

## ROLE OF ETHICS IN BETTER PERFORMANCE OF PUBLIC ADMINISTRATION

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**Abstract:** Changes in social life tend to put life away from the principles of traditional morality, but not from the need to build modern, gradually sustainable ethical principles, as a condition for finding new ways of building civic behaviour. Adapting the ethics and ways of bringing people to the present is not a process that can be accomplished without proper ethical knowledge and without the presence of educational institutions that have as their primary task the perfection of man's moral behaviour.

Ethics in work for an institution are seen as a good promoter of performance, because the ethical identity of the public servants, especially the state-related ones, is very important for the public as well as for the other stakeholders for that institution. To define the ethical actions of public servants, it is necessary to clearly understand the purpose and mission in the public service.

Observance of the law and ethical procedures in the public administration, as the only and the most accurate way to follow, undoubtedly leads to the progress of work and achievement of performance as an individual as well as the public administration as one.

**Keywords:** state, performance, ethics, public administration.

### 1. INTRODUCTION

"The administration is the highest and most visible part of the government, it is the government in action. Consequently, the activity of the government means the activity of the public administration and public servants," said former US President Woodrow Wilson.

The object of public administration is the realization of values that express the interest of the state or a community, recognized as such by the state. Public administration is closely related to the executive power, but it is not identified only with this power, because it has a wider sphere of involvement. Public administration is distinguished from private administration by its public character because it is put in the service of the general interest of society or of an unlimited community of people.<sup>37</sup>

In general, in the Balkan countries, but also the general views of the population of Kosovo, public administration is characterized by a strong bureaucracy, both in their internal relations and in public relations, or institutional processes, which leads to loss of efforts, lost time, job dissatisfaction, repetition of the same processes, and lack of motivation, which altogether lead to low performance.

Certainly, it is not the state, but the employees who work in the corridors of public administrations, whose decisions are legally binding on the community. It is their job to discover what that is and to bring it about. The power of the state represented by these people stems from the fact that they undertake to solve the tasks given by society.

The study of the performance of the public organization is quite important for two main reasons: first, the public sector represents the state and the way of governing for a given country, and second, public services are quite important to the beneficiaries. Often, they are vital and irreplaceable.

Considering the special importance of organizational performance, it is understandable that to achieve a high level of it, it has to be highly regarded by the organization, as well as to engage the right instruments at the right time for this purpose. The organization can do this precisely, given the fact that a performance management process is installed and respected. Performance management<sup>38</sup> can be undertaken at different levels of government and the purposefulness of this process varies based on the level of process in which it is implemented. So, for example, if we are interested in managing human resource performance, we certainly must deal with the human resources process.

Managing and measuring organizational performance is a problematic process, both theoretically and empirically. The treatment of performance by the management as a separate process of the organization, as well as in measuring or finding appropriate indicators, constitutes a very acute issue of confrontations of academic researchers today. There is also an important debate on whether the data on which the measurements are to be based on, must be

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<sup>37</sup> Dobjani, E., (2007), "Administrative Law", Tirana 2007, p.15;

<sup>38</sup> Performance management is the continuous process of improving performance by setting individual and team goals which are aligned to the strategic goals of the organization, planning performance to achieve the goals, reviewing and assessing progress, and developing the knowledge, skills and abilities of people.

'objective'. In this context, an important question is to be posed, such as: are measures based on published indicators? While if the data is 'subjective', the question is posed as are measures based on perceptions of members of the organization, which in the case of public organizations, they can be seen as members?

To have acceptable performance and a noted success, an organization must respect ethics while providing services. Ethics in public service is about the practical application of moral standards in governance.<sup>39</sup> Ethics relates first and foremost to the way the individual feels about how they should behave; it is about values and their application in each context. It is known that civil society is directly related to the service provided by the public administration and as a result, it orients its entire activity towards meeting the needs and interests of the public, exercising its functions, based on sound ethical principles and respect for the law. It is very important to develop high moral awareness in administration officials who communicate with individuals representing different social groups.<sup>40</sup>

## 2. MATERIALS AND METHODS

The historical approach to the problem of ethics in society helps us to understand the chronological order of ethical situations and behaviours in space and time. A range of theses, currents and theories in the field of applied ethics will be used and analyzed, such as:

