

Implementing Ethics Programmes: The Role of Public Sector Project Design and Process Management

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Abstract:

“Technical” public sector reform programmes often ignore the politics and value judgements inherent in these programmes. One way of addressing these concerns has been the implementation of public sector ethics programmes. Yet, ethics programmes themselves have been treated as technical exercises – ignoring political and value judgements. This paper discusses two methods of analysis which may serve public sector administrators and ethics officials in dealing with the moral and political issues lying behind the ethics programme. These issues are illustrated through the example in the US-Russian Basic Guidelines for Codes of Business Conduct.

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Introduction

Within OECD countries, a number of “technical” public sector reform initiatives have emerged during the 1990s -- including benchmarking (Trosa and Williams, 1996), new public management (Barzelay, 2001), and e-government (Ho, 2002) among many others. In developing and transition countries, public sector reform has focused on right-sizing (Eggers, 1994) and creating capacity (Grindle, 1991). Regardless of the particular type of reform, practitioners are usually confronted with vast technical literatures which address best practices or the application of cost-benefit analysis (Boardman *et al.*, 1996).

All of these approaches have in common a particular positivist method of analysis.² According to the standard project cycle, data is collected, evaluated, decisions are taken, and evaluation is conducted. Such a positivist approach is advocated for survey work (Casley and Lury, 1987), for policy analysis (Hogwood and Gunn, 1984), and for project management generally (Haynes, 1996; Bamberger, 1986). Yet, a large literature argues against the positivist approach as the positivist ideal-type is never actually applied in the field in project design (Bulmer and Warwick, 1993) or in operations (Mintzberg, 1973; Nandhakumar and Avison, 1999). Value judgements must be made. Even when value judgements are addressed – such as through ethics programmes – these programmes themselves are treated as technical exercises. Treating ethics programmes as technical exercises ignores the ulterior political interests which affect the creation of ethics programmes (thus ‘depoliticising’ them) and the value judgements implicit in such ethics work (thus ‘demoralising’ them).

A possible reason for positivistic public sector administration reforms – and the positivistic treatment of moral and political issues which comprise the ethics work arising from the failure of the rational positivist model – is the simplicity of comprehension and application of simple rule-based positivist project design. Despite the vast literatures addressing political and value judgements, there is little simple and applied guidance for practicing policymakers and civil servants – who are often sector specialists engaged in applying the tools of their discipline – be it in economics,

² Positivism refers to the philosophy espoused by the French philosopher August Comte (1789-1859) which advocates the use of scientific methods in social policy.

public administration, business, agriculture, technology or other fields. Given the impact of politics and values on project success, the positivist initiatives of the 1990s have not been working. Many of the initiatives of the 1990s are now seen in the 2000s as fads. For example, 66% of all World Bank civil service reform has been “unsatisfactory” (World Bank, 1999), while Scott (1998) questions the whole logic behind these public sector programmes. To address these issues – and the project failure stemming from them – many public sector ethics programmes have been implemented.

In this paper, I will discuss some methods of analysis which may serve public sector administrators and ethics officials in dealing with the messy political and moral issues involved in public sector ethics programme.³ The analysis in this paper simplifies the nexus of problems involved in the ethics programme. However, given the satisficing behaviour practiced by managers (Simon, 1957) which has led to the preference for simple positivist project design, such simplicity is adopted for heuristic reasons rather than due to academic negligence.⁴ Section I will provide a very brief overview of the “technical” nature of public sector ethics programmes. Section II will highlight the political nature of these programmes and offer ways of incorporating political considerations into the ethics programme design. Section III will argue against the positivist assumption behind ethics programmes and suggest ways that value-judgements can be incorporated by line managers and staff in projects and ethics programmes. Section IV highlights the role of politics and value judgements in the US-Russian Basic Guidelines for Codes of Business Conduct.

