills, values and attitudes is slowly emerging, shaped by the changing tasks of government and growing specialization, which make the quest for unity in the midst of increasing diversity particularly difficult. Notwithstanding this diversity and its Though the focus of the Conference was on central government, participants believed that its findings and conclusions applied with equal force to the field of local government, where needs are very great. Enhancing the capacity, professional status and values of local government staff was seen as a

related problems, participants believed that there were common attitudes, values and skills which formed the core of public service professionalism. These need to be strengthened.

Regarding the knowledge and skills increasingly required of public service professionals, the Conference underscored those that go into the making of competent, efficient and effective public managers on the one hand, and highly qualified, creative and conscientious policy advisors on the other. The Conference also stressed the importance of promoting the culture and practice of performance measurement as a necessary underpinning of professionalism. They believed that this should go *in tandem* with the strengthening of organizational structures which support and motivate individual performance. To this end, definition of standards and criteria of performance was regarded as essential for addressing systemic defects, as opposed to individual inadequacies.

Regarding values and attitudes, the Conference emphasized the critical importance of probity and integrity. It took the view, however, that though it might be pivotal to the success of efforts to improve its public image, combating corruption was not a sufficient condition for raising ethical standards and levels of performance in government. Public service ethics encompassed a wide range of principles and values that must not be overlooked. These should include objectivity, impartiality, fairness, sensitivity, compassion, responsiveness, accountability and selfless devotion to duty. More than anything else, transition to a free and open society calls for rededication to democratic values and belief in the service of the citizens and of the common good. prerequisite for making a success of decentralization. Two working groups advanced specific recommendations on those points. Both recognized the limits imposed by resource scarcity and budgetary constraints, but as the third group

put it, in a slightly different context, A cheap civil servant costs the State a lot.

Implicit in transition is the concept of change. Such change may be incremental or radical. On the whole, participants favored an incremental approach, in tune with the conditions in their respective countries. However, they emphasized the universal need for building up capacity to chart and steer the course. In stressing the significance of long-term strategic approaches to administrative reform and civil service improvement, they called for the reinforcement of those institutional structures, legislative frameworks, information and high-level skills that constitute prerequisites for a sustained development in the desired direction.

The timely availability of accurate, reliable and relevant data is a necessary condition for sounding policy-making, but also for the measurement and monitoring of public sector performance. In this age of globalization and swift technological progress, knowledge of prevalent practices in the world at large conditions our ability to make informed critical choices. *A fortiori*, convergence or approximation to the institutional patterns followed in Western Europe, which is a set prerequisite for accession to the European Union, demands continuous sharing of information and advice on policy matters.

Institutional capacity for systematic gathering, sharing, comparing and using critical data effectively for informed decision-making and problem-solving purposes is, no less than political will, a necessary condition for satisfactory progress in the transition process. In the views of the participants, both are necessary underpinnings of any sustainable effort to raise performance standards, as well as improve the role and image of the public service, as urgently required. Both are also needed to enhance public service professionalism and ethics which, in the last analysis, rest on the value accorded to knowledge, integrity and

merit within the public service and in society at large.

A modern information network could provide the essential support and institutional framework for regional cooperation in the desired direction. A cost-effective tool at the service of the Governments, it would also facilitate an ongoing dialogue and networking among several other partners from many countries for the study of new ideas, systematic in-service training and the design of plans or project of reform.

In light of resource scarcity, as many participants saw it, there is a need to avoid duplication and overlapping functions. Effective coordination and cooperation, at both the national and international levels, largely condition the quality and cost of service delivery. However, in these days of advanced information technology, the establishment of and operation of a regional or global online network does not entail creation, as in the past, of large bureaucratic entities, but rather a flexible structure to develop and sustain joint activities as called for.

The United Nations Secretariat, which with the UNDP and the Government of Greece, has taken the initiative in organizing this Conference, strongly endorses these several views and the recommendations in favour of keeping the momentum through appropriate follow-up action. The Government of Greece, in the person of Mr. Simitis, has offered to facilitate this process through the establishment of a Trust Fund to create and operate a modern information network with an accent on the needs and concerns of the region. Based in Thessaloniki, this facility could furnish a useful framework for regional cooperation. It would contribute synergy and greatly enhance the effectiveness of efforts by national governments to reinforce professionalism, ethics and competence in the public service.

