

Ethics and Community Council Officers

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Aristotle recommends beginning ethical analysis by identifying the unique goal or purpose (telos) of something.

This purpose (telos) gives us both a definition of something AND its standards of excellence (arete=excellence=virtue)

Purpose of community councils

Provide a direct and continuing means of citizen participation in local affairs. It exists to

Afford citizens an opportunity for maximum involvement in self-determination.

The council is intended to provide:

Local people a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on their community's development and services

Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups;

Local governing bodies an improved basis for decision making and assignment of priorities for all programs affecting community development and individual well-being

Earn and Honor the Public Trust

“Holding public office or employment is a public trust. The proper functioning of democratic government requires ethical behavior by public officials.”
(Anchorage Municipal Code of Ethics AMCE)



Earn and Honor the Public's Trust

“Ethical behavior involves the commitment to take individual responsibility in creating a government *that earns the trust and respect of its citizens.*” AMCE



Trust

- An attitude in which one (a trustor) is willing to assume vulnerability to another (a trustee) on the the moral expectation that the trustee will responsibly care for interests entrusted to them.
- Usually based on the the judgement that the trustee is “trustworthy”



Dispositional Trustworthiness

Being the kind of person with character traits such that one is reliable to responsibly care for entrusted interests.



Effective Trustworthiness

Being trustworthy AND communicating/signaling that trustworthiness to others in order to effectively cultivate trust.

Elected officials

- **Virtuous elected officials promote the purpose of democratic governance.**
- **Democratic governance requires trust in elected officials.**
- **Elected officials therefore should be trustworthy.**
- **And they should be effectively trustworthy.**

Appearances Matter!

- **Public servants have a duty to cultivate, earn, and honor the trust of the public.**
- **When they act in ways that create the appearance of untrustworthiness, they diminishes existing trust and makes trust cultivation more unlikely.**
- **Damaging public trust undermines the very purpose of the community council.**



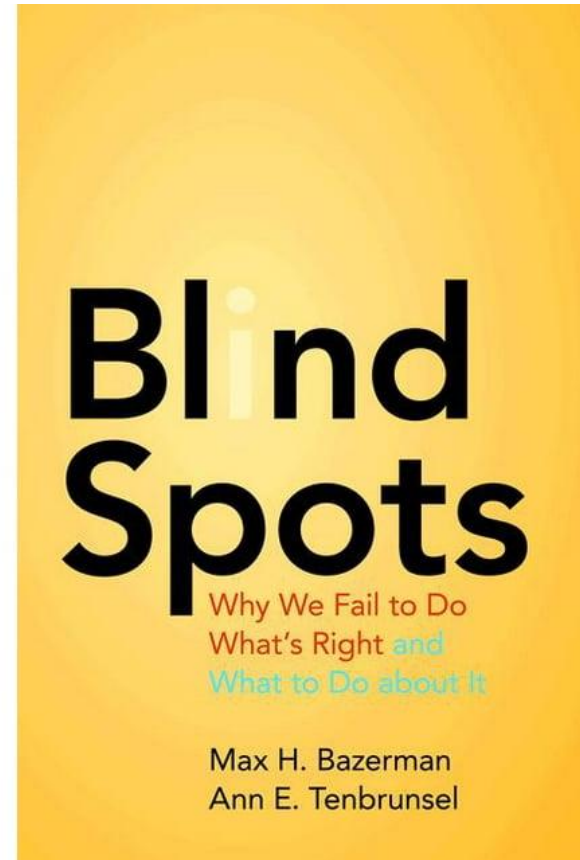
Sir Francis Bacon Corruption Trial

- In 1621, Sir Francis Bacon was put on trial by Parliament for requesting and/or receiving bribes while serving as a judge.
- He argued these “gifts” never amounted to bribes because:
 - (1) he often demanded “gifts” from both sides of the case.
 - (2) in his “heart” he never let the gifts affect his judgments.



What's Wrong With Bacon's Defense?

- Psychological research shows that **we are poor evaluators of our own biases.**
- Bias is often “implicit” – we are not aware of it.