Ethics in the Public Sector: The Technocratic View

Much public sector ethics work focuses on “technical interventions” such as the establishment of ethics agencies, the elaboration of codes of conduct, declaration of principles, training, or compliance programmes. In general, programmes which are “technical” (or “positivistic”) tend to ignore four important facets of programme design. First, they miss or do not incorporate many moral values and considerations

³ References to the “ethics programme” in this paper shall constitute any set of rules or norms which aim to regulate the behaviour of individuals who work for the public interest. Such a definition includes ethics training, codes of conduct, guidelines, norms, and regulations.

⁴ Moreover, the overall welfare gains from applying simple models might be higher than applying no model at all.

which could affect project implementation. Second, they focus on bureaucratic rules or organisational change rather than on final results – displaying what Max Weber referred to as formal versus substantive rationality. Third, they ignore the ulterior motivations of those who establish or presently work on programmes. Fourth, they ignore the motivations and incentives that people have for being immoral in the first place. These four facets overlap – yet not completely. Uniting each of these facets is the implicit and automatic belief that simply installing a programme or rule will automatically lead to the fulfilment of the programme or rules objectives.

Within the US government alone, there are many entities responsible for the elaboration of such technical rules. Besides having a general Office of Government Ethics, ethics offices or services exist in the Office of Special Counsel, National Institutes of Health, Department of Defense, Department of Agriculture, Department of Justice, U.S. House Committee on Standards of Official Conduct, and the U.S. Senate Ethics Committee.⁵ Outside of the United States, examples of ethics agencies or programmes include the Australian Public Service and Merit Protection Commission, Hungary’s Code of Ethics for Public Officials, New Zealand’s State Services Commission’s Public Service Code of Conduct, UK Cabinet Office’s Civil Service Ethics and Standards, and the European Commission’s codes of conduct for Commissioners and officials.⁶ There are many institutes established to teach public sector ethics – both academic (most master of public administration courses teach public sector ethics) as well as private (such as the Institute for Global Ethics, International Institute for Public Ethics, and the Ethics Resource Center).⁷

At the international level, a recent trend in ethics programmes has been their elaboration and implementation by a “coalition of forces” – comprised of international and national organisations. Advocates of such coalitions view ethics as the responsibility of a wide range of actors both inside and outside the public administration. One example which will be discussed in more detail at the end of this paper is the US-Russian Chamber of Commerce Business Principles. International organisations, which may contribute expertise and best practice, have included

⁵ Available at: <http://www.doi.gov/ethics/otherlinks.html>

⁶ For a discussion of codes of ethics, see Chandler (1983).

⁷ For a discussion of teaching public sector ethics, see Hejka-Ekins (1988).

international NGOs like Transparency International, inter-governmental organisations like the World Bank and OECD (2000a, 2000b), and large multi-national business interests such the International Chamber of Commerce which addresses business influences on public ethics. National organisations may involve government officials, business associations, NGOs, academic institutions, and investigative media organisations working together to discuss government ethics. In the national context, the “coalition” is necessary to promote co-operation with government programmes by external actors – due to public “respect” (Olowu, 2001).

Yet, irrespective of the particular strategy employed by the ethics programme, these programmes treat the implementation of ethics as a simple technical exercise – much like installing a piece of capital equipment or implementing an incentive-based pay scheme. Regulations are drafted, disseminated, and enforcement programmes are “installed” with predictable and supposedly clear benefits. Such supposedly benefits include establishing clear rules (Denhardt, 1988), setting expectations (Chandler, 1983), promoting professionalism (Didier, 1997), contributing to the organic development of beneficial informal institutions, reducing project losses resulting from opportunistic behaviour, and promoting positive “reputation effects.”⁸ The deep underlying assumption of these programmes is that public and private sector employees are irrational or ignorant (they have “imperfect information”) about very simple principles such as avoiding the use of their bureaucratically invested power for private gain. Through disseminating codes and ethics programme information, these actors will acquire information necessary to act ethically. However, technical interventions represented by the dissemination of guidelines and best practice fail to identify the core of the ethics problem – interests which benefit from non-ethical behaviour.

