ASSESSMENT OF PUBLIC ADMISTRATION INTEGRITY LEVEL: BETWEEN MORALITY AND THE LAW

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Abstract *In recent years, the academic and research institutions, international organizations (among which the International Monetary Fund, World Bank) have an increased interest for estimating the integrity, public administration reform and to gauge the impact of this reform on the level of economic development. From a marginal part in international aid programs, the integrity has grown to occupy a privileged position in most development programs. Currently, it is considered a key factor in good governance of a country with vast implications and whose development must be prevented. The large number of managerial incidents led to a growing interest in ethical programs within organizations. "Respect" and "integrity" are two alternative management strategies that are formulated in order to avoid moral deviations from organizations. Compliance and integrity differ regarding how the moral behavior of members of an organization can and should be achieved. The strategy focuses on explaining under a set of rules. The main objective of this paper is to analyze how the integrity within public organizations became an organizational value and not only a legal value.*

Keywords: *integrity, performance, public organizations*

1. INTRODUCTION

Corruption, in spite of an extensive reference to it in the public debate and in the political agenda, is a somewhat cluttered concept. In the last decades a growing awareness emerged of the relevance of such phenomena as a hidden factor which may negatively affect political and economic decision-making processes in any complex organization and social relationships. (Vannucci Alberto, 2015)

The problem of integrity is highly debated into the scientific world. The problem is not to find a definition but rather to find the right definition of a phenomenon that it is cannot be fully explained by the law. Integrity has as main objective to underline *"the right action"*. One of the most used definition of integrity talk about *"self governance"*. Michael Jensen taking about integrity, morality and ethics consider that "These three phenomena are widely understood to provide standards of 'correct' behavior, but people generally get them mixed up. Morality and ethics, on the other hand, are normative concepts in that they deal with matters of good or bad, right vs. wrong. Morality refers to a society's standards of right and wrong behavior for individuals and groups within that society, while ethics refers to the normative set of values that apply to all members of a group or organization. Thus, both morality and ethics relate to desirable vs. undesirable behavior" (Jensen, Michael 2009). Donald Menzel launch for questions in the field of integrity research (Menzel Donald, 2005):

- What is the primary focus of empirical research on ethics in public administration and governance? What research questions are being asked?

- How well does empirical research inform ethics theory? How well does ethics theory inform empirical research?

- Are the research findings cumulative? Has progress been made toward building a body of knowledge?

- Are there new avenues of research? Are there neglected areas of study?

Werner Erhard, Michael C. Jensen, Steve Zaffron distinguish the *domain* of integrity as the objective state or condition of an object, system, person, group, or organizational entity, and, consistent with the first two of the three definitions in Webster's dictionary, *define* integrity as a state or condition of being whole, complete, unbroken, unimpaired, sound, perfect condition. They eliminate the third and final definition that includes "morality" and therefore generates the confusion and confounding between integrity and the virtue terms of

morality and ethics ("ethics" being found in the definition of "morality"). (Erhard Werner H., Jensen Michael C., Zaffron Steve, 2009)

The study of integrity is very well connected to the problem of social capital. The importance of social capital in the context of integrity in public administration came from the fact relations between members of the same organization or community can answer the following question: why there are communities where we find a high level of corruption (corruption being seen as the absence of integrity) and in other communities, comparable in terms of population, elevel of economic development we do not have the same problem?

