

ABSTRACT
OF THE THESIS
ETHICS IN ADMINISTRATION: PROBLEMS AND
SOME WAYS TO REINFORCE IT

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ABSTRACT

ETHICS IN ADMINISTRATION: PROBLEMS AND SOME WAYS TO REINFORCE IT

In the present scenario, the maintenance of moral standards and norms in the conduct of public affairs in a democratic country tends to become a major problem for the people because of different labels of Government and the involvement of many public functionaries in Government. Historically speaking, neither a capitalist nor a socialist nor a welfare state is immune to the corrosive evil of corruption. This problem is continuing and, therefore, the matter is a continuing debate. There is a widespread feeling that the present context all over the world; more so in our country, is such that the many facets of ethics in public life merit scrutiny. Many laws, rule books, and codes of regulations have been initiated to eliminate or control corrupt practices.

Bribery reigns in every government office, from the highest officials to every table. No work is done without bribery. A doctor is a respectful person to the patient, but when the patient goes to that doctor for treatment, he prescribes various unnecessary medicines and tests for a certain diagnostic center with which often the doctor has cordial relations. The police officer even if he or she is honest and strict, sometimes had to follow the unethical order of the political leaders. Even the small traders of common fish and vegetables in the market have understood that there is no way to survive if they do not get involved with corruption. If we do a close examination of society, we will find that the public today is bewildered by the octopus of corruption. Many acts of omission and commission have been set up to fight against these illegal practices. But the researcher believes that these efforts taken to control corrupt practices can only work on the external side of the problem. To eradicate it, we must address the internal aspect of the problem. To solve the problem internally, the researcher believes that we need to inculcate ethical codes or values among the administrators as well as the other

section of society. Despite, the fact that several studies have focused on the importance of Ethics in Administration, there have been very few efforts spent on identifying what exactly constitutes the crux of ethics in administration. This is one of the logical reasons for selecting this area of study. Giving a rich background on the incidence of political corruption in Indian administration covering its features, forms, causes, and impact; the present study proposes to discuss: the political context of public morality and the factors which impede its operation in Indian Tradition; the need for ethics in present administration; and components of ethical conduct of administrator.

The main objective of the thesis is to examine the implications of the basic principles of ethics as projected in *the Arthaśāstra* Tradition and *Nītiśāstras* Tradition in the Indian context which formed the base of ancient Indian Administration and discusses their impact on different administration imperatives which in turn act as the determinants of ethics in administration in current times. This study will also focus on the importance of ethics in eliminating corruption concerning the push and pull of ethics and administration and how mindsets and basic approaches to administration and governance can be changed.

The objective of the study raises some questions that the researcher seeks to answer are:

1. What are the teachings or training a king or an administrator should follow to set up good governance according to *Arthaśāstra* Tradition and *Nītiśāstra* Tradition?
2. Was *Rājdharmā* the model of good governance?
3. What is corruption, what are the different types of corruption, and how is corruption understood at the administrative level?
4. How to inculcate ethical values to fight administrative corruption?

For the study, the researcher has used philosophical, comparative, and analytical methods of textual analysis. The texts and concepts that deal with the ethical codes, and corruption of Administration from ancient to

the present day, the researcher attempts a close textual reading of the literature produced with an overreaching historical perspective.

For the betterment of analysis, the researcher has divided the thesis into six chapters –

- I. “Introduction”
- II. “Insights from the Indian Tradition and Praxis: *Arthaśāstra* Tradition and the *Nītiśāstra* Tradition”
- III. “*Rājdharmā*: A Coinage for Good Governance in Ancient India”
- IV. “Administrative Corruption: Causes and Remedies”
- V. “Ethical Codes: The Reinforcement of Morality in Administration”
- VI. “Conclusion”

Chapter I – Introduction

The chapter covers the main arguments, justification, and scope of this thesis. This chapter highlights the context of the study, objectives, research questions, review of literature, and methodology of the study which the researcher has already discussed in the above section.

Chapter II - Insights from the Indian Tradition and Praxis: *Arthaśāstra* Tradition and the *Nītiśāstra* Tradition

In this chapter, the researcher has discussed the origin of the state and its functionaries according to the *Shastrakars* of Ancient India. As it is a vast area and could not be possible to go through all the *Śāstras*, the researcher has selected certain *Śāstras*. These are the *Arthaśāstra* of Kauṭilya (other *Arthaśāstras* are no longer extant) and *Nītiśāstras*. Of *Nītiśāstra* tradition we have selected three *Nītiśāstras*— Śukra *Nītiśāsāra*, Kāmandakiya *Nītiśāsāra* and *Nītivākyamitram*. Other than these, the researcher has also discussed Tiruvalluvar's *Tirukkural* which was originally written in the Tamil language.

