

PERSONAL ESTABLISHMENT AND ACCOMPLISHMENT OF PUBLIC SERVICE VALUES

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Abstract

Public objectives are mostly developed within public administrations, which despite apparent Weberian rationality work mainly evolutionarily, *i.e.* by imitation of what already works in other areas and what randomly brings good results. The rule of law that is fundamental to the Western democratic order cannot work without morality and legal values. If we want workable values, we must understand them at their core, which is not the domain of law. The starting point is an individual who operates primarily on the basis of his personal characteristics regardless of all the present theories of the public administration. Entering into the unknown with full preparedness for the changes will be the *motto* of the future public administration. We are much closer to such a stance if we know how the public service values are really established and implemented.

Keywords: public service values, morality, positive stance, categorical imperative, personal evaluation.



1. Introduction

The administrative apparatus like a spider web increasingly intertwines all national and transnational societies. Even in today's economic crises, where downsizing of the government apparatus is a common parlance, there can be more administration, regulation and coercion (Vogel, 1996; Majone, 1996) and new regulations can have behind them new state coercions (Crawford, 2006). Ideas about independent (continental) agentification cannot show a real background of the state of affairs (Cole and Douzans, 2010, p. 404). It seems that real-life situations cannot be objectively shown even in the presence of multiplicity of data, because they will always be in some shortage of them. The expansion of public tasks and a larger degree of complexity also augments the significance of *good* management (the concept of good administration, good governance, sound governance, co-governance, collaborative governance) in the public administration, but if the above-mentioned assumption about the shortage of objectivity is true, they will all be *per se* unsuccessful. For Dworkin, representative democracy 'is widely thought to be the institutional structure most suited in a complex and diverse society...[but] an actual vote in an election or referendum must be taken to represent an overall preference rather than some component of the preference that a skillful, cross-examination of the individual voter, if time and expense permitted, would reveal' (1978, p. 276). Can the shortage of objectivity and skillful cross-examination due to lack of time and large expenses be revealed by the public officials as it has been assumed from Weber on? Today's *de facto* official practices show that it is so in the majority of cases, while their failures in many instances show that they may be lacking a deeper subjective understanding of their *own* decisions.

The paper therefore argues that the expertise is in the domain of public officials, but to it must be added their personal evaluation of the 'right and wrong' decisions, which cannot be found in the law. Most of the writings about the government are, due to their public power, concerned about the hierarchic subordination to the higher management and to the rule of law, to the control of bureaucracies and officials. But how come the science of public administration is apparently interdisciplinary, while we still look at it mainly through legislation and/or regulation? Can it be that the detection of problems and their solutions lie *outside* the legal rules? If this were not true then e.g., the NPM would not evolve. In it the public servants have been regarded – due to the public choice theory – as self-interested persons and not as the representatives of the public interest. Can they achieve better results in an equal legal frame without this egoistic connotation? People have the fundamental right of freedom of conscience that *de facto* operates also in an official's (un)conscious state of mind. New views on public administration successes and failures will have to look also through the basic characteristics of the human mind, *i.e.* through its apprehension of public morality. By this method a stronger state is possible without people being more dependent on it.

2. Views on the morality of public servants

Although a specific ethos of organization (*esprit de corps*) as the characteristic spirit of a culture, beliefs and aspirations is acknowledged to be present in the public sector, we do not pay enough attention to it, especially with regard to the establishment and accomplishment of values. Weberian neutrality of public servants was long ago undermined by Waldo's quest for values (1948), while Black, Buchanan, Tullock and Niskanen forgot the abandoned idea of the faceless and anonymous bureaucrat in Mayo's human relations with the public choice theory from the mid-fifties of the last century. Following the public choice and principal-agent theory, NPM has sort of put the public employees on the side and gave more weight on the market, but these concepts did not count on the inseparable link between *is* and *ought*, *i.e.* between the factual and ethical elements. We must always count on morality, on values, if we want to achieve our goals. Simon has related/linked values with the organization's goals and beyond them: 'since the administrative agency must of necessity make many value judgments, it must be responsive to community values, far beyond those that are explicitly enacted into law' (1997, p. 66). What 'ought' to be is an element of the law and ethics; from the facts we cannot directly conclude to 'ought' and here is always a place for human reflection, thoughts and/or imagination. Dworkin treats 'law not as separate from but as a department of morality... it would encourage us to see jurisprudential questions as moral questions about when, how far, and for what reason authoritative, collective decisions and specialized conventions should have the last word in our lives' (2006, pp. 34-35). Values are embedded in the legal norms, but they can emerge in practice only when the public officials define/recognize them as such. The practice of every agency affects officials by complexity in which they operate, their organization, working methods and internal relations. An organization and the people in it are therefore the inseparable elements; it is no wonder that there is also for the human side (as it is for the organization) a special contextual theory of representation: Groeneveld and Walle have developed contingency approach to representative bureaucracy that is 'looking at the context in which the public administration operates' (2010, p. 240). There is therefore *no* predetermined absolute content of each value, although it might have the same formal name in different organizations. Groeneveld and Walle emphasize, along the already known managerial approaches to representative bureaucracy, also the *moral* ones and underline an exemplary role of the state: 'the political viability of managerial and moral approaches needs to be taken into account through acknowledging political realities and existing distributions of power in society' (2010, p. 256). 'The moral voice is much more compatible with free choice than with state coercion' (Etzioni 2004, p. 158). The latter will be mostly ineffective because of 'our limited ability to rely on introducing social change through the law when the law is not backed up by values' (Etzioni 2004, p. 158). For Etzioni shared values serve as a sort of framework and glue of society and the public officials have to rely on values when they propose new regulations. Values must be presented in view of the public interest (which is a common denominator for different values, as it will be shown later) and the public interest is implemented through the work of officials.