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# Annex I

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## Annex II

# Annotated Programme

Monday, 17 November 1997

09:00 - 09:30 Registration (continued from Sunday, 16 November 1997)

### 09:30 - 10:30 Opening Session

- 09:30 - 09:50 Speech by H. E. Mr. Alexandros Papadopoulos,  
Minister of the Interior, Public Administration and Decentralisation,  
Government of Greece
- 09:50 - 10:10 Speech by Mr. Guido Bertucci,  
Director, Division for Governance, Public Administration and Finance,  
Department of Economic and Social Affairs, United Nations
- 10:10 - 10:30 Speech by Mr. Josef Cap, Deputy Minister of the Interior of the Czech  
Republic

10:30 - 11:00 Coffee

### 11:00 - 13:00 Plenary Session I on *Public Service in Transition*

This plenary session will address the transformation of the state in Central and Eastern Europe from a one-party rule to a pluralistic democracy and a centrally-planned to a globally integrated economy. Within this context, the panel will look at the link between public service effectiveness and socio-economic development. How can other partners in governance such as business groups, the academia, civic organisations, the media, etc. be involved in enhancing the role of the public service and defining a long term vision? How can credibility be established and trust restored in public institutions and officials to attract needed foreign investment in the region? Most importantly, what concrete measures can be put into place to enhance the role of the public service during transition ?

- 11:00 - 11:05 Moderator: Ms. Sevil Sattarzade, Head of International Department  
Ministry of Labour and Social Protection, Azerbaijan
- 11:05 - 11:25 Presenter: Professor Gérard Timsit,  
Université de Paris I, Panthéon-Sorbonne
- 11:25 - 11:35 Discussant: H. E. Mr. Vladimir Babichev, Head of Government Staff  
Minister of the Russian Federation
- 11:35 - 11:45 Discussant: Mr. David Elder, Director of Operations  
Machinery of Government Section, Canadian Privy Council Office
- 11:45 - 12:55 Floor discussion
- 12:55 - 13:00 Summary by the Moderator



13:00 - 15:00 Lunch

**15:00 - 18:30 Plenary Session II on *Professionalizing Public Servants***

This plenary session aims to look at promoting professionalism from recruitment to departure of public servants. Acknowledging that the public service is a heterogeneous institution, carrying out diverse functions by a wide range of professions, the presentations have been divided into three categories: policy analysis, public management and performance measurement and evaluation. Each presenter looks at requisite knowledge base, skills and commitment among other factors and makes suggestions for drawing up career structures to foster these elements.

15:00 - 15:05 Moderator: Mr. G. Trpin, State Secretary for Administration, Slovenia

***Policy Analysis***

15:05 - 15:25 Presenter: Professor Yehezkel Dror, The Hebrew University

15:25 - 15:35 Discussant: Mr. Khosrov Haroutiounian, Chief Advisor  
to the Prime Minister, Armenia

***Public Management***

15:35 - 15:55 Presenter: Mr. Staffan Synnerström, Senior Counsellor,  
Management of Public Service, Support for Improvement in Governance  
and Management in Central and Eastern European Countries (SIGMA)  
Organisation for Economic Cooperation and Development (OECD)

15:55 - 16:05 Discussant: H. E. Mario Tagarinski, Minister of State Administration,  
Bulgaria

***Performance Measurement and Evaluation***

16:05 - 16:25 Presenter: Professor Naomi Caiden, California State University

16:25 - 16:35 Discussant: H. E. Kestutis Skrebys, Minister of Public Administration  
Reform and Local Authorities, Lithuania

16:35 - 16:50 Coffee

16:50 - 18:25 Floor discussion

18:25 - 18:30 Summary by the Moderator

20:00 Gala Dinner

Address by Mr. Vladimir Petrovsky, Director-General (Under-Secretary General),  
UN Office Geneva;

Keynote speech by H. E. Mr. Costas Simitis, Prime Minister of Greece

(hosted by the Government of Greece and sponsored by the Bank of Greece)

**Tuesday, 18 November 1997**

**09:30 - 13:00 Plenary Session III on *Enhancing Ethics, Combatting Corruption and Crime***

This plenary session will address the legal, organizational and institutional framework for enhancing ethics in the public service. Setting standards of conduct through civil service law or administrative directives, enforcing standards through oversight bodies and agents, and defining values through example by leadership and induction and ongoing training among other issues will be presented. In addition, many facets of corruption and crime will also be discussed, particularly within the context of the public/private sector interface and growing internationalization of their causes and effects. Specific steps to be taken and best practices in setting up an anti-corruption strategy will be examined.

