Ethic Codes & Public Office

José Manuel Cabra Apalategui
Universidad de Málaga
Campus de Excelencia Internacional Andalucía Tech
Why professional (public) Ethics? Reasons and functions of Ethical Codes.

<table>
<thead>
<tr>
<th>Practical reasons.</th>
<th>Political reasons.</th>
<th>Motivational reasons.</th>
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<tbody>
<tr>
<td>• Guiding behaviour.</td>
<td>• Public confidence and legitimation of political system and public administration.</td>
<td>• Symbolic force.</td>
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<td>• Systematization.</td>
<td>• Corruption.</td>
<td>• Ethical culture.</td>
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<td>• Resolution of conflicts.</td>
<td>• Economy.</td>
<td>• Responsability exoneration.</td>
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3. Ethic Codes and Codes of Conducts.

Ethic Code (or Value Declaration).
- Core values (excellence)
- Positive
- Unanticipated events & hard cases

Code of Conduct.
- Guidelines (rules)
- Prohibitions / Commands
- Prevent unethical behaviour
4. Public Ethic’s core values.

Committee on Standards in Public Life (UK)
- Integrity
- Accountability
- Selflessness
- Objectivity
- Openness
- Honesty
- Leadership

Organisation for Economic Co-operation and Development (OCDE)
- Impartiality
- Legality
- Integrity
- Transparency
- Efficiency
- Equality
- Responsability
- Justice

European Union (EU)
- Rule of law
- Impartiality / objectivity
- Reliability / transparency
- Duty of care
- Courtesy
- Professionalism / accountability
5. Classification of values: core value clusters.
   (Rothstein & Sorak, 2017)

① Impartiality.
② Openness.
③ Integrity.
④ Legality.
⑤ Loyalty.
⑥ Equal treatment.
⑦ Reliability.
⑧ Service.
⑨ Professionalism.
5. Classification of values: core value clusters.
(Rothstein & Sorak, 2017)
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(Rothstein & Sorak, 2017)

Art. XI (Section 1):
Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.

Constitución española (1978).
Art. 103:
1. La Administración Pública sirve con objetividad los intereses generales y actúa de acuerdo con los principios de eficacia, jerarquía, descentralización, desconcentración y coordinación, con sometimiento pleno a la ley y al Derecho.
3. La ley regulará el estatuto de los funcionarios públicos, el acceso a la función pública de acuerdo con los principios de mérito y capacidad (...) el sistema de incompatibilidades y las garantías para la imparcialidad en el ejercicio de sus funciones.

Contra legem
- No exceptions to public interest
- Justice vs. Rule of Law

Secundum legem
- ¿Reiteration or extension?

Praeter legem
- Professional excellence
7. Conclusions

- Reasons for skepticism
  - Practical guidance?
  - Risk of losing independence?

- Reasons for optimism
  - Promote reflection and a critical approach to the model or ideal of public servant.
  - Provides non legally coercive standards of excellence.