CODE OF CONDUCT

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The term "code of conduct" is a generic expression that covers several concepts that may be said to share family resemblances (in the Wittgensteinian sense). This article proposes a definition for the term but also deals with parallel notions identified by four other, closely related terms: "code," "code of professional conduct," "ethics" and "code of ethics."

The literal sense of the word "code" is given in the *Oxford English Dictionary* (1980) as: "A systematic collection...of the laws of a country or of those relating to a particular subject." Its transferred sense is simply: "A system or collection of rules or regulations on any subject."

A code of conduct thus comprises rules and regulations that are considered desirable for controlling the behaviour of public administrators in order to maintain their image of moral integrity. Two types of codes apply to the conduct of civil servants: a code of professional conduct and a code of ethics.

A code of professional conduct constitutes a reference document for the members of a profession. Historically speaking, a prime example of such a code is the Hippocratic Oath pledged by physicians since the time of ancient Greece, since it states the rules and norms for medical practice focused on the good of the patient. Over time, such rules for other professions have been codified, and in present-day Quebec, for instance, each legally recognized profession possesses a reference document that sets out rules governing its members' practice. In the civil service, which includes a wide range of professionals, there are several such codes of professional conduct in effect. These codes promote suitable behaviour and ensure that work-related services are provided competently and in compliance with obligations determined by professional corporations, which also see that these obligations are met.

A code of ethics stands out sharply from a code of professional conduct by the fact that it covers rules that apply to behaviour more broadly and formulate what is acceptable in the eyes of a community in all fields of human endeavour and not simply in that of professional practices. For a long time, such codes were based on moral precepts inspired by religious beliefs. With the advent of the Modern Age (which grew out of the Age of Enlightenment in the 18th century), it was gradually accepted that such codes of ethics should be adopted on the basis of values that are defined and recognized by particular communities, taking into account the laws in force and accepted standards of good behaviour. This notion will be returned to further on, when ethics, the discipline that provides the content of such codes, has been dealt with in the next paragraph.

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In the past few years, certain instances of ethical backsliding observed in the public sector have fostered renewed interest in the study of moral philosophy, or ethics. The result has been the production of a copious literature devoted to questions of morality with the aim of promoting behaviour inspired by recognized values. These works highlight the importance of deliberative methods that can lead to consensus building around certain principles apt to influence human behaviour, particularly in the case of the moral dilemmas that arise quite often in the normal course of life.

This development has meant that ethics has taken on a more applied character than it had in the past and that it is increasingly considered to be one of the disciplines that are useful for the work of a public administrator. In societies respecting the rule of law, it has become inexcusable for a public administration to lack vigilance in ensuring that all its components act with integrity in the pursuit of the common good. In short, it must provide itself with the means to practice ethics of the highest quality. This implies a commitment to educating public administrators with respect to ways of engaging in discourse ethics leading to the consensus required to make the right decisions from a moral perspective in the complex situations confronting those in public administration.

However, although this approach to ethics is extremely useful, it does not cover every need for regulating behaviour in public administrations. This is why widespread, concerted efforts are being made to define and adopt codes of ethics to be implemented at different levels in the machinery of government with a view to having these codes respected by all employees.

There are certainly good ethical management practices that can be used by responsible managers to provide their administrative units with a code of ethics. All said, it is a manager's duty to foster a climate of ethical probity in the work environment by setting an example and creating conditions that are conducive to the development of tools for ethical regulation. Managers can refer to administrative literature for ways to achieve a code of ethics that is suited to their workplace.

In the late 1990s, the OECD carried out major research concerning ethics-related practices among member countries, culminating in 1998 in a survey on the implementation of a recommendation to improve public service ethics. The resulting report, published in 2000 under the responsibility of the Secretary-General and entitled *Trust in Government: Ethics Measures in OECD Countries*, has been used to spearhead OECD initiatives to develop an "ethics infrastructure" in the public service of members.

Since the early 1990s, interest in ethics has grown considerably in Canada and in Quebec. The federal government, for example, commissioned the Tait report, *A Strong Foundation* (Tait, 1996), a pivotal document that inspired the concerted development of tools for ethical reflection designed for federal civil servants. This trend also influenced the Executive Council of Québec, which in the same period began to publish a brochure entitled *L'éthique dans la fonction publique québécoise* (Ethics in the Quebec Public Service), addressed to public administrators. As well, new mechanisms to guide public administrators in ethical practices were put in place. These include the various training activities offered by government ministries, agencies and corporations, either through the École nationale d'administration publique du Québec (ENAP), or through the network of ethical advisors designated inside ministries and organizations and entrusted with responsibility for providing their colleagues with ethical counselling. The Government of Canada also created the position of Ethics Commissioner, now known as the Conflict of Interest and Ethics Commissioner. Quebec should soon follow suit, for the time is ripe for adopting legislation of this nature.

Furthermore, the Auditors General of both Canada and Quebec now take ethics into account in preparing their annual reports and are quick to bring attention to any ethical shortcomings that may be observed in the institutions under examination.

In conclusion, ethics is an essential aspect of a public administrator's responsibilities, since it helps to maintain the confidence of citizens and taxpayers in political and administrative institutions. Managers who wish to serve their fellow citizens well must respect high standards in this regard. For guidance, they can turn to the fruit of a long tradition of philosophical reflection and rely on codes of conduct, codes of professional ethics and codes of ethics, all of which represent tools for ensuring that management takes place in a framework bearing the hallmark of credible and rigorous ethics.

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