Incorporating Political Interests into Public Sector Ethics Analysis

Public sector organisations – and all activities in them including ethics programmes – are affected by overt interest conflict within the organisation (March and Simon, 1958; Wood and Waterman, 1994) and between organisations (Dahl,

⁸ Bowman (1990) finds that most civil servants view ethics programmes positively.

1957). Covert conflict may involve the control of agendas (Bachrach and Baratz, 1962) and control of deeper mental models (Lukes, 1974). In general, “political considerations” may refer either the ulterior motivations of those who establish or initiate ethics programmes or the reasons that those whose work is covered by these programmes have for acting immorally. In both cases, these political considerations are driven by interests.

Much of the public administration literature stresses the role of incentives – both of beneficiaries and also opponents of a policy (Benham *et. al.*, 1995; Schiavo-Ocampo, 1995; Klitgaard, 1997). Ethics programmes are very much policies in the same way that price subsidies at the macro-level or sick-leave regulations at the micro-level are policies. These policies generate “winners” and “losers” whose interests should be taken into account during the elaboration and implementation of any ethics programme. Any public sector agency is responsible to a number of stakeholders which may include employees, service users, other administrative bodies, suppliers, and any indirect interests which may be impacted upon such as environmental interests. Given the generation of these opposed interests, there is no such thing as a “technical” or “non-political” ethics programme.⁹ Instead of proceeding from the assumption of ethics problems stem from simple “imperfect information” on the part of public sector employees, ethics programme managers and legislators drafting laws against non-ethical behaviour in public or private sector organisations should seek to understand the incentives which cause this behaviour.

There are generally three views of incentive-based politically motivated non-compliance with ethics programmes. First, non-compliance with ethics programmes is the result of opportunistic behaviour which well-specified and enforced regulation can prevent. In this perspective, public sector officials do not suffer from “imperfect information.” Senior public sector managers have “asymmetric information” about the activities of sub-ordinates.¹⁰ If there is “imperfect information,” it exists in the contracting arrangements between senior and junior civil servants – where such

⁹ Not explicitly addressing politics, is itself a type of politics (Escobar, 1988; Ferguson, 1990) just as the seemingly technocratic exercise of implementing “expert knowledge” involves and reflects politics (Scott, 1998, Robertson, 1984; Hobart, 1993).

¹⁰ This description merely touches upon the game theoretic nature of the public sector and the role of ethics programmes in acting as signalling devices, co-ordination mechanisms, and supplements to contracting arrangements. Besides Harsanyi (1992), there is little direct game theoretic modelling of ethics programmes in the broader principal-agent context.

contracts do not specify adequately ethical behaviour. Given imperfectly specified contracts, junior civil servants act self-interestedly. The second perspective on ethics programme non-compliance is that ethical breaches may represent the only “weapons of the weak” they have – to borrow a phrase from Scott (1985). Non-compliance serves as civil servants’ last form of resistance against organisational procedures and unequal bargaining power which makes life onerous. When management tries to enforce excessively odious ethical guidelines which may indeed be socially optimal, such enforcement can involve a clash between management’s interests and the interests of junior staff who might be in a disadvantageous position due to poor human resource, managerial, financial, operational or other practices.¹¹ The third perspective on ethics programme non-compliance is that senior management’s greed or career concerns create incentives to coerce lower-level staff into acting unethically on their behalf. Patronage systems documented by Riordan (1995) and Johnson (1979) are examples of such politically motivated incentive structures. In many developing countries, the three perspectives may operate concurrently.

