

ETHICS IN PRIVATE AND PUBLIC RELATIONSHIPS

Human beings play various roles in the society. This role playing defines their relationship with others. With each social role one adopts, one's behaviour changes befitting the expectations of one's own self and of others. In the words of William Shakespeare:

*All the world's a stage,
And all the men and women merely players :
They have their exits, and their entrances;
And one man in his time plays many parts.*

These lines capture the essence of social roles. Even in the short span of a single day, people play various roles, e.g., son, daughter, sister, brother, students, worker, friend, etc. Each social role carries expected behaviours which are referred to as norms.

In role playing, an individual's private relationship—such as marriage, family, kinship, friendship, etc. differs from, his/her public relationship—such as the relationship of politicians/bureaucrats with people at large, and a doctor's relationship with his patients among others. Private relationships are more intimate relationships e.g. family and friends. Public relationships are more instrumental e.g. organisational colleagues, politicians, strangers, and others outside of one's relatively narrow circle of intimacy.

Private relationships	Public relationships
Family	Teacher-Students
Friends	Politicians-Citizens
Oneself	Co-workers, Colleagues
	Doctor-Patients
	Bureaucrat—Citizen

Characteristics of Private relationships

- Private relationships are often given or inherited.
- They are relatively permanent.
- More tolerance for imperfections
- Expectations of loyalty, love, affection, etc. from one's partner.

Characteristics of Public relationships

- In public, we encounter people who are often very different from us.
- Public relationships are likely to be instrumental.

- Engagement due to work or benefits.
- Expectation for respect.
- Particular kind of role to be played in public relationships; therefore, responsible for what we say.
- Accountability vis-a-vis what we say and what we do.

<i>Private relationships Vs Public relationships</i>	
Private relationships	Public relationships
Sameness	Diversity
Commonality	Difference
Given/Permanent	Fluid/Temporary
Intimate	Guarded
Restricted to small number of intimates	Open to a large number of acquaintances
The need to be liked	The need to be respected
Expectation of loyalty	Expectation of accountability
Altruistic self-giving	Quid pro quo/self-interest

The distinction between private and public relationships may not be followed strictly and verbatim. Instead, they work more as guidelines for “appropriate behaviour’ in different realms”.

Ethical Values in Private and Public Relationships

Ethics in private relationships are generally governed by individual virtues, uni-versal human values, religion, social norms, and the law of the land. Therefore, they comprise limited influencing factors. These aspects decide an individual’s ethical conduct in private relationship.

Ethics make for actions that one can defend publicly and comfortably; these actions are those that not only one’s own self but also the community can easily live with.

Public service is about power. It is also about service to the people, society and the nation. Ethics in public relationships are governed by many aspects. At times, they comprise contradictory values and influence ethical decisions in public relationships.

The key to a professional’s survival is personal integrity, i.e. adopting a sincere and principled ethical stand. Integrity is also important because it is necessary as a building block of public confidence and to establish trust in a democracy. For public managers, exercising public power as a temporary trust factor—without privilege and with an eye on personal and organisational integrity—becomes the formula for survival. Significantly, this power is detached from personal benefits and perks so that *public* interest dominates.

Ethics in public relationships become an important aspect to establish and sustain authority, to develop confidence among people about the system, and to achieve social well-being of the society (through ethical actions of an individual in public relationships).

At times, a public servant plays conflicting roles due to his/her relations in private life and his/her responsibilities towards public life. According to Dwight Waldo, there are 12 spheres of ethical claims on the public servant, as follows:

1. the constitution;
2. the law;
3. nation;
4. country or people;
5. democracy;
6. organisation-bureaucratic norms;
7. profession and professionalism;
8. family and friends;
9. self; middle-range collectivities such as class, party, race, union, interest group, and church;
10. public interest or general welfare;
11. humanity; and
12. religion or God.

OECD countries publish a set of core values to guide their public servants in daily operations, and they draw these values from the same substantial sources— namely social norms, democratic principles, and professional ethos.