Also, the literature review offers the possibility to find many connections between integrity and performance. The term social capital is commonly used increasingly more in a wide range of social sciences. A number of increasingly large sociologists, political scientists, economists call this concept to respond to problems in their own areas of research. Social capital is a sociological concept used in economics, management, organization theory, political science, public health, and in all social sciences. Social capital refers generally to connections within social networks, and between them. Although there are a variety of definitions related to what were described as "a sort of panacea" (Alejandro Portes) for the problems of modern society, all definitions have in common the idea that "social networks have value. Just as a screwdriver (capital physically) or a university education (human capital) can increase productivity, as social contacts affect the productivity of individuals and groups. (Robert Putnam). Like other forms of capital, social capital is productive and makes it possible to achieve purposes in his absence, as intangible. Most forms of capital such as trust is what Albert Hirschman called "moral claims" - meaning resources rather increase than decrease when used and are exhausted when not in use. Along rules, trust is an essential component of social capital. Norms, social trust is what we might call the capital of integrity. Integrity capital is considering all moral relations, ethics is considered a well-defined social framework. The relationship between social capital and capital networking is one of integrity. Social capital contains certain statements that constitute part of the capital of integrity. Integrity and corruption are two sides of the same coin. While integrity is the use of public power in a transparent manner and in accordance with its intended purpose, corruption is, according to the World Bank, Transparency International, the abuse of public power for private interest. The public integrity level is higher, the more drops corruption. There are international institutions specialized analyzes demonstrate that in certain countries, although corruption is considered endemic, there are regions with clear differences regarding corruption.

2. THE RESEARCH

The scientific approach our analysis was based on an independent research. The first is a quantitative analysis that takes into account the views of civil servants on the level of integrity in public administration, central and local. The purpose of the sociological questionnaire is the assessing the white collar clients' trust in the institutions with a strong involvement in combating corruption and their awareness as both consumers and providers of public service subjected to corruption (Biţoiu Teodora, Popa Florin 2015). In this paper we are going to use only a part of the answerers, the one that are tidily connected to the subject of our research

The questionnaire was designed for assessing the white collar clients' trust in the institutions with a strong involvement in combating corruption and their awareness as both consumers and providers of public service subjected to corruption, and it contained eight questions:

1. In your opinion, to what extent is corruption a key issue in the Romanian society? **(Q1)**

2. How would you asses the prevalence of corruption in the following areas: education, health, police, justice, public procurement, local public administration, central public administration? **(Q2)**

3. How do you assess the activity of the institutions having the mission to enforce the law? **(Q3)**

4. How would you rate the impact of the following measures for combating corruption (increasing penalties, the confiscation of illicitly acquired assets, revenue growth, increasing the efficiency of the public administration. increasing the efficiency of the judiciary system, legislation clarity)? **(Q4)**

5. How would you value the role of the following institution in combating corruption (The National Anticorruption Directorate, The General Anticorruption Directorate, The National Agency for Fiscal Administration, The National Office for Preventing and Combating Money Laundering, Ministry of Domestic Affairs, Ministry of Justice, and Court of Accounts)? **(Q5)**
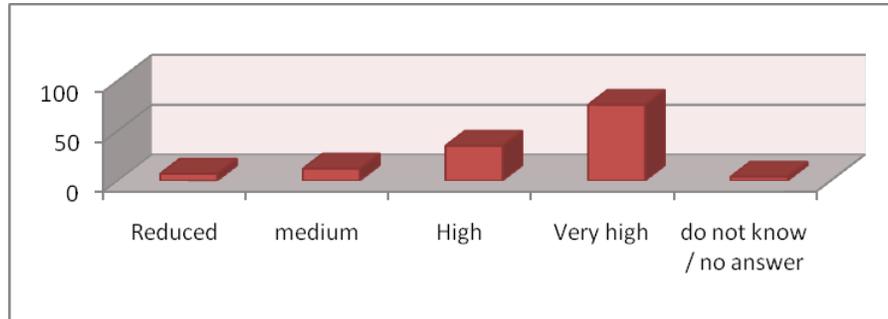
6. How would you estimate the importance of the following elements in increasing corruption the Romanian public sector (wage level, work conditions, custom, quality of law,

the desire for enrichment, the interference of politics in the public administration's activity)? **(Q6)**

7. How would you consider the fight against corruption of the following institution in the past three years (The National Anticorruption Directorate, The General Anticorruption Directorate, The National Agency for Fiscal Administration, The National Office for Preventing and Combating Money Laundering, Ministry of Domestic Affairs, Ministry of Justice, Court of Accounts, The Parliament, and The Church)? **(Q7)**

8. How would you deem the frequency of the following informal manifestations of the corruption phenomenon (fees for granting contracts, gifts, pressures form the superiors, trading in influence, nepotism, political appointments)? **(Q8)**

For this research the questions taken into account were Q1, Q2, Q3, Q6, Q8.