The theory of Public Service Motivation (PSM) is presented as a bridge between the personal interests of officials and the public interest. It refers to the process in which individuals contribute through their work to the public benefit in a way that satisfies their personal needs which are similar to the public ones. Perry and Hondeghem see a key for success in the PSM 'as an individual's orientation to delivering services to people with a purpose to do good for others and society' (2008, p. vii), but this is somehow a tautological argument. Perry and Wise have defined the PSM as 'an individual's predisposition to respond to motives grounded primarily or uniquely in public institutions and organizations' (1990, p. 368), but this is nothing else than the public interest described by other words, while it is about *motives* that people have for their behavior and not for the (monetary) incentives offered by the organization for their work or dedication. This theory is closer to the real formation of values than the ordinary view, which takes them as given or as such as defined in the law. Institutions (family, civil society, state, organizations) have, from our birth, impact on our personal thoughts and beliefs and mixed with them we get some notion of a specific value; there is a constant process of induction and deduction, reflection and the power of judgment (what is the best for public service and how to achieve it). Since the role of an official in the pursuit of private, special or collective interests is undetermined for the future, we cannot describe it only in the relation to his current motives and interests, but we could (in order to better understand also the bureaucracy as a whole) take into account the various ways in which he operates. Emotions and values are mixed in various ways, but nevertheless they could be influenced by our *activity*:

'Because we always have the control over our component of behaviour, there are simultaneously, if we significantly change it, also changed the components of thinking and feeling and our physiology. The more we actively engage in the active behaviour... more we will also revise our thoughts, feelings and what our body tells us. If this gives us the greater control, there will be also better feeling, more pleasant thoughts and physical comfort.' (Glasser, 1994, p. 51)

Activity and our thoughts are connected, but in the above-mentioned manner we apply some kind of 'force' on our emotions, because we at first 'forget about them' and concentrate on acts, while it can be also other way around: emotions can focus our behavior on activities that lead us towards goals. The acts of public employees can therefore have on both ways an impact on the people's thinking, feeling and behavior. At 'implanting emotions' on others by their acts, there should be some form of deliberation and opposition, which should lead to (internally or externally) agreed content, because such forms help to establish a better control of the public servants and consequentially clearer content of the public interest that is implemented also through the (ir)rational, evolutionary steps and their mixtures. Such (formal and informal) forms represent the indirect evolutionary means for better decisions, where an absence of the formally established values in the public administration (for which we already said that there are no absolute content of value) is clearly present. Criticism should be present at the argumentative level and at the formal one (*e.g.* in the whistleblowing procedures) if there are clear signs of wrongdoings; 'though agencies are normally responsive to

clientele criticism because an unhappy clientele is a dangerous clientele, they are not as responsive to criticisms of their own employees' (Meier, 2000, p. 109).

Public servants should act impartially, and look upon the public interest as the interest of the nation as a whole. With this simple statement we could all agree, but the empirical cases show larger and wider complexity in which there are a lot of intertwined symbolic, just and deliberative arguments, where 'in bureaucracies, as in assemblies, descriptive representation, substantive representation and critical mass all have a part to play' (Stevens 2009, p. 138). But such stance does not explain formation of values; they can be formed intuitively, by practice and experiences that unconsciously emerge in our mind. Such formation is similar to Hauser's moral instinct (2006) or ordinary view of people that is explained in Dworkin (2011, p. 27), but this is not a whole picture. Impartiality, legality and other values are affected also in other and different ways and not only through the legal/external ones. While it is clear that morality (or which values could be special moralities in specific fields of occupation) is also present in the public administration, we still do not know how this 'ought to' is formed; although with the *internis non iudicat preator* we could at first enlighten an internal side of every public servant, if we want to understand how the content of public values is established and later also accomplished.

