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An Anticorruption Strategy for Local Governments

Program for the Study of Corruption in Local Government
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PREFACE

The Project

Under a grant from the National Institute of Law Enforcement and Criminal Justice, SRI International (formerly Stanford Research Institute) has conducted a 2-year study of problems of local-government corruption in land-use and building regulation. We have found such corruption to be a significant problem in many areas in the United States and it is not likely to be insignificant in the areas we could not study. To provide a detailed understanding of how corruption occurs and how it can be prevented, SRI researched the environment in cities that had faced corruption problems in recent years, undertook an extensive literature search, analyzed the causes of corruption, identified numerous corruption prescriptions, and commissioned specialized studies from recognized experts in the field. The methods available for carrying out this study had severe limitations. As a result, the study produced not firm conclusions, but hypotheses to be tested by other researchers in other, more rigorous situations.

The results of this 2-year study program are contained in six reports, as follows:

- Volume I: Corruption in Land Use and Building Regulation: An Integrated Report of Conclusions--A summary of the environment in which corruption can occur in land use and building regulation, and possible corrective and preventive measures. Illustrations are drawn from the case studies (Volume II).
- Volume II: Appendix--Case Studies of Corruption and Reform-- Documented incidents of corruption in nine cities and one documented absence-of-corruption case. In each case study, the factors that acted to allow the corruption are pointed out.
- An Anticorruption Strategy for Local Governments--This report describes a countercorruption strategy that can be implemented by city administrators to monitor the performance of employees and to increase their understanding of what constitutes corruption and how to avoid it.

- An Analysis of Zoning Reform: Minimizing the Incentive for Corruption--This report, prepared by staff of the American Society of Planning Officials, discusses zoning reforms that can be considered by planners, zoning commissioners, and others involved in land-use regulation.
- Establishing a Citizens' Watchdog Group--This manual, prepared by the Better Government Association of Chicago, shows how to establish a citizens' group to expose corruption and bring pressure for reform.
- Analysis and Bibliography of Literature on Corruption--The results of a detailed search of books, journals, and newspapers made to identify descriptive accounts of corruption, theoretical analyses of the causes of corruption, and strategies proposed or implemented to control it.

The Report

In Volume I of Corruption in Land Use and Building Regulation, which presented the conclusions of the 2-year study by SRI International, a number of hypotheses were derived concerning opportunities and incentives for corruption. Some of these--many of them--appeared to have wider application than in reform and prevention of corruption in land-use and building regulation. Because only testing in real situations will show the degree of validity of these hypotheses, and because there is considerable interest in materials that local government managers can use to combat corruption, Thomas Fletcher, who has many years of experience in local government, took these hypotheses and cast them in the form of a program that a manager could implement.

The program suggested here is designed primarily for employees; implicitly, it is addressed to some superior who wishes to implement the program. The problem of embedded corruption that extends to the highest levels can only be addressed by the electorate, and by citizen watchdog groups, and investigative reporters persuading the electorate to action. (In some cases, local government investigative agencies are equal to the task, but not in all cases.) Again, the problem posed by archaic regulations is not addressed by this report; it is addressed for land-use regulation in a companion report called "An Analysis of Zoning Reforms: Minimizing the Incentive for Corruption," but it must be addressed separately for every regulatory agency.

No guarantees of efficacy are offered with this report; efficacy depends on many things--modifying to meet local needs, not allowing the parts that are the easiest to implement to overbalance the ones that are harder to put into effect, continual adjustment as changes tend to harden into rigid procedures whose point has been lost, and so on. But this report does take the tentative conclusions--the hypotheses--resulting from a 2-year study of corruption in land-use and building regulation, puts them together with management and administrative principles that arise out of a long experience in local government, and come up with a relatively coherent program that can be used to combat corruption.

The program suggested here is based on the following hypotheses taken from Volume I of Corruption in Land-Use and Building Regulation:

- The attractiveness of an opportunity for corruption is inversely proportional to its visibility.
- The attractiveness of an opportunity for corruption is likely to drop as more officials become actually or potentially involved.
- The opportunity for an official to engage in a corrupt act will be increased by structures that increase autonomy, provide vague decision rules, or pose minimal risks (limited detection capabilities or light sanction policies).

Other hypotheses are addressed in other reports.

ACKNOWLEDGMENTS

Projects that require years to complete and that require data to be collected from all over the country inevitably depend heavily on the contributions of many persons outside the project team. The project director and the authors of the various reports in this series take this opportunity to thank all of those who have talked, debated, and argued with us for the past two years. The project has benefited greatly from your involvement.

In addition to the grant from the National Institute of Law Enforcement and Criminal Justice, support has been provided by the University of Illinois (sabbatical support for John Gardiner), by the American Society of Planning Officials, by the Better Government Association of Chicago, and the executives and management of SRI International.

The six volumes of this series have benefited from, among others, the substantive contribution of the following SRI International staff: Thomas Fletcher and Iram Weinstein who have played major roles in defining and setting the initial direction for the project; James Gollub, Shirley Hentzell, Lois Kraft, Cecilia Molesworth, and Stephen Oura who have all helped shape various aspects of our work. George I. Balch from the University of Illinois and Joseph McGough and Thomas Roche from New York City's Department of Investigations have served as outside consultants providing valuable assistance.

The project has also been guided by an Advisory Committee, members of which have been drawn from the ranks of public interest groups, academia, and research. Representatives at the three Washington, D.C. meetings included Joseph Alviani, United States Conference of Mayors; William Drake, National League of Cities; Donald Murray and Nancy Levinson, National Association of Counties; Claire Rubin and Philip Singer, International City Management Association; Richard Sanderson, Building Officials and Code

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Others have graciously taken valuable time to review one or more of the many working papers that underpin our final products. Elinor Bowen, Gerald Caiden, Michael Maltz, Daniel Mandelker, David Olson, and Larry Sherman have been prominent among these reviewers.

In each city studied for this project we talked with officials from throughout government service, journalists, clergymen, and citizens. While we will always honor our agreements as to confidentiality, we wish to express our gratitude to them for their comments and reactions.

Our project monitors, David Farmer and Philip Travers, justly deserve acknowledgment. They have been helpful not only in ensuring our compliance with the National Institute's rules and regulations but in helping us adhere to our research design even when we were in danger of being buried by the petty details of project work.

Finally, we could never overlook the people who put our often incomprehensible work into readable form. Edith Duncan, Sandra Lawall, and Josie Sedillo of SRI and Anita Worthington of the University of Illinois have earned more than simple acknowledgment, so let mention of their names serve as only a small token of our appreciation.

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I INTRODUCTION

"Human beings, even the nicest of them, can be corrupt." (Sylvester Murray in Public Management, February 1978, p. 11).

The possibility of corruption exists in almost every public agency, and at almost every level, but that need not mean that the occurrence of corruption is inevitable. However, preventing corruption takes more than sermons and promises. It is necessary to set up ways to detect improprieties whenever they occur, and intervene to stop them and to prevent their reoccurrence. This document proposes an approach that uses management control, audit procedures, training, and investigation, with a management team to see that all of these functions work together, and work properly. The combination is called AIMS, for accountability, integrity, management system. The proposed system can be used for all of those in the public employ, but is aimed particularly at those in state and local government (whether elected, appointed, or hired) and whether they wish to adopt the program from the top of the organization or at mid-level. The purpose of the system is to ensure accountability and integrity.

Accountability, Integrity, and Corruption

A public servant is accountable when he/she is able to answer for his/her conduct and obligations. This requires both someone to answer to, and some acceptable way of framing an answer--whether by records, or by random inspections, or by some other accepted means.

Integrity has two meanings here: "soundness" is one, which means not flawed, and the other is "maintaining a trueness to a trust and responsibility," and implies, according to Webster, "trustworthiness and incorruptibility to a degree that one is incapable of being false to a trust, responsibility, or pledge." The acceptance of a position as a public servant at any level of government, whether by election or not, is the acceptance of a role of public responsibility, and public trust.

No breach of that trust or responsibility is tolerable; at a minimum, a failure to serve the public interest demands a reprimand, and any significant failure is grounds for removal.

Corruption is a term that has been used to designate many types of undesirable activities. It can mean "impairment of integrity, virtue, or moral principle," "decay and decomposition," inducement to wrong by bribery or other unlawful means," or "a departure from what is pure or correct." Some writers reserve the term "corruption" for specifically illegal behavior, such as the common law categories of malfeasance (doing something you are prohibited from doing), nonfeasance (failing to do something you are required to do), and misfeasance (performing a permissible act in an improper fashion). Other writers extend the meaning of corruption to include deviations from commonly held notions of propriety or acts that do not conform to the public interest.

An example that shows the difference between the narrow definition and the broad one is the 50% employee. The 50% employee who spends 4 hours at work and 4 hours in a bar but gets paid for 8 hours is corrupt according to any definition. The 50% employee who spends 8 hours working at half capacity may not be doing anything illegal, but he/she clearly is not conforming to commonly held notions of propriety ("a day's work for a day's pay") nor does this act conform to the public interest.

The approach advocated here depends on good management and therefore necessarily includes poor management in with definitions of corruption. Poor management not only results in waste and inefficiency, but can lead itself to acts of more serious corruption. If nobody cares that the 50% employee is working at half capacity, then what is there to prevent that employee from working 4 hours and taking the other 4 hours off? The amount of work produced is the same in either case.

The Importance of Fighting Corruption

Corruption is not a victimless crime; the victims are the taxpayers, those who depend on receiving services from government, and the social fabric itself. The perception that government is corrupt is one that can

be seized upon by any group demanding change, and used to drive a destructive or self-serving effort as easily as it can be used to drive constructive reform.