09:30 - 09:35 Moderator: H. E. Dr. Gjorgji Spasov, Minister of Justice, FYROM

***Enhancing Ethics***

09:35 - 09:55 Presenter: Professor Kathryn Denhardt, Delaware State University

09:55 - 10:05 Discussant: H. E. Mr. Arben Imami, Minister of State for Institutional Reforms, Albania

10:05 - 10:15 Discussant: Dr. Olga Vidlakova, Principal Advisor to the Deputy Minister of the Interior, the Czech Republic

10:15 - 11:15 Floor discussion

11:15 - 11:30 Coffee

***Combatting Corruption and Crime***

11:30 - 11:50 Professor Robert Klitgaard's paper, Rand Corporation  
(Presented by Professor Dimitri Argyriades, Consultant, UNDESA)

11:50 - 12:00 Discussant: Mr. Victor Radulescu, Director of the State Administration Division, Department for Local Administration, Romania

12:00 - 12:10 Discussant: Mr. Vincent Del Buono, Interregional Adviser  
United Nations Centre for International Crime Prevention

12:10 - 12:55 Floor discussion

12:55 - 13:00 Summary by the Moderator

13:00 - 15:00 Lunch:  
speeches by Mr. Panayotis Gennimatas,  
Vice-President, European Investment Bank,  
Mr. Daud Ilyas, Deputy-Secretary-General,  
European Bank for Reconstruction and Development

**15:00 - 18:00 Concerted Follow-Up Action, Sum-Up Discussion**

The aim of this session is to reflect over the preceding plenary sessions to find common ground for follow-up action. The focus of the discussion should be on concerted, concrete measures at the national and regional levels.

- 15:00 - 15:15 Moderator: Mr. Vladimir Petrovsky, Director-General  
(Under-Secretary-General) United Nations Office Geneva
- 15:15 - 15:30 Presenter: Mr. Georgios Zavvos, Advisor to the Director General,  
External Relations, European Commission
- 15:30 - 16:30 Floor discussion
- 16:30 - 16:45 Coffee
- 16:45 - 17:55 Floor discussion continued
- 17:55 - 18:00 Summary by the Moderator

- 18:30 Visit to Exhibition *Treasures of Mount Athos* with Cocktail  
(sponsored by the Ministry of Culture of Greece)

**Wednesday, 19 November 1997**

**09:30 - 10:15 Presentation: *UN Clearinghouse***

This presentation will elaborate upon the concept of the United Nations as an *information clearinghouse* which will facilitate the dissemination of expertise, research, cutting-edge issues and ideas in governance, public administration and finance.

- 09:30 - 09:45 Mr. Guido Bertucci, Director, Division for Governance, Public Administration and  
Finance, Department of Economic and Social Affairs, United Nations
- 09:45 - 10:15 Questions from the floor

- 10:15 - 10:30 Coffee

**10:00 - 13:00 Working Groups**

Three parallel workshops are proposed, with the aim of providing an opportunity for participants to discuss more in depth about the themes of the preceding plenary sessions. Each workshop will be led by a facilitator and have a rapporteur to record the discussion.