Kauṭilya in his *Arthaśātra* suggested strong and strict discipline for the king as well as for the administrators. He pointed out that a strong leader must bring order to an anarchical society. His *Arthaśātra* contained principles that gave rise to the ethical values for all political functionaries in Indian tradition from the king to the lowest level of public servants. Kauṭilya thinks that only through *Daṇḍanīti* a ruler or king can bring his subjects *dharma*, *artha* as well as *kama*. In his *Arthaśātra*, he gave several instances to show that when *Daṇḍanīti* is adhered to with the utmost care then only the three principles of life are fulfilled. In administration, this *Daṇḍanīti* should be used to offer security and well-being to the people.

The *Nītiśāstra* thinker Jaina Saint Somdeva Suri in his *Nītivākyamitram*, blended *Arthaśātra* principles and *Dharmasāstra* principles to offer his viewpoint. He said that we need to pursue all four purposes of life – *dharma*, *artha*, *kama*, and *moksha* in a well-balanced manner without giving over importance to either one. By following this only society can be ruled in a disciplined way. Like Kauṭilya, he thinks that governance and administration are arts that the king and his other organs such as the minister, and civil servants must acquire through proper education and training. The welfare of the people should be the final aim of the king and his administration.

Another *Nītiśāstra* thinker, *Kāmandaka* in his *Nītiśāstra* talked about several moral principles regarding the behaviour of a ruler and his subjects. In his book, he talked about various teachings that he thought were important for the monarch to acquire, maintain and increase the territory and wealth. He thinks that the king and his administration should have knowledge of *Śāstras* which will lead to humility in them. He advised the king to control the six emotions - lust, fury, avarice, devilish joy in hurting others, a desire for honour, and hubris and the main concern should be the welfare of the people. *Kāmandaka* also suggested four types of learning for the king— *Ānvīkṣikī*, *Trayee*, *Vartā*, and *Daṇḍanīti*. He laid down a detailed code of conduct for the king.

The other *Nītiśāstra* thinker selected for the study, Śukrāchaya in his *Nītiśāsāra* emphasizes the necessity of a moral code in ruling a state. These moral codes can upkeep the relationship between the king and his subjects, between subjects themselves, and can have peace and prosperity in the state. To preserve order in society, Śukrāchaya suggested following *Swadharmā*. According to Śukrāchaya, a king's *swadharmā* is to see that his subjects uphold *swadharmā*. He has been instructed to employ *daṇḍa* to make sure that *swadharmā* is being followed. The most significant penance is the practice of *swadharmā*. He also talks about how in ruling a state properly, the seven organs play an important role. Śukrāchārya also thinks that the king should have knowledge of *Śāstras* which will help to bring order to society. He speaks about the eight duties of a king like the *Arthaśāstra* and *Nītiśāstra* thinkers. He also suggested the use of *Daṇḍanīti* by the king, but it should be used very carefully otherwise it may hasten his destruction. He gave a detailed layout of the seven organs of the state.

The Tamil thinker, Tiruvalluvar in his book *Tirukkural* which is often referred to as the *Gita* in South India and though it belongs to a different tradition, talks about a similar point of view. Like the *Arthaśāstra* tradition, Tiruvalluvar also admits the function of the seven organs of the state while putting the king on top. He gave utmost importance to the education of the king. He warned the monarch to always use caution and to think things through before acting. He believed that ruling a kingdom justly and righteously renders a sense of safety and security to people at large.

The *Śāstraskars* discussed in this chapter gave more useful insights about the way of infusing morality in administration. Thus, all these thinkers suggested that the king should have proper training or education about *Śāstras* and ethical values which will help him and his subjects to attain the four purposes of life – *dharma*, *artha*, *kama* and *mokṣa*. Without following the ethical codes and values, the administration cannot run properly. As the administration of a state has

an important role in catering to its people the goal of life that is – *mokṣa*. The king's main goal should be the welfare of the common people, and this will help him to bring order to society.