In its 1973 report, the National Advisory Commission on Criminal Justice Standards and Goals concluded: "The direct costs of corruption are incalculable, but they are believed to be astronomical enough to support the wry observation of one high U.S. Department of Justice career official, who stated that 'when we finally stop payoffs to public officials at all levels in this country, we will have found the cure to inflation'" (NACCJSG, 1973). The U.S. Chamber of Commerce estimates the total costs of bribery, kickbacks, and payoffs in this country to be \$3 billion each year (U.S. Chamber, 1974, p. 6). U.S. News and World Report puts the kickbacks paid by business alone at \$5 billion per year, "practically all of it passed along to consumers in the form of higher prices for goods and services" (USNWR, 29 October 1973, pp. 38-40). Most of these payoffs are probably small--much is written about large amounts paid to high-level officials, but little about nickel and dime payoffs to low-level public servants.*

The cost of corruption is paid for in more than money. The corrupt filling of a government position on the basis of money or a favor rather than competence can lead to the work of the department being poorly done (Key, 1935). The awarding of a contract on the basis of a bribe rather than ability to do the job can lead to deaths directly attributable to the poor banking of a highway curve or the collapse of a too-weak bridge. Corruption in tax assessment and collection can lead to the loss of industry from a city. Corruption in land-use zoning can lead to double-sessions for school children because too much high-density housing was allowed without demanding that the developer construct the

* Guesses as to the extent of corruption are made somewhat less meaningless by the awesome proportions of the gradually emerging Federal procurement scandal, which began with GSA. In any case, it is not the actual number of dollars that matters as much as it is the widespread equation of government with corruption, and the notion that corruption is inevitable.

public facilities needed to serve the housing. Corruption in inspections can lead to fire deaths (the fire marshal "overlooked" the fact that several exits were nailed shut, or the building inspector "overlooked" the fact that inadequate wiring and inadequate fire doors or firewalls were installed). Corruption in the administration of criminal justice leads directly to injustice and to disrespect for law. The National Advisory Commission on Criminal Justice Standards and Goals said:

There is no dollar figure that can represent adequately the debilitating effect on human life of such activities as narcotics operations, extortion rackets, prostitution rings, and gambling syndicates that are permitted to flourish because of compliant and corrupt law enforcement...Other, perhaps greater, indirect costs of public corruption lie in its stimulus to further criminality...Public corruption makes an especially sinister contribution to criminality by providing an excuse and rationalization for its existence among those who commit crime...Simply put, official corruption breeds disrespect for the law.

(NACCJSG, Community Crime Prevention
1973, p. 206)

The Make-Up of the Handbook

Section II sets forth the ethical basis for the approach to be described in the following sections. Section III describes the process of change and the approach to it that is suggested here. Section IV presents the details of the approach to management control, Section V describes the audit aspect of the system, Section VI describes the approach to training, Section VII describes the investigative aspect, and the last section presents some possible obstacles and how they can be overcome. References, a list of further reading, and an appendix end the handbook.

II THE ETHICAL BASIS OF PUBLIC SERVICE

"There is no form of Government but what may be a blessing to the people if well administered...this [government] is likely to be well administered for a course of years, and can only end in Despotism as other forms have done before it, when the people shall become so corrupted as to need despotic Government, being incapable of any other."

Benjamin Franklin, 1787

There can be no possibility of corruption where there is not an idea of integrity, just as there is no possibility of immoral or unethical conduct without some idea of what is moral or ethical. Paula Gordon has developed a map that clearly delineates the parameters of what can be understood by "corrupt practice" and by "ethical conduct" on the part of those who serve in government. She has identified three basic types of conduct:

- Conduct based on no ethics--conduct totally divorced from any perspective reflecting ethical or moral commitment.
- Value-neutral conduct--conduct that maintains a neutrality with respect to values, ethically based goals, and purposes.
- Value-based ethics--conduct that reflects basic values and principles which should be seen as being intrinsic to every level of government in a free society. These basic values would include the values of life itself, of health, and of individual and societal freedom. Principles would include those of integrity, fair play, and justice. The preservation and enhancement of the public good, of the public interest is the goal of value-based ethical conduct within the context of government in a free society.

(Gordon, 1977)

The concept of the public good, of government that aims at serving the public interest is fundamental to ethical conduct in government. Similarly, conduct based on an absence of ethics or "value-neutral" conduct is not compatible with serving the public good or the public interest in a free society. Depending on the circumstances, "value-neutral"

conduct can be just as damaging as conduct based on an absence of ethics. Value-based ethics can result in conduct that is mistaken, but never in conduct that is corrupt.

To illustrate, let us draw a profile for a person representing each of the three situations, and call them Profile of a Scoundrel, Profile of a Gray Functionary, and Profile of a Public Servant. The scoundrel represents the absence of ethics, the gray functionary represents "value-neutral" ethics, and the public servant represents value-based ethics.

Profile of a Scoundrel

- Commits illegal acts or delegates others to commit them, or covers up illegal acts.
- Engages in wrongdoing, delegates others to engage in it, or covers up wrongdoing.
- Makes use of the weaknesses, mistakes, or frailties of others to promote his/her own gain ("Winning ain't everything, it's the only thing") or to build his/her empire.
- Makes life difficult (and promotion impossible) for those who do their work properly ("make the others look bad") or who expose the wrongdoing of others.
- Withholds or distorts information, whether to circumvent the law (or the intent of the law), to prevent knowledge of wrongdoing, or simply to exercise power.
- Conducts business, delivers services, and addresses societal problems from the point of view of personal power and personal gain, regardless of waste, inefficiency, or injustice.
- Considers expressions of the needs and desires of the public as irrelevant, if not funny.

Profile of a Gray Functionary

- Doesn't commit illegal acts or delegate others to do so, and doesn't cover up, but doesn't blow the whistle either.
- Doesn't engage in wrongdoing or delegate others to do so, but feels no need to expose wrongdoing unless great advantage is to be gained.
- More interested in doing exactly what is expected of him/her than in doing what's needed ("that's not in my job description"); more interested in keeping things going smoothly than in righting wrongs ("I don't want any trouble").

- Not concerned with integrity, whether individual or organizational, but solely with organizational or personal survival--willing to sacrifice the whistle-blower (or watch someone else do it) "for the good of the department" or to remove the employee who is critical of the way things are done ("just a troublemaker").
- Gives information only grudgingly, and then only as much as is asked for, and then only in the form that shows the organization in the best possible light.
- Conducts business, delivers services, addresses societal problems wholly in terms of cost/effectiveness ratios, units produced or completed (number of forms filled out or number of garbage cans emptied per hour) rather than in terms of the real needs of the public; appears insensitive to human needs either of employees or of the public.
- Pays so much attention to process that the public interest is disserved ("Sorry, sir, it just says we have to fill out this blank--it doesn't say anywhere that it has to make sense").

Profile of the Public Servant

- Does not commit or delegate the commission of illegal acts or other wrongdoing, nor condone or excuse the behavior of those who do.
- Wants to do the best possible job, and to have his/her employees do the best possible job; to have advancement based on merit.
- Sees to it that those who do their jobs well do not lose their jobs, that whistleblowers are not punished, and that valid employee criticisms result in improvements rather than retaliation.
- Withholds information only when legally or ethically necessary, and maintains honest and open communication.
- Conducts business, delivers services, and addresses societal problems in a way that responds to real public needs, is sensitive to human values and dignity, and conserves resources (human, fiscal, and material).
- Makes sure that purpose and service take precedence over process, and that his/her work serves the public interest and maximizes the values of life, health and individual and societal freedom.

Given the above profiles, let us explore how each of these types would approach a particular situation--in this case, a final inspection of a building for the occupancy permit:

- The Scoundrel notices that although the original plans called for nine apartments, a tenth has been squeezed in and the builder, in doing so, has violated fire safety regulations, regulations concerning venting from the kitchen to the outside, and electrical system regulations. The fact that these other violations still exist implies that the electrical, fire, and ventilation inspectors have been paid off. The Scoundrel goes over to the construction trailer where the contractor is waiting, and says "It's going to cost you about \$25,000 to tear out that extra apartment and rebuild this thing the way it ought to be. Now, ordinarily I wouldn't make too much fuss about this kind of thing, but the way I look at it, this isn't just any little old nickel-and-dime violation. I figure you ought to be happy to reimburse me for the loss of my moral fiber to the tune of just about 20% of what it would cost you to come up to code. I mean, man--you're really asking me to corrupt myself, y'know?"
- The Gray Functionary notices the extra apartment and calls in sick rather than finishing the inspection, telling the office to be sure and send out someone to do the inspection that afternoon, and to be sure to note in the file that he was unable to inspect because of illness. He does nothing more.
- The Public Servant sees the extra apartment, cites the contractor for the violations, and calls the office to notify them that the occupancy permit is denied until the extra apartment has been removed. On returning to his office, writes the incident up in memo form and sends one copy to the office chief and the other to the district attorney.

This example highlights the difficulty of imposing such an ethical basis on popular culture. Obviously, it is far better, under ordinary circumstances, to be the Gray Functionary in such a case. The situation becomes even more disagreeable if it is assumed that the Scoundrel is the department head and both the Gray Functionary and the Public Servant are department employees. The Public Servant would then have to be not only a sanctimonious prig but also incredibly foolish.

However, the hopeless situation just presented can be modified somewhat. Suppose, in addition to the factors noted above, we add these:

- Management control--The supervisor of each inspection unit is expected to spend one half-day a week reinspecting the work, on site. Complaints from the public are logged in detail not only by the complaints section, but by the section concerned, which must respond within 10 working days. The name of each inspector is not only on the history sheet for each permit but on the entry concerning the inspection in the assignment log kept by each unit supervisor. In addition, a "trouble file" is kept; any contractor

who has been cited for a violation in the past year or against whom there is still a pending complaint receives an automatic reinspection on site by the supervisor before a certificate of occupancy can be given.

- Audit control--Records of building inspections are spot-checked, on a random basis, against the logs kept by the supervisors and against the "trouble file." In addition, an outside consultant (a building inspector from another state) is brought in for one week every year to re-examine buildings approved for occupancy during the last 12 months. (Single-family dwellings about which no complaint has been made are exempt. The list for re-examination is made up by an intricate method of tossing coins to assure that the selection is as random as possible.)
- Investigation--An investigative unit checks out, immediately, any report of a possible impropriety--as much to clear up wrongful imputations as to verify wrongdoing.
- Training--The city's policy in regard to inspections is clearly spelled out in training sessions that all officials must attend. The reason for the policy--not only to prevent impropriety but to serve public needs--is made clear, as are the controls and the penalties.

Clearly, in this modified situation, where the wrongdoing is much more likely to come to public notice even if no report is made, far less penalty is attached to "ratting on one of our own," since an immediate report could forestall a far more serious offense. Of course, the offense is far less likely to occur in this modified situation than in the situation where inspectors are not checked up on at all.