**Working Group 1: *Public Service in Transition***

Facilitator: H. E. Mr. Eriks Zunda, State Minister of Local Government Issues,  
Ministry of Environmental Protection and Regional Development, Latvia  
Rapporteur: Mr. Yrjö Venna, Head of Unit, Central and Eastern Europe  
European Institute of Public Administration

**Working Group 2: *Professionalising Public Servants: Policy Analysts, Public Managers, and Performance Monitors***

Facilitator: Dr. Eleanóra Szász, Chief Counsellor, Ministry of the Interior, Republic of Hungary  
Rapporteur: Prof. Gerald Caiden, University of South California

**Working Group 3: *Enhancing Ethics, Combatting Corruption and Crime***

Facilitator: H.E. Mr. Hennadiy Lelikov, Head of the Main Department of State Service,  
Cabinet of Ministers of Ukraine  
Rapporteur: Dr. Mohammad Ahmad Wali, Director-General, CAFRAD

11:30 - 11:45 Coffee

11:45 - 13:00 Working Groups continued

13:00 - 15:00 Lunch  
Speech by Mr. A. Passas, Secretary-General,  
National Centre of Public Administration of Greece  
(hosted by the National Centre of Public Administration of Greece)

**15:00 - 18:00 Preparation of Working Group Reports**

This afternoon has been set aside to allow working groups to prepare their reports, tying in the discussions of the plenary sessions on the same themes, to be presented to the rest of the conference participants. As participants finish making contributions to the reports, they are invited to browse through the electronic kiosks, displaying web pages of participating organizations, as well as through available sample publications.

15:00 - 16:30 Begin preparing reports. Visit electronic kiosks.

16:30 - 16:45 Coffee

16:45 - 18:00 Continue preparing reports.

20:00 Dinner (*offered by the National Bank of Greece*)

**Thursday, 20 November 1997**

**09:30 -11:15 Special Panel: *Public Service Reform***

This special panel will present the experience and lessons learned in public service reform.

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|---------------|---|
| 09:30 - 09:35 | Moderator: Mr. Viorel Iorcache, Economic Commission for Europe                                      |
| 09:35 - 09:45 | Panelists: Dr. Mohammad Ahmad Wali, Director General, CAFRAD  |
| 09:45 - 09:55 | Mr. Van der Zwan, former President, Dutch Investment Bank   |
| 09:55 - 10:05 | Dr. Kalliopi Spanou, University of Athens   |
| 10:05 - 10:15 | Mr. Ali Cengiz Özgün, General Directorate of Local Administration, Ministry of the Interior, Turkey |
| 10:15 - 11:10 | Floor discussion  |
| 11:10 - 11:15 | Summary by the Moderator  |

11:15 - 11:30 Coffee

**11:30 -13:00 Special Panel: *The Role of Civil Society in Public Service Reform***

This special panel will present the actual experience of the civil society actors: professional associations, businesses, advocacy groups, non-governmental organizations, etc. in assisting public service reform.

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|---------------|--|
| 11:30 - 11:35 | Moderator: Ms. Turkia Ould Daddah, Director-General, International Institute Administrative Sciences |
| 11:35 - 11:45 | Panelists: Professor Percy B. Lehning, Erasmus University of Rotterdam                               |
| 11:45 - 11:55 | Ms. Virginia Tsouderos, Transparency International - Greek Chapter                                   |
| 11:55 - 12:05 | Mr. Robert Pajer, Institute of Public Administration   |
| 12:05 - 12:15 | Mr. Vassily Baichev, Secretary-General, Black Sea Economic Cooperation                               |
| 12:15 - 12:55 | Floor discussion   |
| 12:55 - 13:00 | Summary by the Moderator   |

13:00 - 15:00 Lunch

**15:00 - 17:00 Working Groups Reports and Adoption of Recommendations**

This session's goal is to tie up the discussions and deliberations of the preceding days through receiving reports on the working groups' findings, tying in the discussions of the special panels, and adopting

recommendations for future action.

15:00 - 16:30 Presentation of Working Groups

15:00 - 15:05 Moderator: To be announced

15:05 - 15:15 Reports: Working Group 1: *Public Service in Transition*

15:15 - 15:25 Working Group 2: *Professionalizing Public Servants*

15:25 - 15:35 Working Group 3: *Enhancing Ethics, Combatting Corruption  
and Crime*

15:35 - 16:20 Floor discussion and adoption of recommendations

16:20 - 16:30 Summary by General Rapporteur: Professor Demetrios Argyriades

16:45 - 17:00 Coffee

**17:00 - 18:00 Closing Session**

17:00 - 17:15 Speech by National Participant

17:15 - 17:30 Speech by UNDP Representative

17:30 - 17:45 Speech by Mr. Guido Bertucci, Director, Division for Governance, Public  
Administration and Finance, Department of Economic and Social Affairs,  
United Nations (delivered on his behalf)

17:45 - 18:00 Speech by Representative of Government of Greece

19:00 Cocktail (*hosted by the United Nations*)

## Annex III

# Opening Statement

by H. E. Mr. Alexandros Papadopoulos

*Minister of Internal Affairs,*

*Public Administration and Decentralization\**

Honourable Ministers and Government Representatives, distinguished representatives of international organizations, ladies and gentlemen,

It is a special pleasure to welcome you today.