Each of these three perspectives involves political interests. When ethics officers in a company or legislators in a country are proposing regulation which impacts upon ethics, they should not only look at the interests which can help them pass and enforce such rules. They should also look closely at those whose interests are adversely affected. The simplest way of addressing these issues may be to sit down with a group of individuals from across the organisation (or a group of experts in the public policy setting) and draft a list of individuals and organisations whose interests are likely to be negatively affected. These methodologies generally fall under the rubric of “impact assessments” (Bamberger, 1986) or “stakeholder analysis” (Grimble and Chan, 1995). In much of the development work, such impact assessment focus on groups of individuals which may be helped or harmed by a project.¹² Sometimes it is useful to use “network analysis” – given that interests are often defined in relation to other groups (Scott, 1991). These analyses may show monetary flows or relations of influence (Michael and Langseth, 2002). Specifically treating the case of Singapore, Quah *et al.* (1997) illustrates the role of political leadership and presents a number of

¹¹ Low wages are an often cited reason for the lack of ethical conduct in developing country civil services (Mbaku, 1996).

¹² In the corporate context, concrete and applied assessments of “stakeholder” impacts have fallen under the “social auditing” literature (Pierce *et al.*, 1995).

beneficiaries of the Prevention of Corruption Act (itself a strong type of “ethics programme”). Other commentators such as Roberts (1991) notes that incentives to enforce ethics may not exist due to the need to keep talented government staff.

While political analysis can help identify proponents and opponents of an ethics programme, there are several difficulties with conducting a political analysis. First, interests are looking at interests – the creators of ethics programmes are often stakeholders in the public sector organisation. Therefore, the impartiality of any ethics programme must always be questioned. Second, interests change over time due to changes in resource flows, power configurations, and external events. Given such “dynamic interests,” these interests should be examined periodically. When interests change, the ethics programme will also need to change. Third, even when interests are identified, they might not be accurate due to the subjective nature of information collected from the stakeholders themselves. There are problems with “muting,” “officialising strategies,” and asymmetric power relations in any programme which requires public disclosure of interests (Mosse, 1994; Cooke and Kothari, 2000). The ethics programme itself may become a site of contestation where symbols and acts are subverted and enforced by underlying interests (Moore, 2000).¹³

Incorporating Ethics into Public Sector Programme Analysis

When an ethics programme is devised – even one which accounts for political interests – there is a tendency to view the resulting “product” as the set of “good” values. Such a conception is bolstered by ethics education which prescriptively advocates certain types of ethics programmes as models to be emulated and stresses certain “good” values on the basis of their long-run benefits to the individual or the organisation.¹⁴ In practice, such programmes are either ‘cordoned off’ (through assignment of discrete programme numbers or separate departmental affiliation) from the normal practice of public sector business. Both “selling” the ethics programme by referring to long-run benefits and the cordoning off of the ethics programme from

¹³ To the extent that ethics represents a public good, such muting may reflect a simple interest in free-riding on the benefits of organisational ethics without having to contribute knowledge to the programme (Singer, 1961; Buchanan, 1965).

¹⁴ In the economics literature, the treatment of ethical issues is relegated to the application of economic logic to “ethics subjects” such as the analysis of welfare (see Hausman and McPherson, 1993).

daily operational practice treat the ethics programme as a technical positivist project. Value judgements are treated as a separate sphere of activity, as one segment of a project's division of labour, or one step on the project's implementation cycle. Yet, value judgements are inherent in every action undertaken by the public sector project manager. The "rational" consideration of costs and benefits or even the elaboration of rules based on political interests, are simply two type of value-judgements among many.