At the same time, neither management control, audit control, investigation, training, or a management team is likely to function or exist unless a very clear ethical basis has been established for public service in the city. The Appendix gives a map of the range of concerns encompassed by Paula Gordon's "Ethics and the Public Service--Recommendations for the Training of Public Servants" (Gordon, 1977). A bibliography of writings on ethical conduct for public servants can be found in a report of O. P. Dwivedi, University of Guelph, Guelph, Ontario, Canada (Dwivedi, 1977).

III INSTALLING AN AIMS SYSTEM*

"If I'm convinced against my will,
I hold my first opinion still."

(Anon.)

The assumption on which this section is based is that a new chief executive has been elected or appointed (or hired) and that a high priority is either to eliminate existing corruption within the department (or group of departments) or to prevent it from happening. This (or any other) system of cleaning up or preventing corruption will not have any effect at all in a system where corruption is entrenched and the leadership condones it. For that situation, the report in this series on "Establishing a Citizen's Watchdog Group" is recommended. The material presented in this report would then be useful only when the citizen watchdog group had succeeded in ousting the corrupt leadership and replacing it with a reform slate.

Managing Change

It is difficult to make basic changes in any institution, particularly changes that alter the relationships among the people who work there. Minor changes (use the new form instead of the old one) or cosmetic changes (calling it the Department of Human Resources instead of the Department of Employment) may go through without difficulty, but major changes must be made with great care if the changes (and the person championing them) are to endure.

*AIMS, like any other remedy, is vulnerable to abuse. If AIMS is installed to give the appearance of rectitude while corruption continues unchecked, then the installation of AIMS could actually work against the prevention, detection, and correction of government corruption. It is not at all clear that anything other than intense citizen vigilance and response can prevent such an abuse. However, the possibility of side effects exists with any remedy that is strong enough to make any difference.

There is considerable literature on change, and how it can be brought about. Of the two main ways of making changes in an institution--coercion and education--the educational method is the appropriate one here because it is the most likely to sustain a real change and the most likely to result in a lasting change.

Coercive change strategies have no place in a free society because they violate the basic values and principles of that society: they deny the dignity of the individual; they deny free expression; they deny the exercise of individual conscience. Coercive change strategies have a place only in situations where some other basic value is at stake, such as human life. (One does not hesitate to force a company to stop selling botulism-contaminated food, for example.)

Self-motivated change is the only dependable kind, and it cannot be imposed from outside. However, education can result in self-motivated change, as witness the number of people who have stopped smoking since the Surgeon-General's report. Education in the ethics of public service, moreover, does not depend on making new scientific discoveries, but on bringing some traditional values back into the light.

The factors that can motivate public servants to adopt a higher level of ethical conduct are these:

- A desire to regain the respect of the public, so that being a politician or a civil servant can again be considered an honorable career, and election, appointment, or employment in government can be considered evidence of high personal standards of conduct.
- Recognition of the high social cost of corruption, and the possibility that if it were to become finally unacceptable, the reaction of the public could become a source of personal as well as civic peril. (When "Throw the rascals out" comes to mean no more than the installation of new rascals, those who can easily do so seek better communities and those who cannot leave seek different forms of government.)
- Awareness that there are standards of ethical conduct that can be agreed on, and principles that can be applied in various situations--that the judgment as to whether an act is ethical or not can be made before the act is carried out, and need not be solely the personal later judgment of a superior or an investigative reporter. (The words "good"

and "bad" are of little use in this context, compared with the words "ethical" and "unethical," which carry clear meaning.)

- Strong and principled leadership.

By itself, without any further change, strong and principled leadership can produce overnight changes in an organization. Persons who feel strongly inclined to serve in a more dedicated fashion, and to adhere to principles, but who have been thwarted, frustrated, or frowned upon for indicating any such desire can generate a tremendous amount of energy when they realize they finally have a strongly principled leader who will support them--will insist on fairness, rewarding merit, punishing wrongdoing, and serving the public interest.

The Nature of AIMS

The name is an acronym for accountability and integrity management system. The AIMS program says that it is possible to assure accountability and to prevent, discover, and correct lapses of integrity in public service. Human nature and original sin may make inefficiency, ineffectiveness, and corruption a continual risk, but public service need not be inefficient, ineffective, or corrupt. AIMS is not a magic ritual that promises instant success and no more problems, but rather a set of proven practices from a number of fields that are brought together here in a way that may seem new to some and to others may seem to be a return to old virtues.

In explaining how he dealt with a situation of low organizational performance and an outbreak of corruption in the city of Cincinnati, the City Manager, William Donaldson, said:

...government is afflicted more by a lack of accountability than by an inherent desire to commit crime. The 'crimes' being committed by city employees are crimes of opportunity rather than hard core white collar corruption. The key was to take away the opportunity...making accountability work in city management cannot be accomplished by any single plan or by the application of a single management technique. It is tempting to look for a miracle solution but such a 'one track' approach is doomed to failure. A number of issues must be addressed, ranging from a need to establish professionally and objectively the integrity of a unit of administration to the need for new methods of productivity improvements.

(Donaldson, 1976)

Donaldson concluded by saying

...when corruption exists in an agency, the potential for dealing effectively with the myriad of other problems a city faces is diminished, the quality of service deteriorates, and the public confidence is undermined.

(Donaldson, 1976)

If that is so, then removing the corruption (or the ineffectiveness and inefficiency) should result in reversing the effects. Public services should improve, the ability for dealing with problems should improve, and public confidence should be restored.

The approach set forth here has as its goal to establish and maintain accountability and integrity in any level of government or in any department or agency at any level of government. It is designed to be implemented by a management team. The four elements of the AIMS approach (management control, audit, training, and investigation) are discussed individually below.

Management Control

Management practices can present opportunities for corrupt behavior in a variety of ways, of which the two most important are:

- By failing to provide adequate guidance as to what level of performance is desired and exactly what responsibilities are involved, management leaves it to the employee to decide for himself/herself. If guidance has been given but management fails to monitor performance, or to exercise close supervision, the employee must then decide whether or not he/she is performing as desired.
- By providing a poor model or example for employees, particularly in tolerating "little" or "petty" acts of corruption or abuses at the upper levels of administration and leadership, management indicates that what matters is power, not principle.

The shift to management control of corruption, inefficiency, and ineffectiveness (included in the broad definition of corruption) goes beyond providing remedies for the two most important deficiencies cited above. Management control implies determining how and why corrupt practices, inefficiencies, and ineffectiveness came into (or could come into) being in the particular agency, organization, or government, how

they can be prevented, and what can be done about them if they are discovered. Management recommendations for control might range from substantial modifications of an organization and its activities to changes in personal or organizational relationships (e.g., separating the cashier from the accountant) to changes in training, personnel hiring practices and other personnel actions (such as removal for cause). In most cases, the reenforcement of standards or reemphasis on codes of ethics will be a strong part of any management effort.

Audit Control

The failure to audit functions and processes thoroughly for management accountability as well as fiduciary accountability allows corruption and abuses to remain concealed. The audit procedure is geared primarily toward ensuring the financial integrity of operations, and their conformance with Federal, state, and local statutes. However, audit control cannot be assigned to the auditors until the management team has differentiated the responsibilities of the audit team from those of management control, deciding who will determine the scope of the audits, who will be responsible for collecting the audit data, who will review the internal control systems developed, and how the audit schedule will be determined.

Training

The term "training" is used rather than education because education has come to mean what goes on (or should go on) in schools and universities, and that is not what is meant here. What is meant here is deliberate programs of on-the-job training not just to improve skills but to educate employees at all levels in how to serve the public interest. The training program can address such specific items as how to take a complaint over the phone without offending the sensibilities of the caller or how to respond to inquiries for information (what should be withheld for ethical reasons and what should not) to more general issues (for example, conserving resources is a wider objective than preventing waste, and adopting resource conservation as a goal has some implications that need to be understood and agreed upon for each department).

Again, the management team needs to decide who established the content of the training program, who decides the scope, how the time spent in training (and thus removed from productive work) is to be made up for (lower level of service? more staff? forced overtime?), and who is to be trained (new employees only? all employees for one cycle and then new employees only? all employees at regular intervals over a long period?).

Training efforts should be designed at least in part to overcome specific problems identified in audits and investigations as well as to address (and prevent) more general practices and behaviors that are inefficient, ineffective, or potentially corrupt. A strong training strategy woven into the AIMS approach can be a very effective means of getting across the ideas of accountability and integrity, their importance, and how to assure that they are present. By itself, however, training can do nothing; like the other parts of the AIMS program, it is not an option to be selected or rejected, but one component of an indivisible system.

Investigation

Management monitoring of performance may be inadequate to identify all instances of inefficiency, ineffectiveness, or corruption. Furthermore, when a complaint or allegation is made, management is necessarily implicated, even if it is not the agency head, department head, or section head who is named in the complaint or allegation. Therefore, it is necessary to set up a permanent or temporary unit to investigate allegations that arise either from inside or from outside the organization.

The management team needs to determine what powers the investigative unit has, how it can be set up so that employees can make complaints or allegations directly to the unit rather than going through channels, what kind of complaints, allegations, and charges are the proper province of the investigative unit (for example, is it also to function as a labor-relations grievance committee?), and how the charges and allegations will be disposed of (public hearings? public hearings for some kinds of charges but not others?).

A strong investigative unit is at least as important for protecting the innocent as for identifying the guilty. Furthermore, having a strong investigative unit and adequate safeguards for employees who originate complaints assures employees that it is the wrongful or wasteful practices that are the target, and that employees at whatever level who do their jobs well are going to be protected even though their job may be unpopular (for example, tax assessors) or ~~they~~ may be critical of the system and want to improve it.

The Management Team

The AIMS program depends upon having the direction of a strong management team, perhaps consisting of:

- The chief administrator or principal deputy
- The finance or budget official
- The training officer (if there is none, the person responsible for orientation of new employees, or the personnel director)
- The head of the investigation unit.

The management team has the responsibility not only for planning and coordinating the AIMS program, but also for monitoring the program, which includes monitoring the reviews and audits. However, the most important task of the management team--and the one that must be done first (and reviewed frequently)--is to set policy, including deciding on a code of ethics and standards. Without that kind of clear, agreed-upon direction, it is not possible to develop the kind of regulations, strategies, and programs that will be effective. In addition, the management team must set these policies within an existing framework of Federal, state, and local statutes and ordinances. No municipality, for example, can have a code of ethics or standards that conflicts with state criminal codes; no agency can have a code of ethics or policy of dealing with investigations that conflicts with the Civil Service code that governs the employees.