- Research paradigm - since the object of this paper is constituted by ethical problems in public administration, then the methodology used is influenced by national culture, the diversity of its perception, the degree of socio-economic development and the level of the emancipation of society.
- Epistemological approach<sup>41</sup> - epistemology focuses on the use of rational philosophical techniques on the subject under study and in this case the study of work ethic and communication in the public sector (the paper will mostly have rational arguments to explain ethical situations in public administration, the usefulness of which is difficult to measure).<sup>42</sup>
- Research methodology - assessing the impact of policies on public administration is an information-based analytical method to assess the potential costs, consequences and side effects of planned policy instruments (laws, regulations, bylaws, etc.) such as and the usefulness that comes from the choice and implementation of government policies in the field of public goods. Some form of impact assessment should always be performed in cases where the anticipated policy change is expected to cause significant changes and costs, e.g. new tax laws, labour code, etc.
- Data collection from questionnaires and research in literature - the resources that will be used in this paper have been the study of the most outstanding achievements of the academic world, at home and abroad (books, lectures, special publications, national and international conferences, reports and observations and the final results from questionnaires from the servants in public organizations).

A detailed analysis of the available materials will be made, regarding the regulation of ethics, ethical communication, as well as the legal basis available for the regulation of labour relations in the Public Administration. The legal basis is mainly based on the labour codes and regulations of internal administration and various public enterprises. These two concepts will be confronted with each other, to find out how far the law is implemented or not and how ethical the public administration is. An attempt for a normative approach through comparative analysis bringing it in two perspectives: traditional and explanatory considering that the factors that affect the construction and functioning of public administration in the Republic of Kosovo are more than can be presented in this paper.

The comparative analysis<sup>43</sup> will examine the problems in public administration, ensuring uniformity in the improvement of law enforcement institutions and agencies. Consistency means that the current rules governing public sector activities and behavioural incentives are mutually supportive in the pursuit of efficient and accountable functioning.

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<sup>39</sup> Chapman, R. (2002), *"Ethics in public service for the new millennium"*, Iceberg Publications, Tirana, p.210;

<sup>40</sup> Menzel, D. C, (2005), *"Research on Ethics and Integrity in Governance: A Review and Assessment"* Published by Northern Illinois University in March, issue of Public Integrity, p. 10:

<sup>41</sup> Kocani, A. (2005), *"Introduction to Epistemology"*, SHLBU, Tirana, fq. 7-9;

<sup>42</sup> One of the reasons we refer to epistemology to explain ethics regarding the scepticism of various researchers is that studies in the field of ethics lack scientific expertise and what would be offered would be something very superficial.

<sup>43</sup> - The method of comparative analysis is about weighing comparative elements, common features or differences that have two or more phenomena, events, objects, etc.

### 3. RESULTS

As expected, results from this paper tell us that although much has been done to have ethics in public administration, it is still not enough. Ethics must be understood by all people to understand when behaviour is or is not ethical and to act ethically. There are many definitions of ethics, but the generalities in work, communication and life should be:

- Doing what is right;
- It is the goal of a good life, with and for the other, within righteous institutions.

These definitions might not be easily accepted from everyone, but it is important to understand and act on it, which means acting right and achieving the right performance, as generally accepted. So, to be ethical you must act in a fair, honest way, considering the consequences and responsibilities etc.

- Ethical behaviour and communication are important, if you want to succeed, you must be guided by this principle;
- Drafting codes and ethical procedures are very vital for advancing ethical issues in an organization, if these do not exist then no one can be guided: Codes and regulations help public servants of all levels in their activity, to respect their profession with dignity; maintain high professional standards and act with honesty, fairness and dedication; to contribute to the strengthening of the rule of law, respecting and protecting the universal concepts of dignity and human rights and to avoid any form of discrimination; to respect fundamental human rights and freedoms in every case and circumstance in application of various international laws and conventions; to respect the rights of injured persons as well as their interests and private life; show high character and morale in support of justice and law and order enforcement; to be objective, independent, impartial, conscientious in fulfilling their ethical and professional obligations; avoid conflicts of interest that could damage the reputation, impartiality, or independence of their duty as members of the Public Administration.<sup>44</sup>