From project design to budgeting to implementation, each of these interventions involves a value judgement which must be made by managers and ratified by the stakeholders in the agencies they manage. Some values include preferences regarding all stakeholders' capability, dignity, equality, justice, liberty, progress, quality of life, security, and freedom (listed in no particular order).¹⁵ Different stakeholders will have different values.¹⁶ The stakeholders mentioned in the last section -- such as employees, service users, other administrative bodies, and suppliers -- have their own vested interests. They also have their own assignment of weights on different individual and collective values. Public sector employees' preference for security over material progress is a commonly cited value judgement (Benjamin, 2002). Duty is often invoked by both managers and employees subject to their own understanding and often for their own ends.¹⁷

When arbitrating between value decisions, public sector employees at the operational level are motivated by three types of ethics (Daft and Maricic, 1998). The first type is pre-conventional ethics -- where ethical decisions are taken on the basis of anticipated rewards and punishments. The second type is conventional ethics -- focusing on actor-perceived duties and obligations. The third type is post-conventional ethics -- where actors focus on broader and abstract methods of making

¹⁵ The point here is not to engage in a complicated discussion about different competing values -- but to offer some illustrative values (see Flathman 1973, Goodwin 1997, or Barry 1989 for more).

¹⁶ A rigorous treatment of these values would put quotation marks around values such as "equality" or "justice" to signify their highly contested and socially constructed nature and definition. I omit these quotation marks to avoid cluttering the text.

¹⁷ These value judgements have become more publicly debated due to the increasing direct participation of non-governmental actors in projects which were exclusively in the public domain due to the increasing role of public-private partnerships (Vaillancourt, 2000) and state capture (Hellman *et al.*, 2000; Strange, 1996).

judgements such as resorting to pragmatism, ‘social contracts,’ utilitarianism, or cost-benefits analysis.¹⁸

Different activities in an ethics programme address different types of ethical decisions – with most attempts to ‘moralise’ technocratic based public sector projects revolving around some form of codes of conduct or ethics guidelines.. Codes of conduct and ethics programmes usually foc us on pre-conventional and conventional ethics. There is a moral duty communicated and often implicit or explicit penalties are devised. The “values” expressed in many ethics documents refer, not to these social values previously referred to, but to values tied with costs and benefits to particular stakeholder groups – such as respect for the employee or concern for the environment. Postconventional type ethics training, while addressing ethical issues more satisfactorily, either sees ethical judgement as moving along a moral continuum of right versus wrong (Wilbern, 1984), as an trait which must be intensively developed (Stewart *et al.*, 2000; Rest *et al.*, 1999), or as an inherent “moral responsibility” (Steward, 1985). According to commentators such as Kohlberg (1969), post-conventional ethics (also called “principle-based” ethics) represents the highest form of ethics and a number of frameworks for evaluating public sector ethics measure the degree to which ethical considerations are addressed using post-c onventional ethics (such as Steward *et al.*, 2000).

In technical public sector administration exercises, there are three points which should be remarked upon given this ‘teleology of ethics.’ First, rule-based technical ethics programmes amount to a rule based type of morality (namely, follow the value judgements taken previously). But making no value judgement is itself a value judgement. Implicit in seemingly technocratic decisions are the use one type of value-judgement (cost-benefit analysis) to the detriment of others types such as right based analyses focused on non-economic objectives such as social and environmental rights. Technocratic decision making also tends to ignore the need for collective thinking about values outside the government– issues only starting to be addressed

¹⁸ Such a typology simplifies the complexity and range of thought on ethics which spans from ethical absolutism to communitarian type philosophies of ethics to relativist notions of ethics to emotive and existentialist philosophies (see Olen and Barry, 1998).

under movements such as Corporate Social Responsibility (Henderson, 2001; Hopkins, 1998).

Second, economic and cost-benefits analysis nominally represent the pre-conventional ethics of carrots and sticks while claiming the generalisability and abstraction of post-conventional ethics. This apparent contradiction masks the value-judgement inherent in a technical public sector management intervention. In some ways, the continuing waves of scandals reflect a simple lack of conscious consideration of ethical trade-offs reflected in this contradiction. Third, such a 'teleology of ethics' not only automatically and categorically places superior value on some ethics more than others (which is itself a perilous exercise), it is also very difficult to "operationalise."

