

Doing the Right Thing:

PUTTING ETHICS PRINCIPLES INTO PRACTICE IN PUBLIC SERVICE

Universal Ethical Values

Research by the Institute for Global Ethics identifies ethical values that transcend virtually all cultures and religions.³

Among them are:

- Trustworthiness
- Responsibility
- Respect
- Loyalty
- Compassion
- Fairness

About the Institute for Local Government

The Institute's mission is to develop forward-thinking resources to help local officials serve their communities.

Institute for Local Government

1400 K Street
Sacramento, CA 95814
(916) 658-8208
Fax: (916) 444-7535
www.ca-ilg.org

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In the hurly-burly, competitive world of politics, it can be easy to overlook a fundamental fact: the public expects and deserves its public servants to serve the public's interest—not private or political interests.

Values are very important to the public. The public is strongly supportive of public officials' following their sense of "what is the right thing to do" in making government decisions.¹

...how does the conscientious public official sort through competing considerations and determine "the right thing to do?"

The key question is: how does the conscientious public official sort through competing considerations and determine "the right thing to do?" When it comes to being a public servant, how does one put one's values into practice?

"The Right Thing to Do"

There are a number of sources of guidance. One, of course, is the law. For example, California has a complex array of laws relating to ethics in public service.

The law, however, only sets a minimum standard for ethical conduct. Just because an action is legal doesn't mean that it is ethical. Or that it reflects your or the public's values.

The key is to go to the source and think in terms of values. The chart on the next page identifies key ethical values that tend to resonate with nearly everyone--irrespective of culture, religion or national origin.²

Of course, the next question is: What do these values mean in the context of being a public servant? The chart below provides some food for thought.

When we talk about the values that ought to guide one's public service, what kinds of values do we mean? The following provides some ideas on values that can inform one's public service and suggests examples of what those values mean in practice.

Trustworthiness

- I remember that my role is first and foremost to serve the community.
- I am truthful with my fellow elected officials, the public and others.
- I avoid any actions that would cause the public to question whether my decisions are based on personal interests instead of the public's interests.
- I do not accept gifts or other special considerations because of my public position.
- I do not knowingly use false or inaccurate information to support my position.
- I do not use my public position for personal gain.
- I carefully consider any promises I make (including campaign promises), and then keep them.

Fairness

- I make decisions based on the merits of the issues.
- I honor the law's and the public's expectation that agency policies will be applied consistently.
- I support the public's right to know and promote meaningful public involvement.
- I support merit-based processes for the award of public employment and public contracts.
- I am impartial and do not favor those who either have helped me or are in a position to do so.
- I promote equality and treat all people equitably.
- I excuse myself from decisions when my or my family's financial interests may be affected by my agency's actions.
- I credit others' contributions in moving our community's interests forward.
- I maintain consistent standards, but am sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms.

Responsibility

- I work to improve the quality of life in the community and promote the best interests of the public.
- I promote the efficient use of agency resources.
- I do not use agency resources for personal or political benefit.
- I represent the official positions of the agency to the best of my ability when authorized to do so.
- I explicitly state that my personal opinions do not represent the agency's position and do not allow the inference that they do.
- I take responsibility for my own actions, even when it is uncomfortable to do so.

- I do not use information that I acquire in my public capacity for personal advantage.
- I do not promise that which I have reason to believe is unrealistic.
- I disclose suspected instances of impropriety to the appropriate authorities, but I never make false charges or charges for political advantage.
- I do not disclose confidential information without proper legal authorization.
- I am proactive and innovative when setting goals and considering policies.
- I consider the broader regional and statewide implications of the agency's decisions and issues.
- I promote intelligent innovation to move forward the agency's policies and services.

Respect

- I treat fellow officials, staff and the public with courtesy, even when we disagree.
- I focus on the merits in discussions, not personality traits or other issues that might distract me from focusing on what is best for the community.
- I gain value from diverse opinions and build consensus.
- I follow through on commitments, keep others informed, and make timely responses.
- I am approachable and open-minded, and I convey this to others.
- I listen carefully and ask questions that add value to discussions.
- I involve all appropriate stakeholders in meetings affecting agency decisions.

- I come to meetings and I come to them prepared.
- I work to improve the quality of life in my community.

Compassion

- I realize that some people are intimidated by the public process and try to make their interactions as stress-free as possible.
- I convey the agency's care for and commitment to its community members.
- I am attuned to, and care about, the needs and concerns of the public, officials, and staff.
- I recognize my responsibility to society's less fortunate.
- I consider appropriate exceptions to policies when there are unintended consequences or undue burdens.

Loyalty

- I safeguard confidential information.
- I avoid employment, contracts and other financial, political and personal interests that can conflict with my public duties.
- I prioritize competing issues based on objective benefits and burdens to the public interest, not to myself, my family, friends or business associates.
- I don't oppose final decisions once they have been made by the decision makers, except through internal lines of communication.
- I put loyalty to the public's interests above personal and political loyalties.

The Importance of Public Perception

The interesting – and somewhat unique – aspect of public service ethics is that it is not exclusively an introspective process. A public official can be absolutely confident that he or she is able to put personal interests or relationships aside, but the public may still question whether indeed that is so.

Public perception, therefore, matters a great deal in one's analysis of what the "right thing to do" is in public service. This is because, as public servants, public officials are stewards of the public's trust in the public's governing institutions.