Chapter III - *Rājdharmā*: A Coinage for Good Governance in Ancient India

The second chapter which is entitled “***Rājdharmā*: A Coinage for Good Governance in Ancient India**” focuses on the notion of the term *Rājdharmā* which means king's duties and rules of governance. Though the concept of *Rājdharmā* was found in *Śānti Parva* of the *Mahābhārata* where *Pitāmaha* Bhisma advises Yudhisthira, the eldest of the Pāndava brothers, about the notion of *Dharma*, the role, and duties of a ruler to his people, there are many other texts which dealt with the notion of *Rājdharmā*. For example, in *Manusmṛiti*, *Bṛihadaranyaka Upanishad*, and even in the *Ramayana*, we could find the notion of *Rājdharmā*. *Rājdharmā* is a concept that pervaded Indian Statecraft, Diplomacy, and the polity of rulers. It implied that rulers were bound by *dharma* or ‘*Rāj Dharma*,’ which meant ensuring good governance for the people. The absence of good governance is the root cause of many societal deficiencies.

The Epic *Rāmāyana*. contains references to good governance, diplomacy, war, and peace. The epic is filled with important ethical values. In that epic, we also come across the concept of *Rāmrajya*. It advocates ethical governance with principles of morality, justice to all, peace, prosperity, and welfare of the people. According to Mahatma Gandhi, *Rāmrajya* means the ultimate values of *dharmas*, upheld since time immemorial. *Ramarajya* as described in the *Rāmāyana* had all characteristics of democracy. Despite there being no electoral procedure in those days, public opinion was considered and given due importance. However, it is the *Mahābhārata* that gave prominence to the notion of *Rājdharmā* and articulated it very precisely in political morality or the art of politics. While advising Yudhisthira, *Pitāmaha* Bhisma initially talked

about the origin of the state and its functionaries. He emphasized that the observance of *Rājdharmā* is a must for all rulers including the *trivarga*. He suggested *Dāṇḍanīti* as a weapon of a kind to bring order to society. Like Kauṭilya, Bhisma also gave importance to the king. He advised that the king should have some values such as kindness, benevolence, ethics, mercy, royalty, modesty, and the overall aim should be the welfare of the people. Bhisma also prescribed proper training for the king, otherwise, the wrong application of *Dāṇḍanīti* may ruin the king and his kingdom. Manu in *Manusmṛiti* also discusses various aspects of *Rājdharmā*. He was the supporter of the Divine Right theory regarding the origin of the state which subscribes to the idea that the king was the creation of God. Manu also suggested the application of *Dāṇḍa* being the coercive power of authority of the ruler or the power of punishment. Manu and Kautilya share similar views regarding the application of *Dāṇḍanīti* by the king.

The concept of *Rājdharmā* as explained in this chapter makes it clear that the spirit behind *Rājdharmā* was to ensure peace and happiness or to say maintain good governance. Without following the ethical value of *Rājdharmā*, the administration of a state may end up in anarchical and arbitrary rule. The administration system of ancient India is replete with several good governance instances following *Rājdharmā*. To fight corruption in the current administration, we need to rediscover our cultural heritage, customs, practices, beliefs, and values painstakingly emancipated in our ancient scriptures.

Chapter IV- Administrative Corruption: Causes and Remedies

Chapter four which is entitled “**Administrative Corruption: Causes and Remedies**” begins with a description of the different forms of Indian Public Administration from the Ancient to post-independent period. Before the arrival of the British Raj, the mechanism of administration was quite simple as it was purely dependent on the ruler. During the colonial period, Lord Cornwallis reforms the administrative mechanism in India. Though the setup was done to deliver good

governance, recruiting untrained civil servants failed to fulfil the expectation of many people. The cause of the dissatisfaction was due to the immoral practices and corruption done by the administrators. It went on such a level that even in the post-independent period, corrupt practices are sinking the country. Several rules, laws, and regulations have been implemented to fight administrative corruption. In 1962, the Santhanam committee was formed by the Government of India under the leadership of Kasturirangan Santhanam to suggest anti-corruption measures. Santhanam Committee prescribes following the ethical code of integrity to fight corruption. The committee suggested that integrity should be taught at the school, college, and university levels, as they are the main suppliers of civil servants of public administration. The chapter then discusses the issue of corruption and the need for ethics and morality in fighting corruption. In this section of the chapter, the researcher has discussed the concept of corruption by contrasting the ideas of some select thinkers across the world. Robert Kiltgarrd, a noted anti-corruption researcher, in his 1988 study *Controlling Corruption* (Berkeley, University of California Press) and “Addressing Corruption Together” gave very topical and useful insight on it. He composed a corruption formula that has gained wide popularity: $C=M+D-A$. We can explain it linguistically thus: Corruption (C) equals monopoly (M) and discretion (D) devoid of accountability (A). The three variables on which corrupt practices hinge are—Monopoly, discretion, and accountability. This amended version of the corruption formula makes it clear that only administrative and legal instruments are not enough for curbing corruption. Morality becomes an indispensable variable in fighting this menace.