- All civil servants must act accurately towards the good and the right.
- Particular importance in institutions should be given to conflict of interest and corruption: Conflict of interest can be depicted as case by case or ongoing. Case-by-case conflict of interest is the situation with conflict of interest, in one of three types (factual, probable, apparent), which appears on a case-by-case basis and is related to specific decision-making. The responsible public officials have to prevent and resolve on their own, as soon as possible and in the most fruitful way possible, any situation of its conflict of interest. In case the official is not convinced about the existence or not of a conflict of interest related to it, he should consult with his superiors as soon as possible. The biggest danger lies in the fact that over time public employees are increasingly acclimatizing and accepting corruption. They not only feel too weak to fight corruption but in one way or another have become accomplices to it.<sup>45</sup>

### 4. DISCUSSIONS

Ethics at work for an organization is seen as a good promoter of performance. According to many considerations, the ethics of an organization is very important in its performance, because the ethical identity of an organization is important for both the public and stakeholders, for that organization.<sup>46</sup> According to the same considerations, the ethics of an institution is very much related to the interest of the shareholder (government). So, the ethics of an organization is related to its results and performance. Ethics is considered as internal restraint, as a sense of personal responsibility, and responsibility as a process of implementing external restraints that the administrator has in the public sphere. Although the ethics and responsibility of public administrators are universal principles, there are examples when public trust is abused and acted in a way that conflicts with the public interest.<sup>47</sup>

The other issue that has to do with ethics and to understand the connection it has with public administration, it must be clarified that it is not an abstract notion, but it is rather an important institution which conducts the activity of the state. Looking from antiquity to the present day, it can be noticed that there is a coherence in the perception that the state consists of citizens and that they, themselves, are part of public administration.

Public administration is differently defined as an institution that operates through state bureaucracies: its organizational structures function and make decisions based on the relevant legislation, as well as the internal rules according to which public services are performed.

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<sup>44</sup> REGULATION NO. 09/2012 ON STANDARDS OF INTERNAL ORGANIZATION AND SYSTEMATIZATION OF JOBS IN THE STATE ADMINISTRATION <https://gzk.rks-gov.net/ActDetail.aspx?ActID=27043> , accessed on 30.09.2020;

<sup>45</sup> High Inspectorate of Declaration and Control, (2014), HOW TO AVOID CONFLICT OF INTEREST, Tirana, p. 2/3;

<sup>46</sup> The University of Madrid, the publication (2005) <https://e-archivo.uc3m.es/handle/10016/144> , accessed and translated 20 April 2020;

<sup>47</sup> The American Academy of Political and Social Science – Thompson, V., (1961), *Modern Organization*. Pp. viii, 197, xi. New York: Alfred A. Knopf;

The relevance of this paper is supported by the fact that it addresses the element that every society should promote high moral demands on its individuals so that they could better understand why it is so necessary to act ethically and implement ethical conduct. Encouraging a civic response against unethical behavior is imperative.

Individuals must always react against unethical behavior, which leads to serious consequences for society. For these reactions to be successful, the demands of the citizens must be considered, and their solutions must be worked on. Only with the participation of the public and through its willingness to help the country can it move forward in the fight against unethical behavior.

Communication in general and ethical communication, in particular, are basic elements of an administration which for its humane and social nature has as its mission the service to others. The service necessarily passes through real communication, which not always is related to direct communication, but rather to the fact about how one reacts or what type of attitude employs, while dealing with different people and situations. The administration is not only an entity in service for another, but it also has the role of an educator and social informant. Through different ways of communication, the administration shares and transmits thoughts, feelings, emotions and support, based on the various problems and requests of citizens, as well as between the persons who make up this administration.<sup>48</sup>

Ethics provide accountability between the public and the administration. Adhering to a code of ethics ensures that the public receives what it needs in a fair manner. It also gives the administration guidelines for integrity in their operations. That integrity, in turn, helps foster the trust of the community. By creating this atmosphere of trust, the administration helps the public understand that they are working with their best interests in mind.<sup>49</sup>

## 5. CONCLUSIONS

In any state, the main goal should be to create an ethical, professional, accountable, efficient, non-discriminatory, non-corrupt, transparent and accountable public administration, with equal opportunities for all participants disregarding any type of their background. In central and local institutions of Kosovo, employees in the exercise of duties must be ethical at work to act in the service of citizens, to be honest, efficient and impartial, not to use official duty for their private interest or personal gains. The primary duties of the public service should be: ethical behavior, performance of duties according to the law, respect for the rights of citizens and equal treatment of all citizens, increase the trust of citizens in central and local institutions.