3. The subjective conditionality of the public servant

The value of the public administration's efficiency is rising all the more in a time of crisis. There is at present a rapid development of new ideas that deal with the administration and the public tendencies for *better* political, legal management and control (e.g. the good administration, administrative justice, governance, good and/or sound governance, e-governance, network-centric, collaborative governance and recent meta-governance). They all want to establish a *new balance* between the peoples' rights and the government's efficiency and it could be that the common balancing is primarily connected with a *personal* judgment about values, *i.e.* with a subjective perception of justice by public servants who in the majority of cases implement (legal) decisions. All modes of governance contain the old human element, but they somehow left it aside. Is the inside (subjective) perspective from a particular public servant the first it must be understood, because interpretation evolves from it? How come that we usually go straight to rules without an understanding of the subjective side of their major proposer (the composition of draft laws) and interpreter (their implementation)? Will public administrations have to re-discover the importance of values in interpreting things? Human nature 'shows great similarities' (Goodnow, 1900, p. 7) and this circumstance is present in all public administration, in every human activity. Do we have to go back to the basis, to the human in the public administration, or at least to the New Public Administration (NPA) from the late 1960s that added to the classic public administration's efficiency and economy the question of *social equity*: 'to say that a service may be well managed and that a service may be efficient and economical, still begs these questions: Well managed for whom? Efficient for whom? Economical for whom? (Frederickson, 1980). In today's complex environment we must ask ourselves more specifically: who

is the one that at first and mostly prepares the grounds for social equity, for a success as such, who establishes, defines success, reality or reasonableness? No theory and no system can answer it *per se*, only an individual who is behind it as its author and/or implementer, although he is imbedded in the mixture of mutual impacts (organizations-people-organizations-people). So far it became clear that morality and/or values are present in the public administration and that they are affected by the work of public officials. We should therefore continue with the awareness of the subjective ways by which public servants prepare and execute public decisions.

3.1. Ways in which individual decisions are formed

Institutions do not form decisions as an independent force: they emerge and are accepted mainly by *individuals*. People with the same interests are united by the same desire and the related mutual cooperation to fulfill them proceeds regardless of where they are officially present. Humans themselves form a basic reality in the society and the same goes for the public administration; Ducroq in 1881 said that the mind can conceive only two powers from which we must proceed to the separation of power: 'the mind ensembles legislation according to the history and the nature of things with which deals executive and refuses the authority of judicial power as the third power' (1881, p. 29). The formal separation of politics and administration should not lead us to overlook the above-mentioned *holism* of the mind that operates within the millions of nerve connections. Holism as 'the tendency in nature to form wholes that are greater than the sum of the parts through creative evolution' (Smuts, 1927, p. 88) is one of the elements of the public interest. And it is determined mainly through the mind of a public servant as the draftsman and interpreter of the majority of primary and secondary legislation. And this holism of value is active especially in interpretation (see Dworkin, 2011).

Weber's instrumental rationality '*sine ira et studio*' (Weber, 1978, p. 125) cannot provide a clear guidance regarding conflicting goals. It can determine a formal path through which decision-makers must go, but it cannot objectively determine what is necessary, reasonable, appropriate or proportionate in view of consequences. Simon sought for an answer by defining a real organizational ambience of the decision in which the 'administrative man' merely attempts to accomplish goals 'satisfactorily or good enough' (1997, p. 119). He thought that the *structure* of organizations could give us an answer to the problem of bounded rationality:

'The need for an administrative theory resides in the fact that there are practical limits to human rationality, and that these limits are not static, but depend upon the organizational environment in which the individual's decision takes place. The task of administration is so to design this environment that the individual will approach as close as practicable to rationality (judge in terms of the organization's goals) in his decisions.' (Simon, 1997, p. 322)

Such personal conditionality of the rational individual that is conditioned by his *institutionalization* can be somehow alarming, but also outside organizations we all make

decisions inside our cultural environment. On the other hand it disregards the occasions when officials do not act only according to the institution's design (Simon also wrote that '[b]ehaviour-initiating mechanisms... are largely external to the individual, although they usually imply his sensitivity to particular stimuli [1997, p. 195]), but on their own initiative. The public choice and the principal agent theory about this institutional part draw attention to the individual's desires and his private interest, which *a contrario* also points to the impossibility of covering a whole part of human mind merely with the formally established values, regardless of the real and/or desired ones. A complex relation between means and ends in the public decision-making is evolutionary closer to Lindblom's 'muddling through', where 'the correct policy is made through comparison with other ones... in situations where there is no agreement on values and objectives... the test is on agreement on policy itself, which remains possible, even when agreement on values is not' (Lindblom 1959, p. 83). Etzioni supplemented Lindblom's incremental approach with his 'mixed scanning' in which fundamental decisions are used together with incremental ones, because 'most incremental decisions specify or anticipate fundamental decisions, and cumulative value of the incremental decisions is greatly affected by the related fundamental decisions' (Etzioni 1967, p. 388). To such mixing is also close Rohr with his bureaucrat's ethics in which an orientation on the regime values can help bureaucrats to choose their path when law gives them no guidance, where they have to use their own discretion: 'the oath to uphold the Constitution is the moral foundation of ethics for bureaucrats' (1989, p. 70). The case of 'regime values' can be treated similarly, 'namely much more as a normative than as an empirical concept, referring to the values, not of any historical regime, but of the quintessential or simply the best regime' (Overeem, 2008, p. 15).