Firstly, because we are hosting you in Thessaloniki, for a high-level Conference of countries which belong to our own geographical, historical, economic and cultural environment. Secondly, because the subject of discussion is professionalism and ethics in the public service, a subject not only topical, but also of critical moment to democracy and to progress in all development efforts.

Such concerns, or indeed problems, transcend geographical boundaries and certainly are not limited to the developing countries. In every part of the world, the focus is on issues which until very recently, only ten or twenty years ago, either were taken for granted or were considered taboo.

National governments and international organizations, economic forces and civic organizations have now grasped the significance not merely of technical competence, but also of professionalism for the public service in the broadest sense of the term.

*Prima facie*, discussion of professionalism and ethics in the public service, runs the risk of appearing interesting, but also too theoretical and, therefore, wishy-washy. There will be plenty of people who will remind us of other pressing economic and social problems that all governments must face. Most of us in this hall are aware of this

type of burning issues. And yet, dear friends, it is difficult to find an issue that cuts across so vitally all dimensions of the functions of the State and so critically affects its capacity to serve society.

At issue is not an abstract, metaphysical conception of ethics. Rather, what we are concerned with are the structures and the processes which secure it, give it substance and expression. Professionalism and ethics do not exist in a vacuum. They must be clearly stated, organized and put into practice. It is, therefore, not a mere figure of speech to say that the proposal to organize this Conference in our country was particularly welcome, for it met with a special concern of our Government and, in particular, of this Ministry of Internal Affairs and Public Administration. The topics that we shall discuss in the next few days are foremost on our political agenda. Moreover, I believe that we share, in these regard, common concerns, objectives and exigencies:

*Concerns* regarding the ability of democracy to protect itself and its values, through proper safeguards and corrective measures;

*Objectives* to design broadly accepted norms and standards of behaviour in the exercise of public power; and

*Exigencies* or expectations, such as the obligation of public servants to serve society as a whole and to be accountable to citizens.

Honourable friends,

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\* Original in Greek



Such periods of transition as those which your countries are undergoing entail manifold changes on several levels: political, economic and social. Today however, the countries of Central and Eastern Europe are not alone in trying to re-define the role of public administration. In Western Europe also, administrative traditions were called into question during the 1980s. Indeed, in many cases, the basic conditions and norms of public administration were changed. Relationships between the public and private sectors were redefined. The State and public administration were subjected to unprecedented attacks, as if they were the source of every ill. They became targets of intense, often misguided criticisms. Such important traditional values as neutrality, objectivity and fairness were called into question in the name of economy, efficiency and effectiveness. The private sector was portrayed as the model to follow. By the same token, however, specific public values, which secure the implementation of democratic principles in public administration, were overlooked.

Democracy is founded upon the broad acceptance of a notion of the common good as the coefficient of particularistic interests. By contrast, representation of private or personal interest as the standard or criterion for the exercise of power has become synonymous with corruption.

In this era of rapid change, it is customary to say it, but it is very true that not only the professional, but also ethical standards required of public servants in fulfilment of their role are being tested.

In whose name do they exercise power?

They are guardians of which norms?

What is the political system which provides the basic framework and guide for their professional activities?

Dear friends,

In light of these considerations, the sharing of experience is of particular value. We are not talking of a mechanistic transposition of systems. Rather, do we envisage a creative transformation of the experience of different countries into a knowledge

base to help resolve shared problems which manifest themselves in very different forms in the particular context of our respective countries.

Greece, which thirty years ago, went through the experience of a seven-year dictatorship has built the firm foundations of a democratic polity. The consequences, however, of a turbulent public life have not yet made it possible to fully accomplish the task of constructing a professional public administration. We believe that much remains to be done in this field.