IV ESTABLISHING MANAGEMENT CONTROL

Purpose

The purpose of establishing management control in the AIMS program is to:

- Ensure that the functions and purposes of the organization are being carried out in an efficient, effective, and ethical manner;
- Permit an effective decision-making process to function without undue hindrance (red tape is a frequent source of inefficiency, ineffectiveness, and corruption all by itself) but not without accountability;
- Prevent irregularities and improprieties, and to provide assurance that those that do occur will be caught and corrected promptly, by setting up mandated reporting, disclosure, and evaluation procedures.

What Is To Be Controlled

Note first that the idea is to control, not to halt, prevent, or even inhibit. What is to be controlled is the use of discretion. The National Advisory Commission of Criminal Justice Standards and Goals has said that "the greatest single cause of corruption in government operations is the availability of excessive discretion in decisions involving significant sums of money" (NCCJSG, 1973, p. 259). However, discretion is essential to government, because there is no other way to delegate tasks than by delegating discretion along with them. Discretion must be exercised by zoning officials, building inspectors, prosecutors and judges, police patrolmen, personnel officers, and administrators at all levels. Kenneth Culp Davis says

...discretion is our principal source of creativeness in government and law...discretion is a tool only when properly used; like an axe, it can be a weapon for mayhem and murder... In today's American legal system, the special need is to eliminate

unnecessary discretionary power, and to discover more successful ways to confine, to structure, and to check necessary discretionary power.

(quoted in Amick, 1976, p. 77)

How To Establish Management Control

Step 1--Set Up a Plan

The management team begins to plan by defining the overall goals and objectives of the organization, and of the various parts of the organization, and then what the organization--and each of its parts--is responsible for. If this has already been done, perhaps by enabling ordinances or statutes, then the management team reviews those to see if the organization still conforms or if the situation has altered.

The management team then begins to consider what activities are mandated by the goals and responsibilities, and which of those activities entail the use of discretion (probably all of them). This step requires input from all of the groups affected, since the management team cannot envision all of the implications of each activity.

The goal should never be a set of management controls that is scoundrel-proof, not only because that is impossible (somewhere there is a scoundrel bright enough to find a hole) but because it poses a challenge that some will find irresistible. The AIMS program says that no one approach--management controls or audit control or training or investigation--is enough, but that each supports the other.

Having identified the activities that entail the use of discretion, the management team next considers these activities in terms of the minimum control that will ensure accountability and integrity in the exercise of discretion in that activity. The minimum control is the goal--preventing the exercise of discretion may well succeed in stopping the activity altogether, or making it more inefficient or ineffective than it already is; making the control excessive may do no more than make it necessary to evade the control to get work done at all. The minimum control for any exercise of discretion in any activity is to

establish who did it, but that may not be enough to assure that it was done properly. Again, input from the persons now carrying out the activity is essential.

At this point, the management team is ready to design a formal management control plan that includes the following:

- How the specific controls will be set up, and who will set them up.
- How the personnel who have to operate within these controls will find out about them.
- How the control system will be instituted (a department at a time, or the whole organization at once).
- How the costs of instituting the control system will be met and how service levels can be maintained during the start-up of the system.
- How the management team can find out if the control system is working, and correct problems that may show up as it is put into effect.

All of the deliberations of the management team should be recorded, verbatim, during the process--not just the final plan. The information contained in such a verbatim record is important, but just as important is the idea that the management team is not operating in secrecy, setting up traps for the unwary or the innocent, but is deliberating openly and honestly, so that the reason for a particular control can be clearly demonstrated later from the discussion. Accountability must be established from the beginning.

Step 2--Establish Regulations

Once the plan has been set up, the management team next proceeds to draw up regulations and specific policies. These, again, must not be so specific as to inhibit discretion or get in the way of doing the work. Thus, it is more effective to indicate standards of behavior and the ethical values to be observed than to specify all possible situations and indicate what is to be done in each case. It is not possible, for example, to specify all of the possible situations that could lead to a conflict of interest; it is possible to indicate that a conflict

of interest can arise from ownership or financial interest, from a relationship whether by blood, by companionship, or by past experience, and to say "you must indicate any such interest or relationship that could result in a conflict of interest."

Regulations must be easy to administer, but above all they must be reasonable and not arbitrary. Furthermore, there must not be too many; overcontrol is one cause of corruption. If a regulation does not result in the desired effect, it must be removed and replaced by one that will.

Again, both the deliberations and the regulations should be written down.

Step 3--Set Up a Reporting System

Too much paper can conceal what it ought to reveal. Reports that are too complex or take too much time to fill out generate errors or evasions.

The management team must design a reporting system that provides clear accountability, is easy to administer, is flexible enough to meet slight changes, and does not get in the way of doing the work. A good reporting system will be useful to the person doing the reporting as well as to the person receiving the report, and will focus on performance or conditions, not behavior.

Step 4--Set Up an Evaluation System

The reporting system shows whether or not the controls are being used. However, a separate effort is needed to determine whether or not the controls are working, and if they are, how well.

The management team must set up an evaluation system, and evaluation schedules. The evaluation of each aspect of the system should include the application of some performance measure. For example, is the unit staying within the monthly or quarterly expenditure rate forecast in the budget? This is a very important indication as to whether or not controls are working. For units that provide service, the level of service being provided is a measure of performance and indicates whether or not the controls are having the desired effect.

Step 5--Set Up the Supporting Elements

The management team, having set up the management controls, should set up the other systems necessary to support those controls. For example, the hiring practices, the policies on moonlighting, and the salary structure should all be reviewed to make sure that they support the management control system and do not work against it. (In attempting to maintain integrity, for example, it helps to hire persons who have given some evidence of integrity, or at least who have not given evidence of a lack of it--see Exhibit 1. Salaries that are far below the average will appear to the recipient as unfair, increasing the temptation either to supplement them at the public's expense or to supplement them by moonlighting.) One of the most important aspects of imposing management controls to ensure accountability and integrity is that all areas must provide support and no area must provide a contradiction.

Sources of Further Information

The American Management Association produces publications on various aspects of management controls, including such subjects as exception reporting, and is a source of leads to information and assistance that may be of use.

The various public interest groups (ICMA, NACO, Council of State Governments) put out information that may be of use.

Schools of public administration in the various universities may be a source of both information and assistance.

Exhibit 1

HIRING TO SUPPORT YOUR AIMS

1. To get good people, pay competitive wages and salaries. (In comparing pay for similar jobs in other government organizations and in private industry, be sure to add in all the fringes. Meet the average, not the top.)
2. Explain that any falsification of an employment application is grounds for automatic rejection of that application, or for immediate dismissal for cause if the employee has been hired.
3. Require experience for all but entry-level jobs (and elected positions), and verify all claims of experience. (Check all past employment, not just the references given on the application.)
4. Some governments and government organizations use examinations, others don't. Some go so far as to require lie detector tests for some positions. Before setting up any new obstacles to employment, check with the legal staff. If the practice is not legal for a private company, consider it very carefully before adopting it.
5. Test your tests. If any competitive examinations are given for positions or for promotions, make sure that the tests do not act to screen out good people (a test can be so complex and ambiguous that the only way to pass is to buy the answers), that the test is closely related to the job's performance requirements, and that if it is applied to one applicant for the position it is applied to all.
6. Before anyone is hired, explain to him/her the special obligations that come with a public service position, including the obligation to accept a higher degree of public scrutiny and closer supervision than in private industry. Explain any financial disclosure obligations, moonlighting regulations (and the reason for them), and conflict of interest regulations.
7. Require a probationary period even if the job is not covered by civil service; the key to permanent employment should be performance.
8. Make sure that your own hiring regulations are followed.

V ESTABLISHING AUDIT CONTROL

Purpose

The purpose of audit control is twofold: to make sure that things are done correctly, and to make sure that they are done as well as possible. In the AIMS program, therefore, audit control goes beyond merely checking financial or fiduciary transactions to make sure that they are accurate, legal, and free of improprieties. AIMS audit control is to be applied to all areas--hiring, administrative decisions, job performance, disciplinary actions.

What Is To Be Controlled

Under the AIMS program, what is to be controlled by audit is not merely the financial or fiduciary actions and transactions, but the entire functioning of the organization. Audit control in the AIMS program serves the same purpose as quality control in manufacturing. The purpose is not to reveal dramatic illegalities, but to discover any error or wrongdoing (or area of difficulty) so that correction can be made, and similarly to provide confirmation that the system is working well (and employees are working well) where this is true.

In the view of the Comptroller General of the United States,

A fundamental tenet of democratic society holds that governments and agencies entrusted with public resources and the authority for applying them have a responsibility to render a full accounting of their activities. This accountability is inherent in governmental processes and is not always specifically identified by legislative provision. This governmental accountability should identify not only the objects for which the public resources have been devoted but also the manner and effect of their application.

(GAO, 1973, p. iv)

However, this refers to only one aspect of auditing; the other aspect is suggested by the words of Herbert Simon:

The phenomena we call 'corruption,' 'confusion,' and 'inefficiency' in large-scale organizations are the symptoms of the inadequacies of the control process.

(Simon, 1973)

Any government or government organization is likely to have some existing audits already, as a result of existing requirements for internal and external audits found in many city charters and state laws dealing with local governments or government agencies. However, new functions, and new areas will come under audit scrutiny under the AIMS program.

How to Establish Audit Control

Step 1--Set Up a Plan

The management team must first establish the goals and objectives of the audit control system. One goal that must be included if the system is to work at all is that the purpose of auditing is to find out what happened, not to hang someone. The audit control system must be divorced both from the investigative team (to which it should certainly report any error or impropriety discovered) and also from the disciplinary system.

The management team must then determine the scope and mode of the system. (The financial or fiduciary aspect may already be determined by legal requirements.) For example, it may be possible to scrutinize all actions of one type if that type occurs rarely or is of overwhelming importance (for example, the granting of zoning variances), but it will certainly not be possible in all cases. If all actions of one type cannot be scrutinized, then it is necessary to determine how the ones to be scrutinized will be selected, and how many should be scrutinized to provide assurance that audit control is being exercised.