These theories do not show how decisions are made, how they emerge, under what circumstances; they do not pay attention to the *subjective* side of their development. It looks that we are treading in a circle and we end up at the starting point. Their common denominator is human; it seems that decisions are at first a result of the human mind. But how do they evolve? According to Lukacs 'what governs the world (and especially in the democratic age) is not the accumulation of money, or even of goods, but the accumulation of opinions' (2005, p. 45). According to him 'our concern must be with how people think, how they choose to think, how they are influenced or impressed to think and speak' (2005, p. 47). This more or less personal conditionality of the decision-making models can be studied in the epistemological frame of *internalization* of norms: when, and under what circumstances they elevate into a principle, when fear and will for consequences emerge, when a membership in certain organizations becomes *the* goal, when cooperation, reputation, or a social prove (as 'the principle of social psychology', which refers to the decisions of the people what is proper behavior. One behavior we see as more correct in a given situation, if we see also the others to behave on such way [Cialdini 1984, p. 117]), emerges, when *de facto* validity of the existing rules and wishes for new benefits – by the signaling behavior that violations will not be tolerated – is established?

If we want to understand the public administration, we must at first understand the public servant's *mind* that should be *positive* in the direction of progressive values

of 'cooperation, knowledge and openness to alternatives, economics as means rather than end, limited inequality, and Earth as a home to be protected' (Box, 2008, p. 22). Such values automatically trigger questions about the mechanisms for initiating change that Box sees in 'imagining alternative futures, scenarios that are different from the status quo' (2008, p. 35), or Wainwright and Little in 'a deepening and strengthening of democracy and a reinvigoration of public service values [that] can be the most appropriate spur to real improvement in how public goods are provided' (2009, p. 13). At this point we are in a position when we want to be positive towards some meanings with which the majority of people could agree. But they still do not give us the means according to which progressive values, strengthening of democracy or public goods are established as such. The relation between public servants and citizens is psychologically complex and cannot be solved only by the *de facto* relation between rules and facts, because they are recognized and put together by the mind. Imagination, prediction, mind-set to a positive stance for a better place in which we should live is the key for a different future, and they all depend on the mental processes. Democracy as one of them (it is established when we understand it not when we vote for something, although voting is one of its elements) can surely act as an important check of executive and administrative operations, but only the officials know (at first) what is going on in specific public agencies. It is true that between the public officials and the society there must be a constant interaction in which opinions are exchanged, but the personal conditionality of a public servant can be indirectly shown only by the objective element of reciprocity and/or the 'give and take' principle. In everyday work of the public administration it stands in front of the democracy. The latter is possible only after this principle is established in practice and transformed in the *open-mindedness* of the public servant as sort of a prophet of democracy. The public servant and the public will interact if both sides consider the openness to the public interest that has to comprise a wide palette of morality, law, ethics and good practice. We can therefore talk about the subjective ways by which public servants prepare and execute public decisions, if we have in mind a larger number of people, while 'positive open-mindedness' can be only one (as a starting point into which specific content is poured). And how this 'openness' of the public interest is actually filled with content?

3.2. *The valueless public administration*

A problem of identification and ranking of values

Though the NPM is changing into the 'new digital area governance' (Dunleavy *et al.*, 2005), that incorporates 'new avenues of thought' (Vries, 2010) or fails 'to capture the complex reality of the design, delivery and management of public services in the twenty-first century' (Osborne, 2010, p. 17), the administrative *values as the psychologically established events have neither been defined nor tested as they appear in the work of the PA*. According to Hood a new institutional economics 'build on the now very familiar story of the post-World War II development of public choice, transaction cost theory and principal-agent theory... [but] only when we test the limits of NPM [or every other model] in terms of relatively narrow *administrative* values can we start to establish its proper scope and put

it in its historical place' (1991, p. 5, p. 19). The NPM and the associated better regulation have engaged the entire world in the race for the objectivistic efficiency that was already the main goal for Taylor in 1911 ('only with the compulsory standardization of methods, enforced adoption of the best implementations and working conditions and enhanced cooperation, we can ensure faster work. Duty of enforcement of standards, and strengthening of this cooperation is only in the hands of management itself' [Montgomery, 1989, p. 229]), but surprisingly they rather skip values, the importance of which should not be underestimated. Is it because they are in fact beyond measure? While all public administrations have their formal public service values, none of them can be really measured (also the independence and impartiality in the merit system and legality in the rule of law have been established 'from outside', *i.e.* through laws). 'The moral realm is the realm of argument, not brute, raw fact' (Dworkin, 2011, p. 11) and discrepancy between the legal and factual state of affairs is *always* present. But even if the discrepancy is discovered it cannot equip us with know-how for future dealings. What should we then do? Values are firstly conditioned by the environment and secondly by specific surroundings in which humans work. This can be seen tested on the accreditation standards for master's degree programs that were accepted in 2009 by the National Association of Schools of Public Affairs and Administration (NASPAA) compared with *e.g.* Molina and McKeown's research and Nolan's Committee on Standards in Public Life.