Promoting ethical values in the exercise of duties by senior officials and officials in all institutions of central and local levels, the country makes up a good example or model for all citizens. A public administration with ethical values comprises a stable, professional, efficient, accountable, transparent and accountable administration before the citizens and at the service of the citizens and business in the country.

During the research of this topic, it was proved that:

- Very few principles of joint governance have been followed, institutions have their codes of conduct named as Internal Regulations but not Codes of Ethics.
- For companies to be successful, employees must work honestly, they must have integrity, but they must also build trust, both with colleagues, managers and customers.
- Ethical behavior should not be directed in the pursuit of one's feelings and ethical behavior is not a matter of religion or law, but it is an obligation to work and it is an obligation to the requirements of society, thus one must have principles regarding ethical behavior and must communicate ethically. The following recommendations emerge from these conclusions:
- Institutions should train staff continuously – in the fields of Customer Behavior and Customer Service;
- Every institution should draft and employ a set of Codes of Ethics, which defines all working principles;
- Public institutions should define the duties and responsibilities for the staff, based on the education they have and the continuous behavior they have at work;
- Every part of public institutions should have impartiality in staff management, while the management team should have humane and moral attributes;
- Management and staff should be a common segment for the success of the institution, therefore staff should always be motivated to achieve the objectives of the enterprise;

Based on the research conducted, we can conclude that the public and the government expect more responsibility from the public administration, which requires more thought and flexibility from the administration to face the responsibilities, but also the public servant must be motivated to work by the direct leader and continuously conduct

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<sup>48</sup> <https://www.smbadvisors.com/capabilities/knowledge-management/insights/ethical-communication-the-basic-principles> - accessed and translated 14.06.2020;

<sup>49</sup> The Importance of Ethics in Public Administration, (2016), <https://academicpartnerships.uta.edu/articles/public-administration/the-importance-of-ethics-in-public-administration.aspx> - accessed 18.04.2020,

training, on job innovations and ethical issues. The desire for more administrative responsibility has come as a result of the increase in the quantity and intensity of contacts between the administration and the public. This is reflected in the increase of bilateral correlations in the implementation of several important policies as well as the establishment of a fair balance between flexibility and responsibility. Public servants must declare all private interests related to their public duties and to take measures to resolve any conflict that may arise in defense of the public interest.

Duties to the public interest and the common good, are related to constitution, nation and democracy. This concept must be taken seriously by every part of the public administration and always work and act ethically.<sup>50</sup>

A job position in public administration is different from that in the private sector, so defining rules of conduct for public administration employees aims to help them achieve the goal of public administration and set the standards of conduct that employees should have while serving the general public. Public employees have a responsibility to show professionalism, neutrality and obedience to the law. Serving the public interest should be the main focus. At the same time, improving skills through initial and continuing training is an obligation for leadership administration. Every public servant must act following the law but also under the ethical rules and Codes set in institutions.<sup>51</sup>

Citizens have the right to have a good administration carried out by good servants. Creating a good administration requires political commitment, vision, strategy, prioritization, and a good sequence of ethical actions. The public administration's approach to service delivery should be coherent, effective and efficient, and ensure equal treatment for all. Proper administrative procedures applied in practice are another essential element, but which must be accompanied by a continuous improvement of the quality of services and equal access to them.<sup>52</sup>

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<sup>50</sup> Pajaziti, A., (2017), *"Public Ethics"*, Logosa – Skopje, p. 118;

<sup>51</sup> Ministry of Innovation and Public Administration, Department of Public Administration of the Republic of Albania, *GUIDE FOR CIVIL SERVANTS*, Tirana.

<sup>52</sup> European Principles of Public Administration, *SIGMA Documents, no. 27*, OECD Publications, p. 14;