The eight most frequently cited core values for public service in the OECD countries were as follows:

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| 1. impartiality, | 2. legality, |
| 3. integrity | 4. transparency, |
| 5. efficiency, | 6. equality |
| 7. responsibility, and | 8. justice. |

Another option is the list of values approved by the Independent Sector in January 2004. These include the following:

- Commitment to the public good
- Accountability to the public
- Commitment beyond the law
- Respect for the worth and dignity of individuals
- Inclusiveness and social justice
- Respect for pluralism and diversity
- Transparency, integrity, and honesty
- Responsible stewardship of resources
- Commitment to excellence and to maintaining the public trust

Ethical Claims for Different Roles (in Private and Public Relationships)

The Universal Declaration of Human Rights (UDHR)—adopted by the General Assembly of the United Nations on December 10, 1948, as ‘a common standard of achievement for all peoples and all nations’—identifies rights and responsibilities of an individual on many levels, including the individual, family, community, society, state, and humanity.

In private relationship (refer figure ‘Roles and Duties’), an individual needs to cater to only one cluster or role. The ethical claims for private relationship emerges from an individual’s responsibility towards that role i.e. responsibility as father, mother, husband, etc. These responsibilities are self-imposed, informal and voluntary. Individual virtues, universal human values, religion, social norms and law of the land play an important role in ethical claims for private relationship.

The ethics in private relationships are also checked by private religious laws. Individual, familial, and community obligations have long been written into law and backed by serious sanctions, from ancient times through today’s inheritance, divorce, marriage and other laws. In India, along with moral codes, religious institutions and Constitutional provisions govern ethical issues in private relationships.

On the other hand, in public relationship, a public servant needs to cope with five primary clusters of roles which include (i) his role in his personal and family sphere, (ii) his role as a professional, (iii) his role for the job, (iv) his role towards his jurisdiction and work influence, and finally (v) his role towards society and humanity at large. A public servant needs to cope with all the clusters of roles (owing to his personal life and public life), but in his/her official capacity, public service includes all but the personal domain.

Each role in the cluster signals different bundles of concerns, values, and standards of behaviour; each is marked by a mix of ethical claims, or *duties*. Some duties are *responsibilities*, meaning self-imposed, voluntary, and informal; others are *obligations*: formal, externally imposed, and legally or otherwise sanctioned. Responsibilities tend to be broad, even diffuse; obligations, if only for enforcement purposes, tend to be narrow and clearly defined. This emphasis is important because of the cross-pressures induced by the many and often complex roles public managers play in their daily and professional lives.

A public service role often invokes legal obligations, through legal provisions and penalties. Commonly formalised through accountability mechanisms, serving the public interest and legal compliance are central, recurring, but by means the only ethical claims in public service. The aim of any institution should be towards transforming responsibilities into obligations, and obligation into legal requirements through the adoption of enforceable standards of conduct, which in turn would minimise subjectivity in the results and outcomes.

A public servant is a *temporary* steward of public power, resources, and trust. Although public leaders cannot reasonably be required to abandon other relationships and affiliations, nonetheless they are obliged not to use public positions to serve their personal role. This is what conflict of interest is all about. The separation of public from personal life in modern organisations reinforces a central ethical duty to avoid conflict of interest that injures or appears

to undercut independent, impartial, objective judgment. Role diagnosis stands guard against conflict of interest.

CONFLICTS OF INTEREST

Risks of conflicts of interest arise at two levels:

1. Organisational conflicts of interest; and
2. Personal conflicts of interest.

An organisational conflict of interest arises where, because of other activities or relationships, the organisation is unable to render impartial services, the organisation's objectivity in performing mandated work is or might be impaired, or the organisation has an unfair competitive advantage.

A personal conflict of interest is a situation where a person's private interests—such as outside professional relationships or personal financial assets—interfere or may be perceived to interfere with his/her performance of official duties. Thus personal conflict of interest arises due to one's confusion over ethical issues in private and public relationships of an individual.