Three Key Biases in Professional and Governmental Ethics

Self Interest
Bias

Entitlement
Bias

Overconfidence
Bias

Self Interest Bias

- Tendency to rationalize decisions, distort risk/benefit assessment, select evidence, even distort memories to serve our self-interests.
- This can occur even when the benefits are very small.
 - Studies where nothing was at stake
 - Pharmaceutical gifts like pens and notepads

Entitlement Bias

TENDENCY TO ASSUME OUR
ROLE (ESPECIALLY LEADERSHIP
ROLE) ENTITLES US TO UNFAIR
BENEFITS.



Overconfidence Bias

Tendency to overestimate our skills and character traits. Lake Wobegon Effect: “all the children are above average.”


People tend to overestimate their integrity and power to resist bias.

Poor Self-Evaluators

A survey asked doctors if lavish gifts from pharmaceutical companies would sway the average doctor's prescribing decisions. >90% responded it would.

Asked if such gifts would sway *their* prescribing decisions >90% said it would not.





What's Wrong
With Bacon's
Defense?

Appearances
Matter!

- Even if privately impartial, a judge demanding “gifts” creates the appearance that justice is for sale. This undermines trust in the judicial system and the effectiveness of government.

What's Wrong With Bacon's Defense?

The Bacon Defense a common cause of ethical breaches in government and the professions by otherwise good people.

"It's OK to accept this gift because I know it won't sway my opinion."

"It's OK to accept this gift because I already decided to vote that way."

"It's OK to award this contract to a family member because I know they are the best for the job."

THE NEWSPAPER TEST

- WOULD YOU BE COMFORTABLE IF YOUR BEHAVIOR WAS ON THE FRONT PAGE OF THE DAILY NEWS?
- WHAT WOULD CITIZENS OF ANCHORAGE THINK OF YOUR BEHAVIOR? WOULD THEY FIND IT TRUSTWORTHY OR SUSPICIOUS?

Rogers Park Community Council Bylaws

Maintain credibility of the Council by not allowing misuse of the Council by, including but not limited to, the following

1. Special Interest Groups
2. Withholding information
3. Attempting personal, financial or political gain by an individual or group
4. Intentionally misrepresenting or not representing an expressed cross section of opinion
5. Not representing a minority in addition to a majority opinion of the Council



TWO KEY DUTIES in the RPCC Bylaws



IMPARTIALITY



HONESTY

A row of white chess pawns is arranged in a line, receding into the background. In the center foreground, a single red pawn stands out from the others. The background is a soft, out-of-focus grey.

Conflict of Interest

Basic Principle: Public servants are trusted to be loyal to the public good. They should not put (or appear to put) their interests above that of the public's.

Conflict of Interest

The fact, but also the appearance, of integrity matters.



Conflict of Interest Rule

“A public servant shall not participate in an official action in which the public servant has a substantial private interest.” AMCE

The “Interest” in Conflict of Interest

Interest. An "interest" is a commitment, obligation, duty, goal, or expected benefit.

- **Profit**
- **Power**
- **Personal Relationships**
- **Privilege**

Associated Interests as Private Interests

“Public servants are understood to possess their own interests as well as those of:

- **their immediate family**
- **their household**
- **organizations in which the public servant has an ownership interest**
- **Organizations public servant serves as a director, officer, or employee (even if no compensation or profit accrues to them).” AMCE**

Responding to Conflicts of Interest

- **Disclosure:** those who trust you have a right to know about possible conflicts of interest.
- **Management:** what can be done to “firewall” the conflicting interest?
- **Divestment:** Is it necessary to divest oneself of the conflicting interest?
- **Recusal:** Is it necessary to recuse oneself from this particular matter because of the conflicting interest?

Honesty

Generally considered a key virtue of trustworthy individuals because deceptive individuals are manipulative and not worthy of trust.

Honesty requires more than “not lying” because there are other forms of deception.

Honesty: providing truthful and adequate disclosure of information in order to provide an accurate account of the matter.

Honesty

What information would someone need in order to make a reasonably informed decision in the matter?

As communicated to members of the community councils?

As communicated to the municipality?

Key Takeaways

Elected officials have an obligation to cultivate, earn and honor public trust!

Be trustworthy, but also be effectively trustworthy!

Appearances matter!

Don't be Francis Bacon!

Watch out for the sneaky power of bias and overconfidence.

Be disclosive about conflicts of interest and manage them with effective trustworthiness in mind.

Being honest requires more than “not lying”. Be truthful, balanced, and forthcoming.

Final Suggestion

Consider adding an
ethics section to your
council by-laws.

Thank You: Questions

