With apologies to Mark Twain, much of the conversation about public administration codes of ethics suffers from very different visions of what codes are for and contradictory expectations as to what belongs in them. James H. Svara’s excellent article, “Who Are the Keepers of the Code? Articulating and Upholding Ethical Standards in the Field of Public Administration,” uses the history of the ethics codes of the American Society for Public Administration (ASPA) to explain the development of its most recent code. In so doing, it offers many of the arguments about what codes should be and whether quasi-professional organizations like ASPA should have codes at all, and it shows how these controversies led to the adoption of ASPA’s 2013 code. A casual reader might conclude that most of the controversies discussed are settled. But too often ignored controversies continue.

Codes for Semiprofessional Organizations
Pressure on ASPA’s leadership led it to adopt a code or revise it. The International City/County Management Association regularly reviews, revises, and enforces its rigorous code. ASPA, however, is a voluntary association of professionals interested in furthering the quality of public service through research and applied work. Most practitioner members of the association have a “first” profession (e.g., accounting, engineering, or economics), with public administration as their “second” profession. Many practitioner members have an ethics code for their first profession, a legal or regulatory code for their government position, and the ASPA ethics code as well. With so many codes, are we taking away from their value? Should there be better linkage between them?

What Codes Are For
Codes do not make bad people good. However, they can allow good public servants to make better ethical decisions. Judith Lichtenberg (1996) has presented one of the most persuasive essays in favor of developing codes. Interestingly, she claims that a good code presents a “rebuttable proposition.” That is, it can force an individual to defend an action if it appears to violate an ethical standard. In this way, a code maintains individual responsibility while providing a mirror to assist in ethical reflection.

Ethics codes in public administration have to apply to the entire range of officials covered. The difficulty is that a particular official’s approach to ethical standards might be different from that of his or her colleagues. Some individuals seek peer approval as a standard of ethics, while others simply want to be a “good” person. Some public servants only want to know “is it against the law or regulation?,” while others want to understand what principles underlie specific elements of the code (Lewis and Gilman 2012, chap. 8). The problem with purely aspirational codes as well as purely applied codes is that they often ignore these differences. How valuable is the code if it makes sense to only a segment of the population? The 2013 ASPA code has gone back to a less applied and more aspirational model. Is this the right balance? By going back to an older model, is it more or less inclusive?

How to Develop Codes
ASPA’s founding members wanted to marry the work of public administrators with that of those who teach and research in the area. My impression is that only a few members have played both roles. The literature on developing codes suggests that those most impacted should develop the code (Ethics Resource Center 2003). Although participation in the ASPA code revision was open to all members, academics both led and had the largest voice in creating drafts. This is ironic, as the code’s focus is almost entirely on ethical expectations for practitioners; academic members’ ethical issues are mostly ignored. Should the code speak to both practitioners and academics? Should the association’s code focus on ethical values the practitioners should demonstrate, or is it a code for all ASPA members?

Making Codes Relevant
There is general agreement that the purpose of codes is to impact behavior (Gilman and Stout 2005). For some,
only an enforceable code with clear rules will do, while others argue that ethics codes should show what good public servants aspire to be. Those writing the current code placed a high value on “high road” rather than “low road” ethics (originating with Rohr 1978). For practitioners, this presents a problem. They are bound legally by the applied code, but elements of these codes can come in conflict with the aspirational code of their professional association. Should the association’s code address these conflicts? Should a code explicitly show the linkage between the implicit values in the applied codes and the aspirational values in the association’s code?

Implementing a Code
Is it enough to print a new code of ethics? No. Effective communication of the code is essential. Many organizations send the new code out from the head of the agency, provide training, and develop posters; some create booklets to explain their codes. Some organizations go as far as having an online “televised” launch of a new code, online training, or regular “ethics” e-mail reminders.

Does ASPA feel that publishing a code is enough? Should ASPA do more with the code? Is training or education important to make the code more visible to its members? On the other hand, is the development of a new code without effective communication worse than no code at all?

Controversies are not a bad thing. They help energize discussion, research, and practice. I hope that this short commentary will spur thinking about the new ASPA code. Svara’s article provides an excellent foundation to allow a presentation of these issues. ASPA’s code of ethics is a process and not an end. Twenty years is far too long to wait to do this again.

Note

References