As a public servant, one should always strive to avoid situations where s/he benefits personally, or allows others to benefit personally, from the decisions s/he makes for an organisation. One needs to be aware of how his/her actions—in the absence of an explanation—may appear or be interpreted by others. Sometimes, the perception of a conflict of interest raises as much ethical concern as does an actual conflict of interest.

Conflict of interest situations do not necessarily imply wrongdoing. However, if they are not identified and managed appropriately, they can compromise work and the organisation's integrity.

When each public servant avoids the perception and the reality of a conflict of interest, together they can help preserve the independence and impartiality not only for themselves but also for the organisation. One of the key steps in avoiding or resolving a conflict of interest is to ensure that the organisation's interests override the individual's own interests.

The Private Behaviour of Public Office-holders

It is often debated whether the private behaviour affects the public authority of an individual. Though ideally these two spheres, i.e. private and public relationships—should be separate, in reality this is not exactly possible.

The seven Nolan principles specifically apply to public life. Public office-holders do, of course, also have private lives, which are affected by a whole range of emotions and other factors in which the seven principles of public life are unlikely to be a major consideration.

We will discuss the relationship between private and public life of an individual based on following premises:

(a) Right to Privacy for the Public Office Holders

It is important both for reasons of principle and to prevent unnecessary inhibitions on

willingness to perform public roles that the privacy of the personal lives of public office-holders should be respected. The legal protection of the right to privacy under the Human Rights Act 1998 applies to public office holders as well as to other citizens.

(b) Separation between Private and Public Life

The separation between the public and private lives of public office-holders can never be absolute. There are circumstances in which private behaviour can legitimately affect an individual's employment in public office because of its impact on the reputation or on the integrity of the organisation concerned. Some of these circumstances are recognised by the law. For example, if an individual is declared bankrupt or insolvent, he can be denied employment in a wide number of public posts. Other such circumstances or conditions are incorporated in specific codes. The General Teaching Council for Scotland's ethical guidance to teachers, Code of professionalism and conduct, states:

You should avoid situations both within and without the professional context which could be in breach of the criminal law, or may call into question your fitness to teach... you must uphold standards of personal and professional conduct, honesty and integrity so that the public have confidence in you as a teacher and teaching as a profession... you should maintain an awareness that as a teacher you are a role model to pupils.

These guidelines are clearly intended to apply to the teachers' private as well as public lives. The code is not statutory. But any serious breach or series of minor breaches of it could lead to an adverse 'fitness to teach' finding and possible sanctions.

(c) Influence of Private Life on Public Authority

Whatever the law or principle might imply, the public are likely to draw conclusions about an individual's public behaviour from what they know of his/her private behaviour. History provides numerous examples of apparently scandalous behaviour, usually of a sexual or financial nature, casting such doubt on the stability of politicians or others for public office that they have resigned or been removed from their posts. This is not necessarily an irrational reaction to media Pressure—though it can sometimes be. It is not unreasonable for people to think that individuals who display poor behaviour or bad judgement in their private lives are at risk of doing the same in their public lives. Moreover, people's own willingness to behave well can be critically affected by what they see of the behaviour of those in leadership positions. There is no reason to think that in doing so they discriminate between behaviour in public and in private roles. It is not advisable to impose public morality on private life. Yet, it is important to recognise that there are occasions when public and private lives can overlap and where private acts that become known can damage public confidence in office-holders and institutions. There are therefore circumstances in which it is appropriate to take account of the private behaviour of public office-holders in judging their suitability for office. Such intrusions should be exceptional, always proportionate, and only happen for public interest.

From the premises discussed here, it is clear that when an individual's private behaviour affects his/her public life, it needs to be looked at as a specific case. They should be addressed not by a lengthy philosophical debate but by clarity regarding acceptable behaviours and possible sanctions.

CASE STUDY 1

Conflicting Ethics in Private and Public Relationships

Overriding devotion to law and society over family: 'It is unusual that one value or duty obviously trumps another.'