Then, the management team must decide what to do with the findings of auditing. How can the feedback be provided in time to correct the problem before it gets worse? In an open system, as AIMS must be, information on errors and improprieties must be provided immediately to management, but do they go first to the immediate supervisor and from

there to the employee responsible, or to both at once? What kind of acknowledgment or response should be made? What should be reported to the investigative team by audit control--all findings of error and impropriety? Only significant errors that may mask impropriety and all apparent improprieties? (See Exhibit 2.)

Finally, the management team must decide how the costs of audit control are to be handled.

All of these problems must be resolved before a formal audit control plan can be drawn up. Again, the deliberations that go on within the management team must be recorded verbatim, and it must be understood that these deliberations are "on the record," and available for scrutiny if necessary.

The management team then sets up a formal written audit control plan. The plan specifies not only what audit actions are to be taken, and by whom, and what is to happen to the findings and as a result of the findings, but also specifies schedules and how the costs (in time and personnel) are to be met. Finally, the plan must include a formal statement of how the audit control is to be evaluated (and how often), and what means will be used to ensure that the results of the evaluations will be applied to improve the audit control system.

The problem of how to keep the audit section from being corrupted is not at all simple. The usual way is to remove it from any connection with the organizations it must audit; certainly, for example, a unit set up to audit building inspections must not report to the chief of the building inspections and permits unit, but to some higher level. However, the only real assurance appears to be continuous citizen vigilance.

Exhibit 2

AUDITING TO SUPPORT YOUR AIMS

1. Any audit should include financial record-keeping and accounting, including conformance with the law in keeping separate funds separate, and in making expenditures, compliance with good practice in accounting methods, and compliance with budgeted allocations.
2. Verify that any monies received are being accounted for and looked after properly. Spot checks are usually made at unannounced times to verify that cash on hand matches records of receipt.
3. Check pay scales — are personnel being paid according to proper pay scales? How do pay scales conform with averages for similar jobs in other government organizations and in private industry?
4. Check staffing — is everyone on the payroll actually working or otherwise properly accounted for? Are promotions, transfers, and dismissals properly documented?
5. Check actual time worked with payroll records, and verify (spot check) that worktime is being used for public service.
6. Check benefits — are benefits being used correctly? recorded correctly?
7. Check inventory — are pieces of equipment where the records say they should be? Where supplies are used, does the amount on hand (of gasoline, or bullets, or copier paper) conform to the inventory records? Is all of the office equipment where it should be, including any typewriter, tape recorder or dictation equipment that may be checked out for use at home?
8. Check computer use — if your computer is being used to play Star Wars, to cast horoscopes, or for other non-work-related uses, then it may be vulnerable to misuse of worse types (computer crime is a growing field).
9. Check the efficiency and effectiveness of units, using measures of input (allocation, staff, equipment, time) and measures of actual performance (not only number of transactions, but how well the transactions are carried out — are the streets clean? are complaints dealt with promptly?).
10. Check transactions with other governments or other organizations within the government — are mandated reports being provided on time? legal restrictions on grants management being met? complaints being resolved swiftly?
11. Check "perks" — are official cars, or club memberships, or travel funds, or expense accounts, or other position-related privileges being used properly?

Step 2--Inform All Employees About the Audit Control Plan

Because the AIMS audit control is a change from what goes on in most government organizations, and because the word "audit" frightens many people, it is essential that the audit plan be reviewed and discussed at all levels of the organization. It may be argued that knowing the audit plan will enable the scoundrels to find a way around it, and this may indeed be true. However, the alternative--keeping the plan concealed--will contribute to whatever paranoia the fear of change has already generated within the organization. This paranoia arises not only from the wicked who fear being caught, but from the timid who fear being persecuted, and from the able manager who fears that audit control may mean a loss of management control. (It may be necessary to offer a public assurance of amnesty for all improprieties--other than illegal acts--committed before the audit control system is imposed.) In any case, it is essential to lay the plan before all those whose performance is in any way concerned or affected, and under the AIMS program, that should mean all employees. However, changes should be made to the plan only very sparingly, and the deliberations that result in a plan change should be "on the record."

Step 3--Implement the Plan

As indicated in Step 2, it may be necessary to declare an amnesty for all but illegal acts committed before the audit control is implemented. However, once the system is in place, it will be essential to monitor it from the beginning to make sure that feedback reaches the persons it should reach so that corrections can be made, and to make sure that any indication of a violation of regulations is dealt with. Until the system is shown to be working routinely, some special followup will be needed to make sure that any notification from the audit control system is acknowledged and acted upon by the management system.

The efforts of the management team in coordinating and following up the implementation of the audit control plan are critical to the early success of the plan. If it is not implemented properly, or if it is allowed to be either sabotaged or circumvented, any second effort will be several times as hard to set up. Management may give employees a second chance whenever possible, but it is rare for the situation to be reversed.

Step 4--Monitor the Audit Controls

The management team must continue to monitor the audit control system after it has been set in place. A warning sign to watch for is any change in established patterns. Another is an indication or report that the system is either causing difficulty (it should have been designed so that it does not get in the way of getting the work done) or that it is "easy to beat." It is altogether likely that some of the audit controls planned will turn out to be ineffective, or to get in the way when actually implemented; in that case, it is necessary to modify the system to accomplish the desired result in a different way.

Step 5--Evaluate the Audit Control System

A formal evaluation of the audit control system should be carried out as planned. The management team should make sure that the results of the evaluation are used; if the evaluation shows that the system is working well but the costs are unacceptably high, then the management team must decide how much of the system can be trimmed without crippling it. If the evaluation shows that the system is working well but feedback is too slow, then the management team must decide whether to trim the number of steps involved or to invest more staff time in order to speed up the information on what needs to be fixed.

It is particularly important that the management team--and the organization--understand that the audit control system is meant to be a continuing control. As conditions change, and the nature of the work and activities change, so must the audit control system.

Sources of Further Information

The General Accounting Office of the Federal Government puts out a number of publications on auditing in addition to "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."

The University of Oklahoma published a book called Conducting the Peoples' Business in 1973. Particularly useful in that book is a chapter by Herbert Simon on "Staff and Management Controls." Names of other books that deal specifically with the problems of monitoring the activities of government organizations can be obtained from MFOA, ICMA, and other public interest groups.

University schools of public administration can provide both information and assistance, and there are a number of professional audit firms that can provide consultants.

VI ESTABLISHING TRAINING AS PART OF AN AIMS PROGRAM

Purpose

The purpose of AIMS training is to make sure that all persons in the organization understand not only the special nature of public services, but the general and specific obligations imposed by the responsibility to maintain the public trust. Many improprieties result from ignorance-- perhaps ignorance that the act was wrong, perhaps not knowing that the organization cared whether improprieties were committed or not.

The purpose of training is not to provide every employee with every answer to every problem that could conceivably occur. In the first place, that cannot be done. In the second place, such a system provides no guidance for new situations. Therefore, the purpose should be to communicate to all public servants the laws, executive orders, regulations, conditions of employment, and so on to which they must conform, and to provide them with a set of ethical principles and standards they can apply to determine whether an action is in the public interest or not.

Over time, the development of a common body of information about ethical standards and principles of ethics that is shared by all public servants will help to build respect for public service. This common body of knowledge makes up a culture that is distinct from the popular culture that often condones wrongdoing. If everybody knows that accepting the public trust means reporting any wrongdoing, then "covering up for a buddy" is not going to be the only kind of behavior that comes to mind.

The Content of Training

All public servants need to know:

- The framework of statutes, ordinances, formal codes of ethics, regulations, and rules within which they must operate, and the penalties for not observing them.

- The management philosophy and rules of the organization, how they are enforced, what safeguards there are against groundless accusations or unfairness, how disciplinary codes are enforced, and the procedures for appeal.

To this, the AIMS program adds:

- The special nature of public service, the requirements for high ethical standards, and the requirements for accountability and integrity.
- What constitutes high ethical standards, and in particular, what kinds of behavior are unethical. This would include, at a minimum, the following:
 - Conflict of interest--A person to whom some private benefit may come as a result of some public action should not be a participant in that action.
 - Outside employment--Full-time staff members owe their loyalty, energy, and powers of mind to the service of their organization.
 - Gifts and favors--Favors or advantages must not be accepted by those who hold an office of public responsibility, even though they may be offered, even though the office-holder has no intention of violating his/her trust as a result of the gift or favor, and even though "nobody else would know."
 - Information--The public has a right to know all but that information that must be withheld for legal or ethical reasons, but information that is legally or ethically confidential must be protected from any disclosure. (For example, bids received must not be revealed before the date when bids are officially opened.)

How to Establish a Training Program for AIMS

Step 1--Set Up a Plan

The management team must begin by assessing training needs. Any training plan set up should, at a minimum, cover all new public servants, and at least one session for all present public servants (to explain AIMS). However, training is not like a vaccination, to be done once and then forgotten; training should be repeated at intervals--as conditions change, as new needs are revealed, and as memories fade (see Exhibit 3).

The management team must decide not only the scope of the training program, but how the costs of training are to be met. Attending any sort of training session requires time away from the job, and the management

Exhibit 3

TRAINING TO SUPPORT YOUR AIMS

1. The installation of an AIMS program creates training needs. For example, management control measures to ensure accountability and integrity need to be understood before they can be applied. Audit control measures need to be clearly understood. The separation of audit from management control needs to be made clear. Investigative powers, safeguards, and responsibilities need to be made clear.
2. Areas in which training is needed are areas in which difficulties or problems have been noted, either in the analysis and review component of management control, or in audit control, or from investigation.
3. Training is particularly needed for new kinds of services. As one example, the abuse of computers and the rise of computer crime comes about in part because computers are such a new addition to government and government organizations that the ethical standards governing their use are only beginning to be recognized.
4. Training is needed when public servants take on new responsibilities. This means not only when they enter the job from the outside world, but upon promotion to a new set of responsibilities, or transfer to a new set of responsibilities, or have new responsibilities added to their existing position (for example, when an official car is authorized for their use).
5. Training is needed when a change in direction is wanted. For example, it may be that, even though management analysis, audit control, and investigation do not show significant problems with public servants who have contact with the public, still it is desired to increase the sensitivity of those who meet the public and to decrease the risk that they will be perceived as rude, arrogant, careless, or stupid. The use of a skilled trainer and such training techniques as role-playing can make a great difference.

team must decide whether that should mean a temporary decrease in level of service, or the addition of staff temporarily, or a requirement that the time be made up, perhaps by forced overtime.