It is certain that a pervasive crisis of values in our era affects the public space. Public administration is not an isolated island. On the contrary, it is the field of which it is expected to service common needs and to produce public goods. Demands are made on it that are infinitely greater than those made on the private sector. Experience in Greece highlights a number of additional factors, which give shape to the issues of professionalism and ethics in public administration:

- the burden of a legacy of political authoritarianism and inadequate respect for the citizen;

- the lessons of political succession and deals and their repercussions. The absence of public service autonomy; political activity which leads to the progressive erosion of the professional standards and ethical norms that are proper to this body.

It is, therefore, very important to create a broader framework for the construction of a credible public administration; one which will be able to meet contemporary challenges. The following guidelines appear especially relevant to this quest:

- the establishment and safeguard of a true meritocracy in the selection and career development of public servants;

- upgrading of training activities, which now must go beyond the mere transfer of knowledge and target the development of a coherent professional deontology;

- a meaningful relationship of tasks and responsibilities and their use as basis for the

determination of internal relativities in the progressive reinforcement of the autonomy of the public service on the basis of general, universalistic rules, without political interference.

There are guidelines which are geared to reinforcing the specificity of the public service. They establish the pre-requisites for the long-term self-regulation of the corps of public servants through the safeguard of those values and protection of those norms which must define it.

Concurrently, we need to create safety valves, in order to be able to cope with deviations from proper behaviour. Thus, we must reinforce procedures for the prevention and punishment of transgressions of the norms of public service deontology, particularly in cases of corruption and improper treatment of citizens. We need a fine equilibrium between greater discretion, flexibility and adaptability of the administrative system, on the one hand and control mechanisms on the other.

The Greek Government accords special importance to this subject. A whole series of measures have been designed and are already in the implementation phase. For purposes of illustration, I would like to mention the establishment of a Corps of Financial Inspectors and a Corps of Inspectors of Public Administration, whose task it is to ensure proper financial management and operation of the administrative system, and the fight against the lack of transparency. The Ombudsman institution has also been established to provide for external controls of public administration on the citizens' behalf and their initiative.

Concurrently, we are re-examining the organization of the public service, the structure of public service careers, and the role of education and in-service training. The strengthening of disciplinary

public service; processes is also considered necessary in some cases.

Honourable friends,

To be sure, a democratic society cannot only depend on controls. However, the opposite is equally true. The absence of controls encourages the abuse of power and ultimately voids democracy of all meaning. Accordingly, the initiatives that have been undertaken, have two facets: on the one hand, a formative role of inculcating in state administration the professional and ethical standards needed for the discharge of its role, and on the other hand, the fight against concrete cases of departure from the norm and possible corruption.

Part of the responsibility for public sector ethics lies with the government, as the expression of democracy in action. Its role is educational and formative; it must be discharged with consistency and continuity. Governments ought not to countenance improper behaviours, which flourish in a vacuum of necessary norms and related controls and sanctions.

All initiatives, institutions and processes require the full support of the political leadership. Without it they are doomed to ineffectiveness. The presence, in this Conference, of so many representatives of the political leadership proves a shared commitment to those goals.

I welcome you, therefore, to this country which, since ancient times, has developed the debate on ethics in the public space; a country which can justly pride itself in having been the founder of this study and problematic but which, like other countries, continues to search for more appropriate structures. This search we shall pursue together in the framework of current priorities, during the next few days.

# Annex IV

## Opening Statement

### by Mr. Guido Bertucci

*Director, Division for Public Economics and Public Administration,  
United Nations Department of Economic and Social Affairs\**

Your Excellency, the Minister of Internal Affairs, Public Administration and Decentralization of the Hellenic Republic, excellencies, honourable participants, ladies and gentlemen,

Thank you very much for your warm words of welcome and for the hospitality of the Hellenic Government and the city of Thessaloniki, which made this Meeting possible.

We have come to this beautiful city to recover and re-discover two concepts that were born on the rich soil of Greece. The first, the Science of Governance, was initially mooted by Plato in the Statesman (*Politikos*) and the Republic. The question was to know what specific skills and what knowledge were required in order to rule. It is clear from these discourses that intensive preparation, over a period of years, was determined to be essential to develop a competence base, but also mental attitudes conducive to sound governance.