The results for each question are the following:

Q1 In your opinion, to what extent is corruption a key issue in the Romanian society?
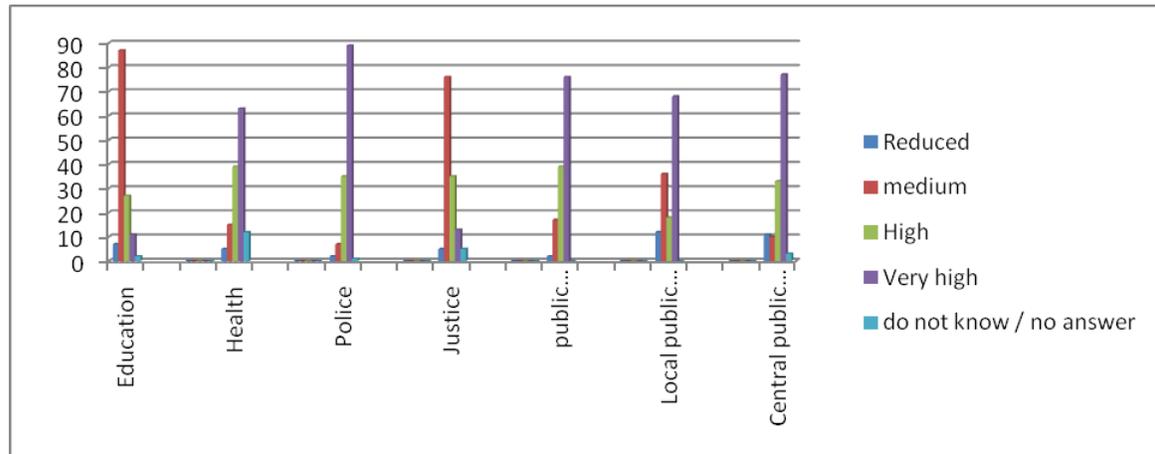
Graph 1

Source: own elaboration, data collected through the questionnaire

The answers proved that there is a concern at the level of society about the problem of corruption. This concern can have as root the economic impact of corruption but also it can be seen as a ethical problem. It exist numerous studies that argue that corruption is a phenomenon that that can be analyze from economic perspectives, and that economic freedom removes opportunities for corruption and promotes ethics not just for its moral implications, but also because of its economic value. (Eiras Ana, 2003)

Q2 How would you asses the prevalence of corruption in the following areas: education, health, police, justice, public procurement, local public administration, central public administration?
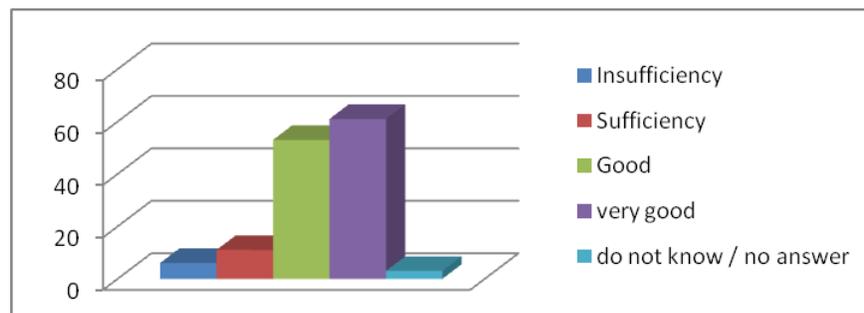
Graph 2

Source: own elaboration, data collected through the questionnaire

The fact that in education, police and justice the level of perception of corruption is medium and high prove that neither education – and here we have in mind ethics – either police and justice - and here we have in mind the law – do not seem to offer a real response to the need to fight against corruption. In this case the right answer is a mix a measure such as education, normative aspects concerning positive and negative measure to tackle corruption. (Biţoiu Teodora, Popa Florin 2015).