Management must also decide how the training program is to be administered, how it is to be monitored, and how the training is to be evaluated. Once the decisions have been made, the formal written plan can be drawn up.

Step 2--Explain the Plan

Management must notify all persons within the government or government organization that a training plan is being put into effect as a part of the AIMS program, the reason for the training (and why long-term public servants should not feel insulted by being included among the trainees), and its importance to the AIMS program, to the chief executive officer or chief administrative officer, and to management as a whole.

Step 3--Implement the Plan

The management team must then put the training program into effect, along with a method of monitoring the training. (The effectiveness of a training program depends heavily on the skills and ability of the trainers; the best curriculum cannot survive an incompetent teacher.)

Step 4--Evaluate the Training

The management team must evaluate the training program, and modify it to make up for deficiencies indicated by the evaluation. It is important to evaluate the training not just at the time that it is given (usually done by passing out cards to the trainees to check as to whether they found it useful, interesting, relevant, and the like) but to evaluate it in terms of effects (are any changes in behavior noted after training?) and to request evaluations from the trainees several months after training has been completed.

Step 5--Develop a Mechanism Whereby AIMS Training
Can Be Integrated into the Overall Training Program

The management team should find a way to integrate AIMS training with all other training programs carried out by the government or the government organization.

Sources of Further Information

The League of California Cities has published a book by Thomas W. Fletcher and Paul R. Mico called "The Design and Management of Municipal Training Programs," which came out in 1976. The city of San Diego has adopted an official training policy (as have several other local governments) that can be examined as a possible model.

Information on training for civil servants is available from the U.S. Civil Service Commission, and for The National League of Cities, National Association of Counties, and the International City Management Association.

Model training materials and skilled trainers are available from the National Training and Development Service, Washington, D.C.

VII ESTABLISHING THE INVESTIGATIVE PART OF AN AIMS PROGRAM

Purpose

The purpose of establishing an investigative unit as part of the AIMS program is twofold: to verify (or prove groundless) any complaint or allegation of inefficiency, ineffectiveness, abuse of power, impropriety or corruption; to clear the innocent and identify the guilty.

The reason for having the investigative unit established on a permanent basis (if possible)--and separate from the management or audit function--is so that even small complaints can be investigated and so that there is a unit set up to receive and deal with complaints and allegations at all times, and to follow up investigations. If a permanent unit is not possible or does not appear justified, at a minimum there should be a permanent receiver of complaints.

The Nature of an Investigative Unit

An investigative unit should have at least one member from the police department if this is possible, particularly for investigating allegations of illegal behavior. However, other expertise is necessary as well. The City of Cincinnati used a team of a police detective, a management analyst, and a city attorney to investigate allegations of employee abuse that ranged from petty time card cheating to cases of bribery. The New York City Department of Investigation is staffed primarily by attorneys but draws support from a squad of New York police permanently assigned to the Department. The Department of Building and Safety in Los Angeles uses undercover men to keep a close watch on building inspectors suspected of being corrupt (Wall Street Journal, 7 December, 1966, p. 1).

All complaints must be acknowledged, but not all can--or should--be investigated (see Exhibit 4). One possible way of ensuring that all complaints are being attended to is to post a weekly (or monthly) list of complaints received (citing the offense but not the name of any individual

Exhibit 4

THE SEQUENCE OF AN AIMS INVESTIGATION

1. The complaint is received and evaluated:
 - Can the complaint be disposed of by checking audit evidence?
 - Is the complaint specific enough or clear enough to investigate?
 - Is the offense alleged or complained of one that is within the proper scope of the investigation unit?
2. The complaint and the decision made about it are posted.
3. If it is decided that the complaint is investigatable, and is a proper subject for investigation, then:
 - A log is opened
 - A determination is made as to what kind of evidence is needed to prove or disprove the allegation — with the preference going to hard evidence in the public record — and the determination is entered in the log.
 - The managers of the units that may be involved are visited and the nature of the complaint or allegation is explained, and the nature of the investigation that will be made. It is explained that the purpose of the investigation is at least as much to clear the innocent as to identify the guilty. Each visit is recorded in the log.
4. The investigation is carried out to the point where it is possible to either prove or disprove the allegation or complaint.
5. The results of the investigation are examined to determine what action should be taken. If the offense has been disproved and the allegation shown to be untrue, then a case is made to the management that a change may be needed in procedures so that innocence can be demonstrated at once, without incurring the cost of an investigation. If the offense has been verified, and it appears that a crime has been committed, the investigation unit swears out a complaint and turns the evidence over to the criminal justice system for prosecution. If the offense has been verified but the wrongdoing does not constitute a crime, the investigation unit keeps the evidence, shows it to the managers involved and to the chief administrative or executive officer, and requests that disciplinary action and corrective procedures be undertaken.

accused, and not the name of the person submitting the complaint or making the allegation), along with the disposition of the complaint ("under investigation," "disproved by audit records," "too vague to permit investigation," or "not a proper subject to investigation").

Complaints that are too vague to be investigated include the furious allegations of generalized cheating or corruption made by persons who are offended by some action of the government or department. Only time will sort out which of those complaints mask real knowledge of specific offenses by persons who are too frightened to mention them. (Continued charges of the same nature, although vague, and particularly if made by more than one person should be evaluated carefully in terms of whether they indicate a large-scale problem that should be investigated by a task force.)

Complaints that have to do with personal behavior that is not related to public service performance must be firmly rejected as being not a proper subject of investigation. A complaint that a public servant has been rude to a permit applicant is a valid area of investigation; a complaint that a public servant is an atheist, or sexually promiscuous is not a valid area of investigation. If the confidence of the government or government organization staff is to be maintained, it is just as important that they know the investigative unit to be fair as that they know it to be effective. The line is not always easy to draw, especially when a public hue and cry has been set against a particular type of offense against community standards (being "a pinko" is the classic example), but if the unit is to have credibility among the employees, the line must be drawn.

An investigative unit that is part of an AIMS program must not operate in secrecy, except in those few instances where any indication that an investigation is going on would result in possible bodily harm to potential witnesses or probable complainants or in destruction of evidence. In general, secrecy about the nature of the investigation will do more harm than good. Broad understanding of the reason for the investigation, along with assurance that it will be impartial, is not politically motivated, and will be honest will tend to open more doors than it will close.

The results of any investigation must be made a matter of public record, and available to the public. (This does not mean that it is necessary to send out a press release saying that a particular employee has been cleared of falsifying his/her time card or found guilty of being rude). However, wherever the public has reason (or might have reason) to know that a complaint has been lodged (or should have been lodged), it is far better to have the fact of the investigation made known (although perhaps not the names of those being investigated) and the findings. This prevents the kind of civic unease that results from newspaper stories beginning "It was discovered by this reporter today that..." or "Secret investigations are under way, this reporter found out, to..." or from newspaper stories beginning "After a two-week investigation, officials said the department was guiltless, but declined any further details."

The investigative unit must be independent of all but the chief administrative or executive officer of the government or the government organization. In many situations, a manager will attempt to quash an investigation into his/her unit "because I'd know if anything like that were going on and there's no point in just stirring things up," or to keep it quiet "because we don't want mud on our image." Furthermore, the unit must be able to receive complaints and allegations both formally (from management, from the audit control system, from outside) and informally (anonymous letters and phone calls). To require that a complaint be made only through channels is to put the possibility of the redress of wrongs out of reach of most employees and members of the public.

Corruption tends to grow in the dark and to spread when management does not show any interest in the warning signs that informed citizens or employees are sending. However, the reverse is true also: when corruption or wrongdoing is exposed to the light, and it becomes apparent that management is serious about ending it and about having things done properly, corruption tends to wither and those who "went along" or complained only in private shift sides, often with surprising suddenness.

How To Establish an Investigation Unit

Step 1--Set Up a Plan

The management team must begin by deciding not just the scope and powers of the investigation unit but also how it is to relate to the other units, and what checks are needed on others (to prevent the unit from being ineffective) and on it (to prevent the development of an NKVD type of secret police). It must be remembered that although training threatens no one, and management and audit controls threaten only a few, an investigation unit can scare everyone.

Once the relationship of the unit, its scope, and the safeguards needed have been determined, then it is necessary to determine how the costs of the unit will be paid, and how the resources will be provided. The unit is to be permanent, rather than ad hoc, and independent of all but the chief administrative or executive officer; this means that its funding needs to be protected but not made wholly invulnerable.

Finally, a clear determination of policy needs to be made as to what will be done with the results of the investigation. That is, not only should the investigation result in clearing the innocent and bringing the guilty to justice, but it should also result in reform to the management controls, audit controls, and training system to prevent any recurrence. Often, management will claim that an instance of wrongdoing requires no change in the system--it was just a fluke. Only rarely is this realistic.

A formal plan should be written up that covers all of the points discussed above.

Step 2--Explain the Plan to All Employees

The management team must make clear to all employees the reason for the investigation unit (to clear the innocent as well as identify wrongdoers), the powers it has, what kinds of things are likely to happen during an investigation (for example, an employee accused of a crime may be suspended during the investigation), how complaints are to be received, what safeguards there are for those submitting complaints or making allegations and for those who are the subject of complaints or allegations, and what will be done with the results.

Step 3--Implement the Plan

Great care must be used in setting up and putting into operation an investigation unit. It would not be amiss to make sure that the first complaint selected for investigation comes even before complaints are officially accepted and that it has a high likelihood of being verified or disproved. The point is not to rig the investigation, but to make the first one a pilot investigation (perhaps even where the outcome is known already, to a fair degree of confidence, by management), so that process can be checked and monitored. (Of course, it also helps to have the first work out successfully.)

Step 4--Monitor the Investigation Unit and the Feedback Mechanism

The investigation unit needs careful monitoring to assure management that it is being effective without being itself unethical. What happens to the results of investigations must also be monitored to assure that disciplinary actions are indeed being taken against wrongdoers identified by the investigation unit, to make sure that employees who blow the whistle are not being retaliated against, and to make sure that systems and procedures are being corrected as the investigation reveals weaknesses and deficiencies.

This is the one aspect of the AIMS program that should not be subjected to formal evaluation at intervals. Instead, it should be subjected to continuing monitoring and evaluation, and should be modified as needed. Once an AIMS investigation unit has been set up, it cannot be disbanded without great damage to employee confidence. Therefore, continuing surveillance is needed to assure all involved that persons on the team may be replaced, but the function remains, and remains important. Unlike training, management controls, or audit controls, the management team will never be likely to get a second chance to set up an AIMS investigation unit if the first one is disbanded or fails. It must not fail.