The other concept was Ethics, explored by Aristotle, whose birthplace was in Stageira, not far from where we are. His *Nicomachean Ethics* and *Politics* contain two critical ideas that lie at the centre of our enquiry. The first is that of Ethics, which was seen by Aristotle as the result of habit and socialization; the second is the concept of the organized community, the city-state, as the laboratory, *par excellence*, where virtues and  
Again, like Aristotle, whose *Politics* reflected remarkable awareness of constitutional practice in various city-states, we must take full advantage of the wealth of comparative data which are avail-

skills, and knowledge can be acquired, developed and refined, through practice. This, Aristotle wrote,

is confirmed by what happens in States; for legislators make the citizens good by forming habits in them, and this is the wish of every legislator, and those who do not effect it, miss their mark; and it is in this that a good Constitution differs from bad one. (Ethics II. I.)

This remarkable idea is surely the precursor of one that has gained currency in contemporary debates. We talk of enabling environments, and this highlights the role of institutional structures in shaping human behaviour. We need to bear in mind that, if we wish to encourage particular responses that we view as conducive to the public interest or common good, we should be giving thought to establishing the frameworks that prompt in that direction.

We should also be mindful of those that are dysfunctional and seek ways to reform them. If, as the very theme of this high-level Conference makes clear, there is an urgent need to enhance the role, professionalism, ethical values and standards of the public service, we must concert our efforts in that direction and take appropriate steps to expedite this process. The world is full of examples on how this can be done.

able. The guidance that they offer helps us in many ways: they can accelerate the process of reform by sparing States the need to re-invent the wheel; they can ward off the dangers of wrong moves that

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\* Delivered, in his absence, by Mr. Demetrios Argyriades, Consultant, UNDESA.

have failed in other countries already. They can also assist the process of *convergence*, which in so many ways conditions the success of *integration* a goal of many countries in this particular region, thus helping countries meet the challenge of *globalization*.

If no man is an island, *a fortiori* today no country and no government can afford to go it alone, in any realm of policy or institution-building. Interaction, interface and cooperation have become the rules of the game at the international level, as they are also increasingly part of the daily lives of public sector agencies and civil society actors at the sub-national level. The global move away from public organizations shut to the outside world to *governments that listen and communicate* has drastically altered the content, methods and values of public administration. The need for novel terms *governance* may be an example to convey this new reality highlights the magnitude of the transformation that has taken place.

More and more, we live in States where governments remain the most important players, but are certainly not the only ones; where the proliferation of non-state actors taking a prominent part in civic affairs and economic activity constitutes a basic fact of life. In large parts of the globe, old bureaucratic structures and corresponding methods are slowly giving way to new, innovative and user-friendly ways of getting things done; in which the demarcation between the government and the governed can often be blurred.

A State accustomed to thinking for its subjects, telling them what to do is now progressively learning new ways of interacting, soliciting advice and seeking the support of those directly concerned. The old top-down approaches are slowly being replaced by new patterns of management in which *deconcentration, decentralization and debureaucratization* are prominently featured as paths which lead not only to greater efficiency and client satisfaction, but also to grass-roots democracy.

Of course none of these paths are easy or risk-free. The problems of reform are everywhere compounded by scarcity of resources, the dearth of relevant skills and the inadaptability of the traditional structures at times of rapid change. The transition to democracy and a free market economy call for a public service that is responsive to citizens, accountable to all, and whose decision-making processes are transparent and open to public review. Competing on the global stage calls for a range of aptitudes that offer political leaders much-needed effective support in the particular areas highlighted by this Conference.

advice in policy-making;

the guardianship and management of scarce resources;

quality service delivery; and

performance measurement, monitoring and evaluation.

Only by emphasizing the value of its role and professional status, through policies and practices that seek to attract, retain, challenge and motivate high quality professionals, can governments succeed in this important enterprise. The magnitude, complexity and urgency of this need were reflected in the text of the landmark resolution of the General Assembly on 1 May 1996 and further underscored by the recent Group of Experts, in its report, which has been placed before you (E/97/86).