How does the manager (with the legitimate authority to make such decisions) "operationalise" the making of value-judgements? First, it helps to have a clear list of values which might affect a decision. As mentioned previously, there are a number of values which determine a public sector intervention such as capability, dignity, equality, justice, liberty, progress, quality of life, security, and freedom.¹⁹ Unfortunately, in public sector managerial decision making, either pragmatism (taking decisions based on political and practical balances of power) or cost-benefits analysis predominates – and are often used in combination. Second, analysis where possible should be conducted "at the margins" where project changes have effects on the balance of values.²⁰ The status quo already represents a certain trade-off between these values. A program does not change these value-trade offs *ex nihilo*; it readjust them at the margins. For example, the building of a large dam which displaces indigenous populations does not completely eliminate equality and justice in exchange for economic progress. Instead, economic progress increases (if the dam project managers do their job well) while justice and equality for those affected is reduced or eliminated.²¹ Third, each "mix" of value impacts can be addressed by a

¹⁹ A very simple way of addressing these values might be to use a type of "strategic choice methodology" to assign rankings (van Steenberg, 1990). Cooper (2000) presents a richer model of ethics evaluation based on professional, personal, and organisational values.

²⁰ There are some core value "margins" which can not be traded as defined by international law.

²¹ There are moral and philosophical problems with a "divisibility" concept of values – such as justice. Many would argue that either a society is just...or it is not. By this measure, though, no society is just.

“mix” of policies to address these impacts. In the dam example, a countervailing policy of resettlement seeks to rectify the equality and justice balance.²²

The “operationalisation” of value preferences depends on the public choice regime in place and the analyst’s position in the public choice regime. If the analyst is member of the group or organisation being analysed, then the analyst should consider the mix of policies given his or her own preferences and voice these opinions openly. If the analyst is not a member of the organisation being analysed, then he or she may simply present the possible options to decision makers who must consult their stakeholders about the value judgements to be taken. Such “value-based policymaking” should not be a key driver in decision making but should instead be a part of a broader decision-making framework.²³

An Example: US-Russian Chamber of Commerce Business Principles

An example of an ethics programme, in the international context, is the Basic Guidelines for Codes of Business Conduct elaborated by the Joint Commission chaired by the then U.S. Vice President Al Gore and the Russian Prime Minister Evgeniy Primakov. The Basic Guidelines are a set of general principles that are “widely accepted in international business” (Abramov, 1999a) and were expected by the creators of the Guidelines to be used by Russian businesses to create their own codes of conduct. Key areas addressed by the Principles include principles in personal and professional relations, proper checks and balances, prevention of extortion and bribery, as well as relationships with shareholders, employees, other enterprises, the global community, and government authorities. Given the prescriptive nature of the Guidelines, they are clearly a type of “ethics programme.” Moreover, their positivist

Given that the project manager can not affect all decisions in the whole society with his one little project, such an incremental and divisible notion of value judgements is most relevant.

²² Rather than looking first at value judgments and then considering countervailing policies, much public sector work involves the taking of practical decisions and “reacting” to societal protests. A rigorous analysis of value judgments before project initiation may reduce the protests against a project.

²³ In theory, it should be possible to establish a social utility function based on the assignment of values. Such a utility function would exhibit voting paradoxes and difficulties of aggregation found in the social choice literature (Kelly, 1988). However, simply ignoring these problems assumes that the veil of positivist rationality is superior to taking a sub-optimal public choice. In prior experience, data-based methods of public choice in project design and implementation have led to positive results (Langseth and Michael, 2002).

roots lie in the work done by technical experts at the US Chamber of Commerce, who used examples from the OECD (1999) Anti-Bribery Convention and the International Chamber of Commerce (1999) Guidelines on Extortion and Bribery in International Business Transactions.²⁴