'The mission, governance, and curriculum of eligible programs shall demonstrably emphasize public service values. Public service values are important and enduring beliefs, ideals and principles shared by members of a community about what is good and desirable and what is not. They include pursuing the public interest with accountability and transparency; serving professionally with competence, efficiency, and objectivity; acting ethically so as to uphold the public trust; and demonstrating respect, equity, and fairness in dealings with citizens and fellow public servants.' (NASPAA, 2009, p. 2)

Despite the present attention to the public administration values, enumerating the authors who wrote about them and citing their contents would be long-winded and almost pointless. To identify the public administration values Molina and McKeown (2011) conducted a research among 30 participants from the local government and 22 from the state government. The participants selected the honesty and integrity from a set of thirty administrative values as the highest. Molina and McKeown have discovered that 'there is no clear consensus about the specific role that values play in the day-to-day behavior and decision making of administrators' (2011). This statement is similar to Rutgers's (2008) conclusion about difficulty of 'identifying a unique set of public service values', with which we almost intuitively agree. The participants in the research of the Molina and McKeown were also asked to identify five values that were the most important in their work, which ought to have provided some additional insight into which values they considered most salient.

'Though honesty and integrity remain at the top of the ranking, values such as lawfulness and benevolence fall in the ranking. Two participants included also

profitability in their list of top 5 values, even though it received the lowest mean rating of importance in overall figure. This highlights the importance of the context in which public service values are exercised, and the significance of the organizational role performed.' (Molina and McKeown, 2011, p. 12)

The importance of contexts represents always a challenge for evaluators: 'it is quite common for the same government program to work quite well in some places but much less well in others. This is often because specific context influences effectiveness. So there is a challenge for evaluators to be able to classify key success factors, which occur in some contexts but not in others' (Pollitt, 2003, p. 125).

Only by ranking of the public service values we get as close to the goal as the formally established rule of law is to legitimacy: there is a *gap* between theory and practice. We can assume that every public administration would agree that honesty, integrity, accountability, dedication, reliability etc. are the important values, while their practice is different in every country. While Molina and McKeown rank values as sets of (1) Ethical, (2) Professional, (3) Democratic and (4) Human values, the NASPAA accreditation standards enumerate them differently (from the highest to the lowest): public interest (rank 19 in Molina and McKeown), accountability (rank 3), transparency (16), serving professionally with competence (expertise at rank 6), efficiency (rank 13), whereas the objectivity, acting ethically so as to uphold the public trust and demonstrating respect, equity, and fairness in dealings with citizens and fellow public servants are not even included. We could continue with Lord Nolan's Committee on Standards in Public Life. This Committee identified the principles that apply to all aspects of public life (Standards in Public Life, 1995): selflessness (not included in Molina and McKeown), integrity (rank 2), objectivity (not included in Molina and McKeown), accountability (rank 3), openness (not included in Molina and McKeown), honesty (rank 1) and leadership (not included in Molina and McKeown). The numeration of the public value sets is just the opposite: (1) Human values, (2) Democratic, (3) Professional and (4) Ethical values. Establishing positive relationship with citizens and colleagues where we accept their opinions is the precondition for deliberation. If we do not know the reasons and/or facts, we can as strongly defend the same position as our opponent with different information; a key is therefore in the readiness to accept and listen to the others. If we agree with Dawn that the 'common key values – dignity, autonomy, respect, status and security (none of them in Molina and McKeown) – are being developed at a high level of abstraction in public and private law' (1997, p. 218), we are not any closer to their content, even if they 'together support... paramount values of democracy, citizenship and participation' (1997, p. 218), because he correctly notes that 'these are terms of art and do not have a fixed or very concrete meaning... they mesh together' (1997, p. 225). Willingness to listen and/or accept the other, different from us, offers more hope for establishing a basic strategy that stands in front of the ethical and professional values, whereas these values can be themselves a *de facto* result of the human and democratic values. One cannot be impartial or honest by himself, but always in relation to the other man. Molina and McKeown suggest as the best approach the 'one that draws linkages

between public service values on the one hand, and the behaviors, attitudes, and skills that public administration programs seek to impart on the other' (2011, p. 23). But can we link the public service values with the behavior (or are the public values – as we know them – only the result of our behavior)? It seems probable that values are not accomplished through it, but through our *actions* that are only *post festum* represented by a specific value. Did mother Teresa perform actions or did she *ex cathedra* teach values? Don't we feel that she merely acted? When we help someone in an accident, we offer help because this person is one of us, because we feel and act thus without having first studied which specific value ought to be accomplished by our actions (sometimes even at the cost of our life). We should differentiate between the establishment and accomplishment of public service values. The latter emerges from our acts, the former within our minds. Love emerges in our minds but its appearance is revealed in our acts. Let us therefore proceed with studying how the public service values emerge in our mind.