Sources of Further Information

Another report in this series, Establishing A Citizens' Watchdog Group, contains some guidelines to carrying out investigations that will be found useful. The experience other governments and government organizations have had in setting up investigation units will also be useful. In particular, see the description of the Cincinnati investigation unit, and of the Department of Investigation of New York City in Corruption in Land Use and Building Regulation, Volume II, in Appendix: Case Studies of Corruption and Reform.

Safeguards to be used and ways to ensure that civil rights are not violated are discussed in publications of groups such as the American Civil Liberties Union, the American Federation of State, County and Municipal Employees, and other groups.

Advisory assistance may be available from the local Bar Association, the Law School of the nearest university or from the local police department or prosecutor.

VIII OBSTACLES AND HOW TO GET AROUND THEM

"Nobody's Going To Tell Me How To Run My Department"

This kind of challenge to the authority of the management team can be dealt with by getting rid of the manager, but only at great cost particularly if the department is getting its work done satisfactorily. Battle should be avoided, both because doing battle uses resources that should be used in public service, and because coercion is itself an abuse of power and therefore unethical unless human life or health is at stake. Battle can often be avoided by saying "All right, we'll leave your department out for now, but we'll be back to you in six months." If the training efforts, the management control efforts, the audit efforts, and the investigations are going on in other departments, it may well happen that pressure builds up both within and outside the reluctant department, and eventually it is the manager's idea to participate.

If reluctance to participate is widespread, there may be justification for implementing only the training portion of the AIMS program initially, and holding off on the other aspects for a year. If this is done, the emphasis in the training program should be heavily on what constitutes ethical conduct and the reasons for ethical conduct in public service. It may be that this can create a demand for instituting the other portions of the AIMS program, but even if it does not create an expressed demand for the program, it will make setting up the other aspects easier.

"But We've Always Been Allowed To _____"

The management team must be very sure that where a customary source of corruption or potential corruption is removed (as when guidelines for moonlighting are set up, or perquisites are removed or proper use enforced) that any real hardship is honestly faced and dealt with. If forbidding tips and gratuities, for example, leaves the average salary at an unrealistically low level, then it is up to the management team to go to bat

for those employees to get proper pay scales. This does not mean that every change has to be compensated for--in some cases it may be necessary to say "yes, you've always been allowed to do it, but it is wrong and you won't be allowed to do it any more." In any case, it must be pointed out that custom does not turn wrongs into rights.

Where any change is to be instituted that will affect considerable numbers of people, and a practice that has been condoned for years is to be abolished, it is very important to set up amnesty for past violations to the extent that this can be done. (Amnesty for past murders, for example, is illegal in and of itself; amnesty for past thefts may be more than you can promise, but at the very least, there should be a promise that the organization will not initiate complaints for past wrongs--if, however, an outsider, such as a contractor, makes a formal complaint to the police department of extortion, then the matter is out of the hands of the organization.) The emphasis of any AIMS program should not be on punishment of past wrongs, but on correction and consequently on prevention of wrongs.

"Ahh, It Won't Last"

In engineering, there is what is called "the static friction curve," which describes what happens when you try to start a car moving, and the wheels begin to turn. Initially, there is resistance--static friction--and then the resistance begins to give way as the force increases, and it gives way more and more quickly until it reaches a point where dynamic friction begins to take over and it again takes increasing force to overcome the new friction.

Something similar happens when a new process or program is initiated in a human situation (Crane, 1977). First there is resistance, made up of bewilderment, fear, disbelief, and resentment at change. Then people start to understand and the situation begins to free up--the change begins to occur, and it begins to occur with greater and greater rapidity. It is at this point that the system can go out of control--can lead to a witch hunt, or a "change everything" effort, or simply such a high state

of turmoil that the work isn't getting done. When this happens, the usual response is to shut off the initial effort of change and call it a failure.

Therefore, when signs of change begin to appear, it is essential that the management team realize that the critical point is approaching, and that now is not the time to sit back and say "Ahh, it's working." At this point, it is necessary to maintain control of the situation--to make sure that the opportunity resulting from a perception that things are changing doesn't result in efforts to change everything, or in excesses of zeal, or in turmoil. Do not add new changes at this point; let things settle down first.

Maintaining a slow and steady effort, with monitoring to make sure that everything is working as it should and that corrections are being made as needed to keep everything on course will be more long-lasting and effective than starting out with a rush and losing control. Changes that can be maintained gradually become institutionalized, a part of the whole, and an accepted part. Auditing of government accounts on a formal basis, for example, is a change that was first initiated in the middle of the seventeenth century, in the British Navy; it was extended to one department and then another, slowly, and over time. Auditing of government accounts on a formal basis is now such as accepted practice that it has long become institutionalized--it is more surprising to find an organization that does not have some form of audit than one that does.

"Ah, It's Just Some System They Set Up Last Year--Never Mind"

Keeping an AIMS program going, with continuous monitoring and feedback and with formal evaluations as needed, is not easy. However, it is much easier than setting it in place, starting it up, and then abandoning it to wind down slowly or to turn into just another bureaucratic exercise that does little but waste resources. The loss of credibility that results from letting an AIMS program self-destruct through inattention can be devastating.

Continuous monitoring requires that the management team continue to meet, and that they continue to coordinate the four aspects of the program, and to modify it as conditions change, and as needs change. If the system is to ensure accountability and integrity, then accountability and integrity are just as necessary in maintaining the system as they are in the government or organization in which AIMS has been implemented.

REFERENCES AND FURTHER READING

- Amick, G., The American Way of Graft (The Center for Analysis of Public Issues, Princeton, New Jersey, 1976).
- AICPA, Audits of State and Local Government Units, American Institute of Certified Public Accountants (1974).
- AICPA, "Statement on Auditing Procedure 54: The Author's Study and Evaluation of Internal Control," American Institute of Certified Public Accountants (1972).
- ASPO, A Code of Ethics in Planning, American Society of Planning Officials (1962).
- Banfield, E. C., "Corruption as a Feature of Governmental Organization," Journal of Law and Economics 18, 587-615 (December 1975).
- Bow, W. J., "Scandal in California," National Civic Review 60, 305-309 (1966).
- Chapin, D., and F. Sefton, "Corruption and Accountability," Public Management, p. 7 (February 1977).
- Clarke, J. P., "Codes of Ethics: Waste of Time or Important Control," Public Management, p. 223 (August 1967).
- Crane, H. D. "Beyond the Seventh Synapse" (Unpublished manuscript), SRI International, Menlo Park (1977).
- Darnton, J., "Construction Industry: The Graft Is Built in," New York Times (July 13, 1975).
- Davis, K. C., Discretionary Justice (Louisiana University Press, 1969).
- Gardiner, J. A., The Politics of Corruption (Russell Sage Foundation, New York, 1970).
- GAO, "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions," General Accounting Office, Washington, D.C. (1972).
- IIT Research Institute and Chicago Crime Commission, A Study of Organized Crime in Illinois (Illinois Law Enforcement Commission, Chicago, Ill., 1971).
- Key, V. O., "Methods of Evasion of Civil Service Laws," The Southwestern Social Science Quarterly 15, 337-347 (March 1935).

- _____, "Political Machine Strategy Against Investigations," Social Forces 14, 120-128 (October 1935).
- _____, "The Techniques of Political Graft in the United States," unpublished Ph.D. dissertation, University of Chicago (1934).
- Knapp Commission, The Knapp Commission Report on Police Corruption (George Braziller, New York, December 1972).
- Lasswell, H. D., and J. McKenna, Impact of Organized Crime on an Inner City Community (National Technical Information Service, Washington, D.C., 1972), PB 213-391.
- Murray, S., "Corruption--Indicators and Prevention," Public Management, p. 11 (February 1977).
- NACCJSG, Community Crime Prevention, National Advisory Commission on Criminal Justice Standards and Goals (U.S. Government Printing Office, Washington, D.C., 1973).
- President's Commission on Law Enforcement and the Administration of Justice, The Challenge of Crime in a Free Society (U.S. Government Printing Office, Washington, D.C., 1973).
- Rogow, A., and H. D. Lasswell, Power, Corruption, and Rectitude (Prentice Hall, Inc., Englewood Cliffs, New Jersey, 1973).
- Simon, H., "Staff and Management Controls," in Conducting the People's Business (University of Oklahoma Press, 1973).
- U.S. Chamber of Commerce, A Handbook on White Collar Crime--Everyone's Problem, Everyone's Loss (Chamber of Commerce of the United States, Washington, D.C., 1974).
- USNWR, "Kickbacks as a Way of Life," U.S. News and World Report, pp. 38-40 (October 29, 1973).
- Warren, E., "Governmental Secrecy: Corruption's Ally," American Bar Association Journal 60, 550-552 (1974).
- Zimmerman, J. F., "Municipal Codes of Ethics: A Commentary," National Civic Review, p. 577 (December 1975).