Mindful of the mandate of the General Assembly and the recommendations of the Meeting of Experts on Public Administration and Finance, the Department of Economic and Social Affairs (DESA) has organized a programme which faithfully reflects the emerging global concerns and the responsibility of the United Nations Secretariat to assist Governments, at their request, in improving their responsiveness to meet these basic needs. Foremost among these needs is raising the quality of governance, to accomplish which the enhancement of the role, professional status, ethical values and standards of the public service becomes an absolute must.

This challenge and shared need is also the theme of our Conference. It must be emphasized, in this regard, that the November Conference in Thessaloniki is one of a series of meetings in which the issues of ethics and public service professionalism in governance will be discussed. A Conference of Ministers of Latin American countries, co-sponsored by UNDESA, was recently concluded in Isla Margarita, Venezuela. A Symposium and a Multi-Country Seminar on Public Service Ethics were organized by PUMA and SIGMA, at the OECD Headquarters in Paris, on 5 November 1997. Its findings will be fed into our proceedings. Other forthcoming events include:

the Colloquium on Promoting Ethics in the Public Service. Co-organized by the United Nations Department of Economic and Social Affairs, the Colloquium has been sponsored by the Federal Government of Brazil. It will be held in Brasilia in December 1997.

I take this opportunity to welcome to this Conference a group of Brazilian colleagues, who have come to observe our sessions and to report, accordingly, to the forthcoming Colloquium;

the United Nations Conference on Governance in Africa: Consolidating the Institutional Foundation. It is co-organized by UNDESA and the Economic Commission for Africa (ECA) from 2-6 March 1998;

the XIVth Meeting of Experts on the United Nations Programme in Public Administration and Finance, in New York, 4-8 May 1998; and

the Second Pan-African Conference of Ministers of Civil Service and Administrative Reform, co-organized by UNDESA, and CAFRAD and hosted by the Government of the Kingdom of Morocco (13-15 December 1998).

The Director-General of CAFRAD has just expressed regret at not being able to attend this Conference. We welcome, on the other hand, the Director-General of the International Institute of Administrative Science (IIAS), which will host a global conference in Paris, in September 1998.

The outcomes of the Conference in Thessaloniki will be communicated to these international fora

and contribute, in this manner, to a debate that visibly has reached universal dimensions. The need to enhance the role, professionalism, ethical values and standards of the public service but, even more importantly, the prominence this issue has been accorded lately on several global agendas sheds light on the nature of the issue itself. They clearly indicate the extent of public pressure, throughout the world, to raise the quality of governance. They also make it plain that, though national governments remain the principal players on whom it is incumbent to take remedial action and bring about reforms, there is an important dimension of this multi-faceted problem that cannot be addressed satisfactorily except through international action and the help of civil society. The Thessaloniki Conference underscores the role of the international community in this regard.

As part of this community of organizations, we in the United Nations System are fully aware that our role is not to substitute for Governments, but rather to support them in meeting the new challenges in their important tasks. We do so *inter alia*, by seeking to promote and to facilitate a dialogue among Governments, international, non-governmental and other diverse actors from civil society world-wide. All of you, distinguished guests, in this high-level Conference in Thessaloniki are part of this important dialogue. It is a dialogue with great potential and enormous possibilities for sharing and for *synergy*. As required under our mandate, we offer to assist in giving a structure to that dialogue, to enable it to yield a rich crop of accomplishments.

Specifically, we propose to build a global clearing-house, with regional antennas to serve as hub and forum for the global exchange of information on policies, best practices and methods among governments, inter-governmental and non-governmental institutions and also provide advisory services to interested governments. Thanks to the diligence of our hosts, you have in Thessaloniki a preview of the structure that could one day become an operational framework for an ongoing dialogue and cooperation among diverse participants of many nationalities with similar concerns.

We shall have more to say about this clearing-house and hope it may become a palpable reality with broad ramifications throughout the region. We earnestly look forward to the participation of Governments and the close cooperation of sister Organizations within the United Nations System and beyond, to bring this project to fruition soon. Close cooperation, assisted by cutting edge techno-

logy, can generate a synergy productive of results to which we can look forward.

The presence here amongst us of senior representatives of so many regional Governments and international organizations with a presence in the region is a most welcome sign. We thank our Greek Government hosts and the City of Thessaloniki for their generous hospitality and wish you all success in your deliberations.