The discussion further moves to examine how the issue of corruption has been used by a politician. For example, the case of Benigno Aquino III who became president of the Philippines by campaigning against corruption. When he took over the government of the Philippines ranked 133 are the position of 178 countries on the GIR

report of corruption. President Benigno Aquino's practical strategy and mechanism to fight against corruption using the model of other countries significantly reduced the level of corruption. As a result, in 2014 along with Georgia, and Colombia, Indonesia become the 3rd country that significantly reduce its corruption level. Kiltgaard tries to show that countries that successfully fought corruption had implemented his formula $C=M+D-A$. Santhanam Committee also emphasized the model of positive and negative incentives. For example, raising pay is one type of positive incentive and taking strict action against the major offenders is a negative incentive. The result is administrators will always be cautious and on their toes.

But the suggestion of the Santhanam Committee has many criticisms. People believe that Lokpal institute needed to fight corruption as CBI, ED, and CVC are created for the same purpose. Whatever organization and laws are created they become an open sky for the influential few and a cobweb for the helpless mass. corruption is increasingly capturing positions of power and influence. We need to remember that when the chief of CVC is appointed, they also fall under the trap of corruption. There is no mechanism to ensure that every time man at the top will be a man of integrity. President Aquino himself maintained moral integrity as a model with the hope that others will follow him and he succeeded. Hence the need for morality in administration cannot be overlooked. Kiltgaard further goes on to say that to fight against corruption we required moral or ethical reforms.

Chapter V - Ethical Codes: The Reinforcement of Morality in Administration

The fifth chapter entitled “**Ethical Codes: The Reinforcement of Morality in Administration**” focuses on the need for ethical values in administrations. The chapter tries to examine in detail the different

approaches by which administrators can imbibe ethical codes. Generally, administrators enjoy authoritarian power which often tends to corrupt them. Lord Acton commented that “power tends to corrupt and absolute power corrupts absolutely”. Power enables someone to punish and prize the people.

The chapter further tries to concentrate on the notion of Integrity as proposed by the Santhanam committee in the earlier chapter. To avoid corruption and the right use of power, the administrators should have integrity. Though many critics and thinkers have shared their views on the values of integrity to fight corruption, for the paucity and purpose of my study I have done a selective study on the views of Kenneth E. Boulding, Pitirim A. Sorokin, Johnston, B.V, Dag Hammarskjold, Mahatma Gandhi, Buddha, Subhash Ch. Bose, Sri Aurobindo, Damian Cox, Greg Scherkske, Gabriele Taylor and son on. After analyzing the viewpoint of these thinkers, we can say that the use of power is very important in administration. As it can easily fool someone to choose corruption. Therefore, the discussion focussed on ethical values so that the administrator should positively use power and have altruistic love in themselves. Integrity and morality can help an administrator to follow this path and inculcate ethical values in them.

Chapter VI - Conclusion

While focusing on the objectives of the thesis discovered that –

1. A close study of *Śāstras* makes us realize that the authors of these works firmly believed that the mere law of the land is not enough to keep *Mātsya nyāya* at bay.
2. All the authors discussed in the second chapter, despite the divergence of opinions are at one about the necessity of ethical codes in administration. Nowadays when we lament the

decadence of moral values, perhaps it is due to our ethos that we become so much concerned.

3. From the analysis of the Third chapter, the researcher can say governance that improves the living standards of ordinary people, provides public services that are affordable and cost-effective and promotes justice and fairness is also good governance. The study also carves out some principles which are attributed to good governance—accountability, efficiency and effectiveness, openness and transparency, participation, rule of law, the absence of corruption, equity and inclusiveness, human rights, and devolution.
4. Poorly organized administrations, lack of supervision, and inadequate controls also allow corruption to grow. Coping with corruption, however, requires an awareness of it and a reduction of motives. The government should remove undesirable social controls which interfere with peoples' personal lives, revise the laws, reduce public monopolies, and force government agencies to report on their activities. Since much administrative corruption stems from political corruption, all government activities should be conducted in an open and accountable manner.
5. To enrich value in administrations we must maintain the seven principles of public life-Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership.