Appendix

MAP OF THE RANGE OF CONCERNS ENCOMPASSED
BY "ETHICS AND THE PUBLIC SERVICE"

APPENDIX

MAP OF THE RANGE OF CONCERNS ENCOMPASSED BY "ETHICS AND THE PUBLIC SERVICE"

No Ethics

Value Neutral or Relative Ethics-
Indifference to Value-Based Ethics

Value-Based Ethics

Committing or delegating the
commission of illegal acts

Not committing or delegating the
commission of illegal acts be-
they are illegal, not because they
are wrong

Not committing or delegating the
commission of illegal acts

Engaging in or delegating the
engagement in other forms of
wrongdoing

Not engaging in or delegating the
engagement in other forms of
wrongdoing because it is inex-
pedient to do so

Not engaging in or delegating the
engagement in other forms of
wrongdoing

Failing to report or failing
to take action concerning
wrongdoing

Selectively report or taking
action concerning wrongdoing
when it is expedient to do so

Reporting wrongdoing or taking
action concerning wrongdoing

Covering up wrongdoing

Selectively dealing with wrong-
doing

Uncovering wrongdoing

Lying or giving a false impres-
sion of the truth

Being truthful selectively

Being truthful

Engaging in conning

Giving false impressions when
it is expedient to do so

Not giving false impressions
wittingly

Engaging in practices or in
games for bureaucratic or
personal gain

Being motivated by prevailing
non-humanistically oriented
values of business and science

Not being motivated by bureau-
cratic or personal gain

Engaging in "quid pro quo-ism"

Doing what is right when it is
expedient, acting on the basis
of situational ethics

Doing what is right and honorable
regardless of the consequences

Engaging in self-aggrandizement

Being motivated by prevailing
values of business and science

Being motivated by fundamental
concern for the public good:
the preservation and enhance-
ment of individual and societal
health

Allowing blinding ambition or
compulsion to get in the way
of serving the public good, of
addressing the public interest

Being blinded by an overweening
reliance on the rational and
empirical

Not being blinded by ambition or
compulsion

No Ethics

Abusing perquisites of station

Playing games with procedures

Broomcloseting or deadending good people or people who are a threat or make waves

Making life difficult and career advancement impossible for those who perform their duties well or expose wrongdoing

Keeping worthy persons out of responsible positions; not allowing persons with understanding and commitment to play an appropriate role, to assume appropriate responsibility

Providing disincentives for truthful and open communication and self-expression leading to the withholding of information or advice likely to prove unpopular or bring disfavor

Providing disincentives for good work

Constraining the development and contributions of others

Value Neutral or Relative Ethics...

Taking advantage of perquisites as the situation dictates

Elevating the sophistication with which the game played

Treating people as functionaries, means to process-oriented ends with humanistic overtones which may be of a short term or superficial character

Not really being fundamentally concerned with or attentive to individual or organizational integrity, putting organizational survival before individual survival

Tending to keep worthy persons out of responsible positions because of their inimical value-based orientation to the role of the public servant and the purpose of government

Focusing on fact, reason, empirically valid "truths" while tending to divorce any concern for honesty and openness from larger societal purposes

Basing incentive system on a very narrow definition of what constitutes good work

Effectively constraining the development and contributions of others

Value-Based Ethics

Not abusing perquisites of station

Not playing games with procedures

Treating people fairly and equitably and humanely and going out of one's way to encourage and support responsible work and ethical conduct

Seeing to it that those who do their jobs do not lose their jobs; seeing to it that those who are critical do not lose their jobs

Seeking out worthy persons for responsible positions; providing persons with understanding and commitment an opportunity to play an appropriate role, to assume appropriate responsibility

Fostering truthful and open communication and self-expression through example, through the setting of a tone, and in other appropriate ways

Not providing disincentives for good work

Fostering the development and contributions of others

No Ethics

Not seeing to it that those who fail to serve in the public interest are removed from the public service if they do not change their ways

Using power in authoritarian, coercive, or Machiavellian ways

Failing to resolve or try to resolve personal value conflicts ethically and legally

Being guided by primary mentality assumptions of coercion, compromise, and cutthroat competition

Playing games with information or withholding or distorting information to circumvent the law, or the intent of legislation; keeping needed information from others in government; keeping information from the public or anyone with a rightful claim to it

Being disinterested in knowing what is really happening or in developing a real understanding of what needs to be done to protect or serve the public interest

Value Neutral or Relative Ethics..

Failing to subscribe to a public good concept of the public interest and failing to see any valid way of establishing value based criteria to determine what is and is not in the public interest

Seeing power in terms of equity, equalizing power relationships, being more concerned with the fairness of the process than with the human and social purpose served by the process

Focusing on process and law in the resolution of conflicts, possible reliance as well on situational ethics

Guided by an imperfect mesh of primary and secondary mentality assumptions

Adopting different approaches according to what the traffic will bear

Having no commitment to serving the public interest in the public good sense of the concept; interested in that knowledge and understanding which will assist in maximizing prevailing business values and values of science or of process itself

Value-Based Ethics

Seeing to it that those who fail to serve in the public interest are removed from the public service if they do not change their ways

Seeing power as a creative, self-generating force to be used in constructive ways and to be spread, used, and nurtured using educational, normative strategies

Trying to resolve personal value conflicts, ethically and legally and doing so without sacrificing integrity

Being guided by secondary mentality assumptions of consensus-seeking, cooperation, collaboration

Maintaining honesty and openness in the communication of information and withholding information only when legally or ethically necessary

Being committed to serving the public interest; acting in such a way as to maximize the values of life, health, and individual and societal freedom

No Ethics

Flaunting or disregarding judicial decisions, constitutional rights, human rights, human values

Acting in such a way as to negate, neglect, or minimize the values of life, health, and freedom

Disregarding or devaluing freedom

Conducting business, delivering services, addressing societal problems poorly, inhumanly, in a value-neutral scientific way, ineffectively, in such a way as to be wasteful of human, natural and/or fiscal and material resources; in such a way that science and technology disserve human aims and are seen as aims in themselves

Allowing organizational efforts to become characterized by bureaucupathology--where process becomes more important than purpose; authority more important than service; form more important than reality; precedence more important than adaptability

Value Neutral or Relative Ethics..

Being effectively indifferent to constitutional and human rights

Effectively acting in such a way as to negate, neglect, or minimize the values of life, health, and freedom

Effectively disregarding or devaluing and undermining freedom

Conducting business, delivering services, addressing societal problems as if guided by prevailing business values of productivity and humanism in the service of productivity

Seeing to it that organizational efforts focus on process and not purpose, being more concerned with maximizing the prevailing values in business than in serving the public interest

Value-Based Ethics

Acting in accordance with the law and with constitutional and human rights

Acting in accordance with the public interest; acting in such a way as to maximize the values of life, health, and individual and societal freedom

Basing action in a firm regard for individual and societal freedom

Conducting business, delivering services, addressing societal problems well; humanly, in a humanhearted way, responsively, effectively, in such a way as to conserve valued human, natural, and/or fiscal and material resources; in such a way that science and technology serve human aims and are employed in human ways

Seeing to it that organizational efforts are characterized by organizational or bureaucratic health where purpose, service, reality, and adaptability are more important than process, authority, form and precedence

No Ethics

Focus on procedures in such a way as to evade responsibilities or to thwart the purpose of the procedure

Allowing organizational jurisdictions, efforts at policy-making, implementation, and problem solving, and regulation to become so confused and overlapping as to make the proper conduct of government impossible and the solving of complex problems and the meeting of human and societal needs impossible

Being unconcerned with purpose and service, failing to emphasize the responsibility and obligations of public servants to serve in the public interest

Encouraging or taking part in bureaucratic gameplaying for individual or bureaucratic gain

Value Neutral or Relative Ethics..

Focus more on process than on purpose; focus more on the process of attaining the public good than on the public good itself

Allowing concern for process and structure to stand in the way of purposeful action and the resolution or amelioration of complex societal problems

Paying too much attention to process, so much attention that process can become an end in itself; focusing on participation or decentralization in such a way that they become ends in themselves and lead toward "double-democratization," furthering some of the processes integral to a representative democracy, but thwarting others--failing to take into account the problem of accountability and the necessary vesting of responsibility for governmental actions in public servants; focusing on processes thought to insure accountability rather on the essence of responsibility and public service in the public interest

Refining the rules of the game along scientistically oriented lines, scientism being defined as the divorcing of science, rationalism, and empiricism, from human values and concerns

Value-Based Ethics

Focus on purpose, service, reality, and adaptability and on serving the public good

Organizing in such a way that the business of government can be carried out well, responsively, and effectively

Making sure that purpose and service take precedence over process; emphasizing the responsibility and obligations of public servants to serve in the public interest and providing ways of assuring accountability

Discouraging or not taking part in bureaucratic gameplaying for individual or bureaucratic gain

No Ethics

Failing to seek solutions to problems affecting the public interest

Not seeking solutions because of the possible or expected unpopularity or unwanted consequences of such solutions

Conducting government in such a way that government fails to be responsive to the public good or it disserves or is indifferent to the public good and emphasizes pseudo-political concerns--self or narrow group interests, or it is value neutral or nihilistic (without value, purpose, or meaning)

Failing to act on available information, understanding, and knowledge to avert loss of life, threats to health and freedoms; failing to act when the solution to a vexing societal problem is at hand

Value Neutral or Relative Ethics..

Assuming an aggregationist or process-oriented approach to the public interest, not a public good approach

Problems addressed when it becomes pragmatically and politically feasible to do so; allowing values of effectiveness and efficiency to dominate in the selection of problems to be addressed

Conducting government in such a way that government fails to be responsive to the public good in that it is not fundamentally concerned with the public good

Failing to protect and preserve and enhance the public interest through a selective indifference to all of the kinds of information, understanding, and knowledge which bear on the preservation of human values and the solution of human problems

Value-Based Ethics

Seeking solutions to problems affecting the public interest, assuming a public good approach, being concerned for the preservation and enhancement of individual and societal health

Being guided by integrity and a sense of what is right in seeking solutions to and implementing solutions to problems

Conducting government in such a way as to make government be responsive to public needs and to the public interest, and so that government serves the public interest by acting to maximize the values of life, health, and individual and societal freedom while striving to make the best use of resources in accomplishing these aims. The political is emphasized, the addressing of human needs and problems, and humanistic and democratic values essential to a free society and freedom in the world prevail

Acting to protect and preserve and enhance the public interest

No Ethics

Failing to assume an attitude of stewardship and responsibility for the protection, preservation, and enhancement of human and natural resources

Absence of the capacity to meet crises or to anticipate them and prevent them before they arise and failure to develop such a capacity

Contributing to a "dog eat dog" mode of existence; contributing to the worsening of problems and the weakening of the social fabric

Failing to be responsive to public outcries that government is not serving in the public interest

Value Neutral or Relative Ethics..

Assuming an attitude of pragmatic expediency or indifference

Paying far more attention to matters of process and structure than to matters of purpose and substance

Implicitly directionless, nihilistic, without long range goals, generally embracing a disjointed incrementalism unconcerned with any overall developmental goals

Focusing on the process of being responsive, but failing to be committed to serving the public interest in the public good sense of the concept

Value-Based Ethics

Assuming an attitude of stewardship and responsibility for the protection, preservation, and enhancement of human and natural resources

Development of the capacity to meet crises and to anticipate and prevent them before they arise

Conducive to a government oriented toward healthy change and development with those in government serving as change agents and solvers of societal problems

Being responsive to those in and outside government who feel that the public interest is being disserved

END