The public service values as personal values viewed from a universal stance

In the public administration there is no lack of public service values, because none exists. The public administration is without values. Not in a sense that there they are not operative, but that there they do not emerge; organization itself cannot produce them. The place for them is *in us*, when we think and then act with a view to the public administration goals. However, even if we could learn everything about them, there is no guarantee that we shall act according to them when the time comes. Between feeling and knowing there is a difference. 'What people say they will do, and what they actually do, are often different' (Hauser, 2006, p. 149). We have a feeling about values, when we act according to them, when they overwhelm us in a way that we even not think about them. This feeling is put into value in the actual examples, depending on the local conditions, on the context of our actions. Hume might have been right also about values: '[r]eason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them' (Hume, 2001, p. 266). Reflecting deeper, numerous occasions come to mind when we not even felt values, but just (almost instinctively) *acted*. If we asked a man who had saved someone from a burning house or car about his reasons he would most probably say that he had not thought at all, he just helped. He was aware of no thought. This is a simile to Hauser's moral instinct: 'we evolved a moral instinct, a capacity that naturally grows within each child, designed to generate rapid judgment about what is morally right or wrong based on our unconscious grammar of action' (2006, p. xvii). Of course there are those who do not help people in need, and they can talk about values with more difficulty. Only in acting, when we act almost automatically, we can find true values. Let us see why. Pollitt states, as many of us would agree, that '[m]otives, ethics and values are all difficult things to pin down. They all exist 'in the mind', 'in the heart', or in some mixture of these (and other) organs. They are psychological or philosophical constructs, not things which can easily be observed, weighed or counted' (2003, p. 133). It seems that this construct is in the personal possession, in a person's thoughts. The answer is

not new and it is based on the German idealism:

'It is impossible to think of anything at all in the world, or indeed even beyond it, that could be taken to be good without limitation, except a GOOD WILL. ... A good will is good not because of what it effects, or accomplishes, not because of its fitness to attain some intended end, but good just by its willing, i.e. in itself; and, considered by itself, it is to be esteemed beyond compare much higher than anything that could ever be brought about by it in favour of some inclination, and indeed, if you will, the sum of all inclinations.' (Kant, 2011, p. 15, p. 17)

Kant emphasizes that no disposition to obey the law is part of its definition ('the will is the capacity for desire considered not so much in relation to action [as the capacity for choice is] but rather in relation to the ground determining choice to action') and is similar to the above mentioned difference between *is* and *ought*; this incentive to act, which is *per se* a duty, is virtue: '[l]aw represents an action that is to be done as objectively necessary, that is, which makes the action a duty; and second, an incentive, which connects a ground for determining choice to this action subjectively with the representation of the law. Hence, the second element is this: that the law makes duty the incentive' (Kant, 1991, p. 46). In virtues/values there is no external lawgiver and the personal obligation is established through the categorical imperative: '[a]ct upon a maxim [a rule that the agent himself makes his principle on subjective grounds is called his maxim; hence different agents can have very different maxims with regard to the same law] that can hold also as a universal law' (Kant, 1991, p. 51). When we put our subjective principles under this imperative, when they pass it, our action not only qualifies as a universal law, but demands: 'Act...!' It is primarily a criterion of personal *action*, not of judgment. The faculty to desire corresponds to virtue and therefore the categorical imperative is an imperative of virtue, not of law or of right. Virtue consists in 'self-constraint', in 'inner freedom'; while the law consists of the authorization to constrain and/or coerce others, which is a matter of 'external freedom'. 'All duties are either duties of Right that is, duties for which external lawgiving is possible, or duties of virtue for which external lawgiving is not possible. Duties of virtue cannot be subject to external lawgiving simply because they have to do with an end which (or the having of which) is also a duty' (Kant, 1991, p. 64). Virtue as an end that is also a duty means 'one's own perfection and the happiness of others' (Kant, 1991, p. 190). Kant's unification of ethics and morality Dworkin defines as Kant's principle: '[a] person can achieve the dignity and self-respect that are indispensable to a successful life only if he shows respect for humanity itself in all its forms' (2011, p. 19). Similarly as Kant emphasizes that no disposition to obey the law is part of its definition, Nietzsche likewise states that 'one loves ultimately one's desires, not the thing desired' (§ 175, 1988a, p. 84). For Nietzsche, the man as an issue of moral is an open possibility, 'beyond (the already established) good and evil', as realization that we put on submitted things (moral as violence – § 188), as responsibility to oneself, as the power, freedom above fate and

self, which is called conscience, which can be a vow by itself, as one's own duty, as something which is outside the law, which by this method can be changed. This is our own virtue as a 'good conscience' (§ 214). While Kant had conceived moral, virtue as a good will 'in itself', without an object, Nietzsche called it the will to power. Because it is, according to him, 'a basic fact of human will, its *horror vacui* [that], it needs an aim – and it prefers to will nothingness rather than not will' (1988b, p. 283), moral represents a favor which a man, through his experiences, shows mostly and/or at first to himself, to his own conscience. They both connected moral with a personal will; Nietzsche also connected it with a good conscience, with power that man possesses above himself. Freud thought that the Kantian categorical imperative is the direct successor of the Oedipus complex (which is to him a true source of our morality), as a Superego that manifests itself as a functioning conscience (Freud, 1987a, p. 385). On this basis, he was able to convey the argument for our morality: 'a normal man is not only far more immoral than he believes, but also far more moral than he knows' (Freud, 1987b, p. 350). Human nature in good and evil far exceeds what a man usually thinks of himself. Thus it seems that Dworkin may be right: values are 'out there', but we have to find them in ourselves. He builds the metaphysical independence and the *unity* of value with the connection between ethics (how to live well) and morality (how we must treat other people):