In short, public service ethics is not only about doing the right thing, but also about the public's confidence that indeed the right thing has been

done. But not doing the right thing just because the public's perception may be negative can have its own pitfalls. To step, or at times tiptoe, along the trail toward good government, here is a simple (but not necessarily easy) process:

- **First Step:** Figure out what "the right thing" to do is.
- **Second Step:** Figure out what the public's perception of "the right thing to do" would be.
- **Third Step:** When needed, balance the first two steps and follow the path which best supports public service values.

■ Types of Ethical Dilemmas

At some point in your service as an elected official, you will likely face two common types of ethical dilemmas:

- **Personal Cost Ethical Dilemmas.** This involves situations in which doing the right thing may or will come at a significant personal cost to you or your public agency. These also can be known as “moral courage” ethical dilemmas.
- **Right-versus-Right Ethical Dilemmas.** This type of ethical dilemma involves those situations in which there are two conflicting sets of “right” values.³

Of course, some dilemmas are a combination of both: a conflict between competing sets of “right” values (right-versus-right) and a situation in which doing the right thing involves personal or political costs.

■ Personal Cost Ethical Dilemmas

With these kinds of dilemmas, the costs can be political – such as the loss of a political support or perhaps even one’s prospects for reelection.

Or, the cost can be financial, for example a missed opportunity for financial gain or material benefits. Issues relating to the proper use of public resources fall into the “personal cost” type of ethical dilemma, inasmuch as these dilemmas typically involve whether one is going to forgo a tempting political or personal benefit.

Finally, the cost can be more directly personal, as when a particular course of action may jeopardize a friendship.

- In these situations, the answer is relatively simple, but certainly not easy. The bottom line is that being ethical means doing the right thing regardless of personal costs.

■ Right-versus-Right Ethical Dilemmas

Right-versus-right ethical dilemmas can be more difficult to resolve.

One example is when a lifetime, best friend urges you to do something that conflicts with your own best sense of what will serve your community’s interests. In this dilemma, there is a conflict between your responsibility to do what is in the public’s best interest and your loyalty to your friend. Responsibility and loyalty are both bona fide ethical values.

- The key is, as a public servant, the ethical value of responsibility (and the responsibility to do what is in the public’s best interest) trumps the ethical value of loyalty. This is when thinking about the public’s perception of the right thing to do can be a useful dilemma-resolution strategy (see box at left).

Endnotes

¹ Meg Bostrom, *By or For the People? A Meta-Analysis of Public Opinion of Government* (January 2005) at 31.

² See Rushworth M. Kidder, *How Good People Make Tough Choices* (Simon and Schuster, 1995) at 77-92.

³ *Id.* at 13-49.

Avoid the Rationalization Trap

One way public officials can get themselves sideways with both the public’s expectations and the law is when they start rationalizing or relying on situational ethics, i.e., those ethics that are sculpted to fit the facts. Many of these rationalizations can start with the fact that, as a public servant, one gives a great deal of time and energy to one’s community.

As worthy as it is, this commitment does not entitle you to:

- Benefits to your business or personal finances as a result of your public service.
- Special benefits or “perks” associated with your public office from businesses or others.
- Use public resources for personal or political purposes.
- Secure special treatment from your agency or others in regulatory or enforcement matters for yourself or others.

If you find yourself rationalizing that you deserve some special benefit, stop yourself. You are likely on the path to an ethical, or maybe even legal, misstep. You chose to run for office and are responsible for creating the possibility of the impact on your time.

As the Greek philosopher Demosthenes observed, “Nothing is so easy as to deceive oneself; for what we wish, we readily believe.”

**Think about your values in public service in advance, as well as where your boundaries for ethical conduct are. This will help you avoid being tempted to cross the line in specific situations and fall prey to a dynamic of “situational ethics”—or the tendency to determine your ethical standards according to the situation.

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Sorting through Ethical Dilemmas

If you find yourself faced with an ethical dilemma, the following questions may help you come to an answer:

- Which ethical values are involved in this decision (for example, trustworthiness, compassion, loyalty, responsibility, fairness, or respect)?
- Is this a situation in which ethical values are in conflict (right-versus-right dilemmas) or in which there is a significant personal cost associated with doing the right thing?
- What are the facts? What are the public benefits to be achieved or the public harm to be avoided by a particular decision? Is there a decision that does more public good than harm?
- What are your options? Is there a course of action that would be consistent with either both sets of ethical values (for right-versus-right dilemmas) or consistent with the ethical value and avoid the anticipated cost of pursuing the right course of action?
- Is one course of action more consistent with a value that is particularly important to you (for example, compassion or trustworthiness)?
- What decision best reflects your responsibility as an officeholder to serve the interests of the public as a whole?
- What decision will best promote public confidence in your agency and your leadership?

It can also be useful to think about common ethical dilemmas (or clearly improper) situations that arise for public officials and how you would handle them/what you would say.

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What to Do?

Figuring out the kind of dilemma you are facing is the first step.

- **Personal Cost.** Does doing “the right thing” seem to involve a significant personal cost?
- **Right Versus Right.** Does the dilemma involve competing sets of “right” values?
- **Legal Issue.** Does the law provide an answer on what you must do? (Remember the law establishes only minimum obligations – just because something is legal doesn’t mean it’s ethical.)

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