The tragic tale of Pavlik Morozov, one-time hero of Soviet communism, illustrates the friction between family and public service obligations and between abstract justice and personal compassion.

Pavlik Morozov, supposedly killed by 'kulak' relatives for denouncing his father to Stalin's secret police. His life exemplified the duty of all good Soviet citizens to become informers, even at the expense of family ties.

As a youth, Pavlik denounced his father for aiding kulaks when the Stalinist regime of the early 1930s considered it treason to help these rich peasants. They were blamed for Pavlik's murder after he informed on his father and testified against him in court. Pavlik's example became a fable by which to teach children an overriding devotion to law and society.

The case of Pavlik highlights issue of ethical conflicts one may face between private and public relationships: Pavlik's duty towards the nation has overridden his love for family, in that he had exposed his father's wrong deeds to the state authorities.

CASE STUDY 2

Conflict of interest You are an HR Manager in a private firm and have been assigned the task of recruiting a Project Director, by way of a written test and interview. From among all candidates, you have to select the one who scores maximum in both these tests. While correcting the answer sheets, you find that candidate X is highly suitable for the prescribed post, but has made a small mistake: he has assigned a wrong number to one of the answers i.e., he has wrongly stated A.3 instead of A.2. During the interviews, candidate X scores higher than another candidate Y—who, according to you, is not as suitable for the post as candidate X. Here, by rectifying the error yourself, you could help both, candidate X and your parent organisation when it comes to the most suitable candidate being recruited for the post. So, what should an HR Manager do in this case: As a well-wisher of his own company, should he drive his conscience to make the necessary modification in candidate X's answer-sheet and select him instead of candidate Y?

Explanation

The application of ethical tests such as virtue test and smell test make it clear that the HR Manager should not modify the answer-sheet of any candidate as this would go against the principle of objectivity in terms of evaluation. It would also be illegal.

However, the manager's bias towards candidate X, for the sake of his company, appears to be correct—but is ethically wrong on the grounds of conflict of interest. Considering the manager wants to recruit a candidate for his company, he should not be the one evaluating the candidates' performance vis-a-vis the test.

In such a situation of conflict of interest, it is essential to understand one's role. The role of

evaluator has to be performed without any bias towards any caste, creed, religion or any personal ideology and professional interest. The role played as an evaluator should be objective and without any bias.

Any bias towards candidate X—due to any association with the company—would be against the principle of natural justice for other candidates. Thus, it would be unfair and illegal for an evaluator to make changes in any of the answer sheets.

If indeed nobody other than candidate X is suitable for the post, then—as a possible alternative—the HR Manager may explore the possibility of cancelling this round of tests but only after clearly citing the necessary reason(s) for doing so and seeking the necessary approvals from his seniors. This will ensure that the manager does not make any decision which is unfair, illegal and unethical.

CASE STUDY 3

Unethical conduct in personal relationship

Mr. X is an efficient and devoted employee in your organisation. He is married. Impressed with his sincere work, you have given him additional duties. One day while leaving office, you find him in a compromising position with his personal staff. Sensing some wrong in their relationship, you feel cheated and hurt—you would never have expected a devoted employee to behave in such an unethical manner so as to cheat his wife! You find a contradiction in his personal life and public life. Although, in his public life, he had never cheated you and had accomplished the given tasks with utmost sincerity, in his private life it appears that he is cheating his wife. Discuss the ethical issues in this case.

What action would you take against Mr. X?

- Neglect his conduct
- Take stern action against Mr. X
- Will speak to Mr. X about his wrong conduct?
- Any other action

Explain your reaction in detail from an ethical point of view.

CASE STUDY 4

Influence from Private Relationship Influencing Public Duty

You are an officer in-charge of project X. Some work related to your project needs to be outsourced through the process of issuing a tender. Three firms have applied for this project, one of which is owned by your brother-in-law. You know that your brother-in-law's firm does a good job when it comes to such projects. Besides, at home, your wife has also often reminded you to favour him. What would you do in such a situation?

Discuss the ethical issues in the probable actions one may take in this type of scenario.