'Someone lives well when he senses and pursues a good life for himself and does so with dignity: with respect for the importance of other people's lives and for their ethical responsibility as well as his own. The two ethical ideals – living well and having a good life – are different. We can live well without having a good life: we may suffer bad luck or great poverty or serious injustice or a terrible disease and a premature death. The value of our striving is adverbial; it does not lie in the goodness or impact of the life realized. That is why people who live and die in great poverty can nevertheless live well. Even so we must each do what we can to make our own life as good as it could have been. You live badly if you do not try hard enough to make your life good' (Dworkin, 2011, p. 419).

As systems or organizations are dependent on the context in which they operate, also the individual's mind depends on the context in which it thinks. But one of the main prescriptions for the good public administration is an employee's personal discretion of his mind, of his devotion to the public interest, of his love to the state and society in which he lives. These elements cannot be measured, although we clearly feel and submit to them. The inner law of officials as their hidden mental network that determines a way they confront each other, could, in the Foucault's language (as a set of 'sequential elements of syntax [where]... one speaks to the space where he looks' [2010, p. 10]) be named also as the automatic 'non-stop mental zig-zag iterations' between the observer, the observed and other situations, which the mind apprehends as relevant, or we can simply state that public service values (or the public interest if you prefer) could be

established with the formula:

Value = Rawls's original position + categorical imperative (golden rule).

They both are widely known, so we will only briefly explain them; the former is a hypothetical situation in which free and equal persons jointly agree upon and commit themselves to principles of social and political justice. The main distinguishing feature of Rawls's (1971) original position is 'the veil of ignorance': to insure impartiality of judgment, persons are deprived of all knowledge of their *personal* characteristics or interests. In the original position all persons are motivated, open-minded and rational; this is why just and fair principles on which to base society can result. The Golden Rule or ethic of reciprocity is a maxim that in a positive and/or negative way states that one should treat others, as one would like others to treat oneself and/or one should not treat others in ways that one would not like to be treated. With the former we can limit the pursuit of self-interest (we put our negative desires aside) and with the latter we desire a personal goal with which everyone would agree. The above mentioned formula could stand as the public value if we, in our personal position within the golden rule, establish a goal with which would agree the majority of people.

Values are accomplished in relations

Public servants and citizens must regard each other from the already mentioned *positive* stance, because the mind projects contents into others as it has in itself: Sartre argued that evil is in projection; people hate in others that half of themselves which they apparently reject (similarly Mises [1946, p. 1] noted that 'nobody calls himself a bureaucrat or his own methods of management bureaucratic'). Because they cannot reach other people through emotions, they look at them as objects: 'my objective qualities that are recognized by them, do not express what I am in myself, but what I am in relation to them' (Sartre, 1981, p. 133). Thus, the objective definition of misbehavior that people assign to others, the latter take as subjective; they let themselves to be personally convinced that this definition is related to their subjective and hidden being. People take so others' illicit desires and internalize them as their own: 'the more we think that people are corrupt, the more people will be corrupt' (Rothstein 2000, p. 479). *The more people think that public administration is inefficient, the more it will be inefficient.* Von Mises in 1946 warned about such emotional statements of the general public (that are primarily the consequences of their personal inactions) against the public administration; common stereotypes of the public administration are aimed towards being wasteful, inefficient, overly large, and a threat to liberty. Accordingly, the minds of public servants can absorb such stereotypes as their own or they can negatively think about people being too dependent, illiterate, unintelligent, ungrateful, unjust etc. If the public opinion is too negative, then the public administration probably will not be too positive.

'If we are inclined to believe that people are self-interested in maximizing of all that they do, then we are likely to construct incentive systems that take advantage of this human instinct and simultaneously protect against dysfunctions

associated with it. In contrast, if public servants are general altruists, then we will be inclined to rely on them to do good at all times.' (Perry and Hondeghem, 2008, p. 8)

To such a conclusion we can add also groups and their extremism: 'members of a deliberating group usually end up at a more extreme position in the same general direction as their inclinations before deliberation began... the pre-deliberation median is the best predictor of the direction of the shift' (Sunstein, 2009, p. 3, p. 17). The median point of view, in advance of deliberation, is the best predictor of the direction of the shift: if a deliberative person will be more extreme, the deliberation will produce increasingly extreme movements and vice-versa. And *here* is the place for the public servant to recognize the original position and the golden rule: a strong individual can move even large groups; a particular public servant can give a lot more to the public administration than he is aware of. An individual creates results based on his personality that is based also on the factual states of systems and environment in which he operates.