Q3 How do you assess the activity of the institutions having the mission to enforce the law?
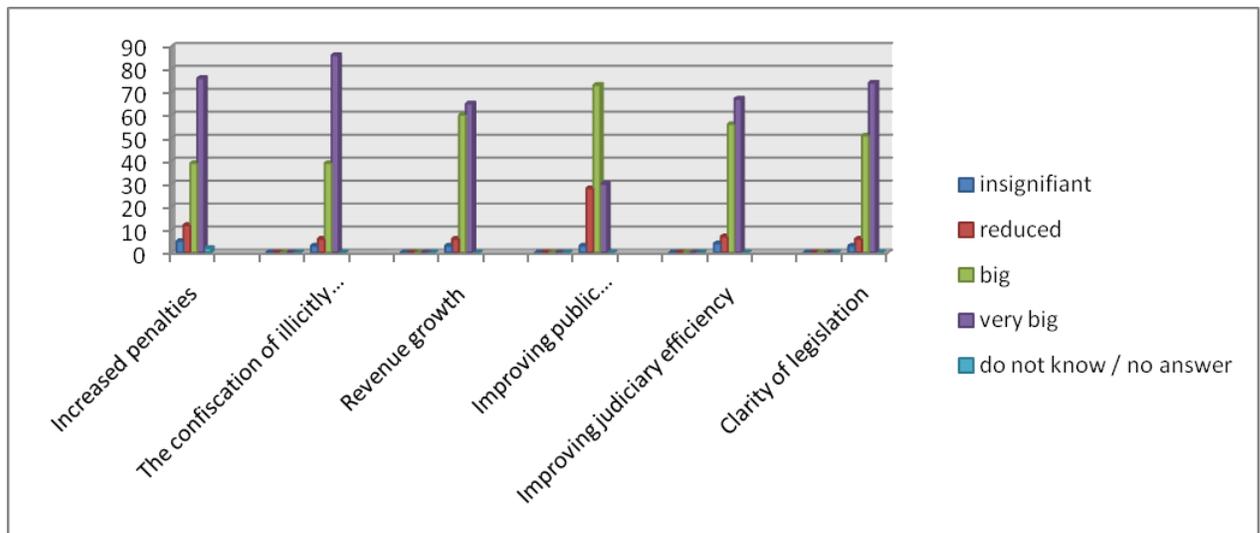
Graph 3

Source: own elaboration, data collected through the questionnaire

The answers reveal, the same as the answer from Q1, a concern at the level of society about the problem of corruption. The concern of the population about this phenomenon has a strong leak with the ethical aspects than with the normative one.

Q4 How would you rate the impact of the following measures for combating corruption (increasing penalties, the confiscation of illicitly acquired assets, revenue growth, increasing the efficiency of the public administration. increasing the efficiency of the judiciary system, legislation clarity)?
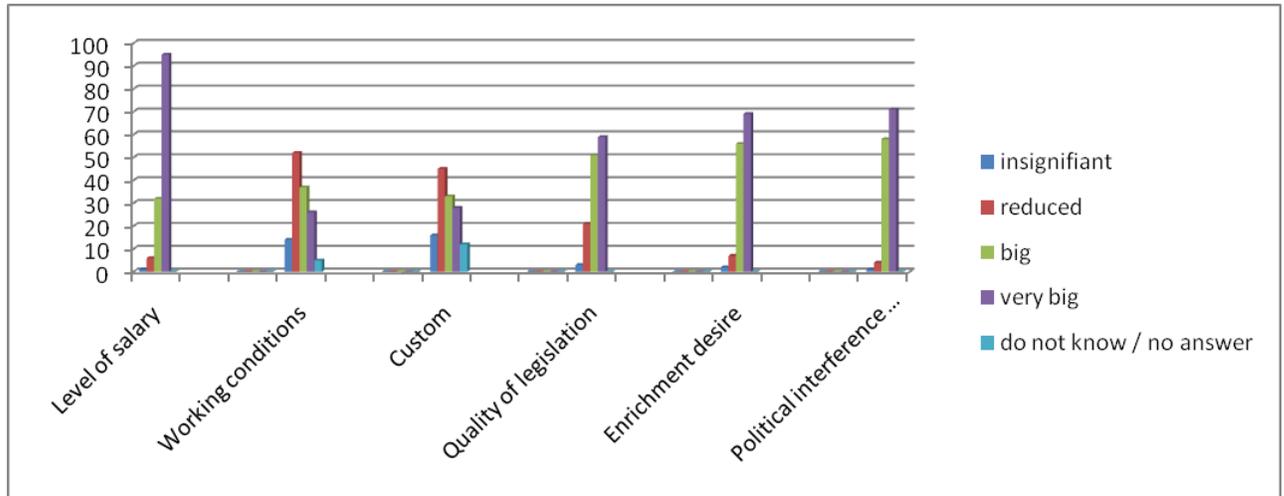
Graph 4