Underneath the seemingly technocratic style and presentation of the Principles lies the political involvement of a number of actors. Some political interests involved in the creation of the Guidelines are the U.S.-Russia Business Development Committee (under the Joint Commission), the Chamber of Commerce and Industry of the Russian Federation, the US Chamber of Commerce, Russian, and American businesses. Other interests were involved such as the government and business community in Greater Novgorod (where a pilot project was undertaken) and the OECD Secretariat which organised a conference in Novgorod which featured the Principles. Abramov (1999a) also envisioned the participation of the US Export-Import Bank and the Organization for Security and Cooperation in Europe (OSCE). The Guidelines, in some sense, represent a political instrument to promote the objectives of these organisations to “create conditions for significantly increased trade and investment” (Abramov, 1999a). However, conspicuously absent are references to the companies and employees themselves who must adopt these Codes of Conduct. Conspicuously absent are also mechanisms which would address the managers’ interest in acting on the Guidelines or stakeholder, employee and other actors’ interest in acting favourably toward these principles. Especially in the case of shareholders, there is a ‘first mover’ problem where the adoption of the Guidelines by one business before others would lead to a competitive disadvantage for that firm.

Many of these political problems stem from implicit value judgements. The emphasis on cost and benefit analysis can be seen directly from the need to “create conditions for significantly increased trade and investment.” The emphasis on the “good” ethics is then displayed in the desire to “promote good business practices and ethical behaviour in commercial relations” (*ibid*). Yet, the Guidelines ignore vital value judgements. In the first section on “Principles in Personal and Professional Relations,” the entrepreneur is admonished to do business within one’s means, have

²⁴ Abramov (1999b).

respect for partners and participants in a shared business venture, refrain from violence or the threat of violence as methods of achieving business success, resist crime and corruption... live up to the trust placed in you [the businessperson]...and endeavour to earn a reputation for integrity, competency, and excellence(Russian Chamber of Commerce and Industry, 1999). Implicit in these admonishments are the values of duty, pragmatism, utilitarianism. Absent from these principles are considerations of equality, dignity, liberty, and freedom which were strong values in the post-Communist era, especially among employees and a burgeoning civil society.

The inclusion of principles such as equality or dignity into the Codes does not mean simply inserting the words “equality” or “dignity” in the Codes. Nor does it mean that senior level staff should admonish others to act according to “equality” or “dignity.” Codes of conduct generally do not exist to help organisational actors “figure out” what is the right thing to do (taking bribes or engaging in violence have been illegal even in the Soviet era). Instead, the inclusion of values would centre around a frank assessment of the reasons why equality or dignity might not be respected (such as the unequal division of property rights in the organisation) and recommendations which extend beyond simple costs and benefits analysis. Underneath engaging in violence (especially by criminal groups) were powerful financial interests that no code of conduct based on costs and benefits was going to eliminate. However, there were also values – such as dignity and equality – which were subordinated to the benefits derived from securing property rights. Rather than relying on Codes of Conduct, programmes which helped guarantee the values of security or justice could have been put in place. Programmes, not words, could have been used to uphold important values such as justice, liberty, or the others previously mentioned.

Given the lack of values on which the main expected implementers of the programme – Russian business owners and employees -- could collectively “rally around,” the only back-up was to resort to interests. The lack of focus on political interests which may be opposed to these Guidelines is probably in some part the cause of scarce mention made of the Guidelines since 1999.

Conclusion

Ethics programmes reflect the positivist assumptions that they try to correct in the overly technical treatment of public sector projects -- which themselves ignore political and moral issues. The experience of many ethics programmes shows that simply “indoctrinating” or waving sticks at civil servants will be less effective than giving policymakers practical tools they need to confront ethical dilemmas. Two vital tools are the analysis of political interests and analysis of value judgements. Using these two tools, public sector reform practitioners engaged in implementing an ethics programme can analyse political interests which affect the achievement of the final objectives of the ethics programmes and incorporate value judgements which affect the determination of these final objectives. Through using these tools, national and international public sector ethics programmes may move away from their overly positivist orientation and address the underlying issues hidden in the technical discourse of project design and implementation.

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