Beside the factors that influence our consideration of the stated factual goals, we are under the influence of others, in *relational satisfaction* that is affected by the way we perceive messages, are involved with other persons (a reminder of Sartre's projection of evil) and by the way we evaluate past experiences, expectations, social roles, self-concepts, self-fulfilling prophecies (when we expect a certain outcome, the expected outcome is more likely to take place because we unconsciously take actions that lead to that outcome) and wider culture (habits) in which we live. In case of contrastive (when a message goes against our expectation), repetitive messages and messages with intense stimuli, we must not overlook messages that have low stimuli, a single or few repetitions and 'hidden' messages within intense and/or low stimuli. They may, in the long run, change our path bit by bit. Organizations in the public sector are specific entities with the public power where public servants act differently as private persons; although the 'meta power of power' (awareness of the power in an official's mind) is known as the important factor in the person's behavior, it has not been fully studied in the frames of the public administration: 'no serious attempt has been made by those who have undermined the ideas and practices of public services to answer the questions of ethics which their handy work has thrown up, notwithstanding the plethora of codes, frameworks and compliance bureaucracies that have become substitutes for ethical thinking on the part of individuals' (O'Toole, 2006, p. 6). It is far from enough that there are legal procedures and reviewing mechanisms; they are focused on the consequences and not on the *causes* that lead to these consequences. 'Laws and regulations are often ineffective guides for administrators trying to determine what to do. However trite this observation may seem, laws and regulations are better at telling administrators what not to do than what to do' (Frederickson, 2010, p. xiv). What can an individual do if he is aware of such conditions, aware of 'what to do'? In the absence of determined findings about good administrative values (they always depend also on the local culture and its parameters) only universal paths can be offered on which attention/information must be focused. They are in a

categorical imperative or some other form of the Golden rule, in the signaling behavior, in the principle of reciprocity, in the positive stance, in relational satisfaction. The above-mentioned formula of *value/public interest is therefore corrected as: Value = Rawls's original position + categorical imperative (golden rule) + positive stance/relation to other.*

4. Conclusions

The re-introduction, deeper development and research of the human characteristics in the science of administration have to be focused in the official's human mind, which is inevitably connected with the decision-making processes in public affairs. People always want to narrow the gap between what they want and what they see in their surroundings. Today's conditions are complex and results are possible only under creativity that transcends the traditional ideas, rules and patterns into new innovations. The formation of new ideas, re-organization of the old ones, following the situations in which humans operate and choose between the needs (through instincts) and desires (through motives), between the physiological and psychological elements, between pleasure and reality, is a big task for the social sciences.

The theory of public administration has to contribute its part to the mosaic of human decision-making, if we want to place our thoughts on more solid grounds also in the public administration's field. The future theory of public administration should include and test the basic findings that have been developed in psychology – especially those where the public power is used (remember e.g. the Zimbardo's and Milgram's experiment) and which is connected with the rules: a bureaucrat, who at his work never forgets the previously established rules, becomes their victim (if he does not use them in accordance with the current circumstances). Although it has been quite some time since the seminal paper of Kahneman and Tversky, *Judgment under uncertainty: Heuristics and biases* (1974) and other works about human cognition (Kahneman, 2003, 2011) were published, their findings (about the representativeness and availability heuristics, overconfidence, anchoring, social perception, and methods for correcting and improving judgments under uncertainty) are still not included in the public administration's decision-making. The good public administration is about the new thoughts that go through traditions and are perceived as such by our mind; the law of sowing and reaping, of the cause and effect, also applies here, even if we do not recognize it clearly. An individual is a complex whole, made of conscious and unconscious elements that are present also in the public administration. In the absence of the *personally* established values in the public administration, also the fundamental normative principle of openness in the public administration can help to form the criterion for the elimination of 'psychological', bureau-pathological (see Caiden, 1994) diseases of the public administration, while our prime need, however, would be to recognize the basis on which the public administration actually governs, its real purpose, the exact functions and status of its officials, and the like.

Decisions by the majority of votes, analysis of costs and effects, regulatory impact analysis and similar models of decision-making or governance, are a pale approximation

of the real mental processes that constantly operate in the mind. More psychological researches in the public administration will be needed if we want better understanding of what is really going on. We do not know enough about the public servants' minds that fill the contents of administrative values, but we know something else: our personal note of freedom, security and survival is much larger than could be assumed from the contemporary scientific or legal books. The established beliefs will not always give a correct answer in different situations that will dictate a different approach. The routine does not go through established dogmas. We must ourselves 'actually put in context and consider the potential conflict of our time' (Unger, 2004, p. lv) regardless of the existing theories. They were established in a different time and under different circumstances. The magic is in us; it can be represented by the formula of value/public interest that is given in this paper. It can serve as a test for presence or absence of values in the public administration's decisions. The unlimited possibilities that arise from us as the limited units show on the open space of potentiality and freedom. The establishment and accomplishment of values are among them.

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