Source: own elaboration, data collected through the questionnaire

In which concern anticorruption the focus is on specific measures. That proves that the population know to identify the instruments can be used to combat corruption.

Q6 How would you estimate the importance of the following elements in increasing corruption the Romanian public sector (wage level, work conditions, custom, quality of law, the desire for enrichment, the interference of politics in the public administration's activity)?
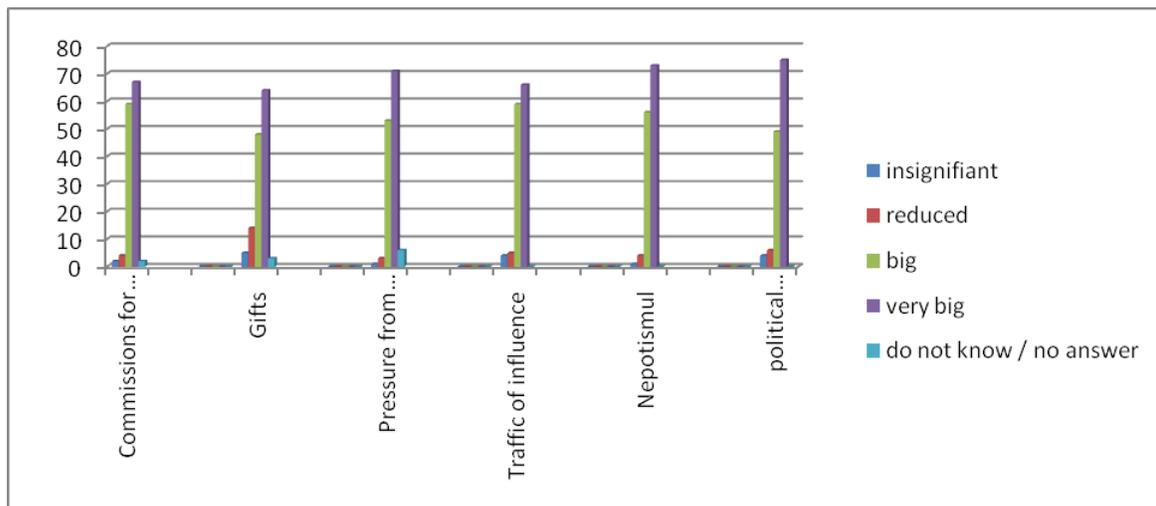
Graph 5

Source: own elaboration, data collected through the questionnaire

Referring to the roots of the problem, the respondents identity two major areas. One is has a connection with the personal aspects such as rent seeking (level of salary) and greed (enrichment desire and custom). The second is has a connection with normative aspects (working conditions, quality of the legislation, political interferance).

Q8 How would you deem the frequency of the following informal manifestations of the corruption phenomenon (fees for granting contracts, gifts, pressures form the superiors, trading in influence, nepotism, political appointments)?

Chart 6

Source: own elaboration, data collected through the questionnaire

The answers to this question underline the fact that the normative framework is the one that allowed the corruption to spread.

3. CONCLUSIONS

The paper objective was to underline what is more important in order to have a high level of integrity in public administration: law or ethics. And the debate goes further, because in the case of each national public administration it is necessary to find the right "recipe", the right "mix" of positive and negative measures that need to be implemented. In which concern the ethics, education is the only thing that can be done, but with touchable results in 10 – 20 years. The objective of o future research should be what how can we implement ethic behavior in public administration. In this case we will use, from the methodological point of view, the reverse method.

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