

1. What is 'Hobbes's Social Contract Theory'? Does it form the philosophical basis of modern day governance? Critically examine.

Introduction

Hobbes's Social Contract Theory is based on the idea of egoism.

As per Hobbes when human beings are created they are in the state of nature. In this state, each person would have a right or license to do everything in the world. This, Hobbes argues, would lead to a war of all against all. So in order to avoid it, people accede to a social contract and establish a civil society.

As per Hobbes, society is a population beneath a sovereign authority, to whom all individuals in that society unconditionally feed some rights for the sake of the protection of their remaining rights. Any power exercised by this authority cannot be resisted because the protector's sovereign power derives from individuals, surrendering their own sovereign power for protection.

The individuals are thereby the authors of all decisions made by the sovereign.

Body

It does form the philosophical basis of modern day governance

- As per Hobbes, if the leviathan or sovereign power violated its own responsibility to protect its member of the society in its charge, that society could then find itself another sovereign to rule it. This is done in modern day by the power of ballot.
- Hobbes's theory set the foundation of modern welfare state.

It does not form the philosophical basis of modern day governance

- Rousseau made fundamental change in 'Hobbes's Social Contract Theory'. What is right and what is wrong should be decided by the emotion and conscience of person and not sovereign. This idea reverberates in the modern day governance.
- There is no concept of 'natural right' in 'Hobbes's Social Contract Theory'. This is latter added by John Locke.
- Concepts like "civil disobedience in democracy" does not get justified by Hobbes's Social Contract Theory'.

Conclusion

Hobbes's Social Contract Theory may not form the philosophical basis of modern day governance entirely. However it laid the foundation for the modern day robust democracy.

2. What is financial probity? Why is an important civil service value? Examine.

Introduction

Probity is the act of strict adherence to highest principles and ideals (integrity, good character, honesty, decency) rather than avoiding corrupt or dishonest conduct. It balances service to the community against the self-interest of individuals.

Probity contains for things –

- Integrity
- Moral Knowledge
- Decency, Humbleness
- Strong positive emotion

Probity is emphasised by the UN Convention against corruption. Probity is the evidence of ethical behaviour in a particular process.

Financial probity means, strict obedience to a code of ethics based on absolute honesty, especially in commercial or monetary matters and beyond legal requirements.

Body

Why is an important civil service value?

- Civil servants deal with public fund, given to government by people in trust. Since it is not their own money, unlike private sector, practicing financial probity becomes extremely important for civil servants.
- Justice and rule of law – treat tender participants fairly and equally, and avoid giving one tender participant an improper advantage over another.
- Maintain confidentiality of participants' confidential information, including commercially sensitive information and intellectual property.
- Ensure tender processes, negotiations, evaluation processes, and contract management processes are auditable, transparent and accountable.
- Proactively identify and manage conflicts of interest whether real, potential or perceived appropriately and in accordance with applicable legal and policy requirements, including applicable Victorian Public Sector codes of conduct.
- Financial probity in governance is the antithesis of corruption in public life.

Tough action against illegal sand Mining by IAS officer Durga Shakti Nagpal or against illegal land deal by Ashok Khemka sets an example of essence of financial probity among govt. officers.

Conclusion

Financial probity in governance is an essential and vital requirement for an efficient and effective system of governance and for socio-economic development. Ensuring financial probity in public sector activities by civil servant is part of every public official's duty to adopt processes, practices and behaviour that enhance and promote public sector values and interests.

3. Do you think lateral entry would dilute the 'public' character of the civil services? Substantiate your views.

Introduction

The government's recent move to induct 10 secretary level positions through lateral entry sparked a debate of privatization of civil services and dilution of its public character. However, the intent and effect of lateral entry will in turn only improve the public character of civil services than diluting it.

Body

Argument for lateral entry diluting public character of civil services:

- Private sector is profit oriented whereas government is public service oriented. This needs a change in fundamental way of working of the person appointed which is a challenge.
- The concern that the one appointed is specialized in a particular field and will work/ favor policies to that specific sector than working as a generalist serving the entire public. E.g. a person worked for a private mobile industry recruited may bring/focus on policies related to mobile industry alone.
- Appointment: process being less transparent has a concern for nexus/nepotism where in the merit is compromised. Thus, the public service nature of the one appointed can be compromised.
- Issue of conflict of interest: The movement from private sector raises issues of potential conflict of interest. This issue requires stringent code of conduct for entrants from private sectors to ensure conflict of interest is not detrimental to public good.
- The lack of ground experience working with public like that of an IAS officer will hamper the responsive, discursive nature of job and thus there seems to be an alienation from the very public they intend to serve.

Though, there are certain concerns, if implemented properly with all checks and balances in place, lateral entry would indeed improve the public service and nature of civil service. To substantiate,

- With the increased competition, the present working civil servant would have to improve, innovate themselves which drives them work more for the public and discernible outcome.
- The recruitment happens from among the very public who hitherto were receiving services from the government. The one appointed would try address the problems he/she suffered as a public which in turn would enhance the public character of civil service.
- Public character of civil services is hollow/incomplete without effective and efficient working which is brought in by the lateral entry.
- Participatory Governance: In the present times governance is becoming more participatory and multi actor endeavor, thus lateral entry provides

stakeholders such as the private sector and non-profits an opportunity to participate in governance process.

Conclusion

Though there are certain concerns, with proper procedures, checks and balances, lateral entry will enthuse a number of people who are aspiring to work in the public sector, to get a hands-on chance to do so. This will in turn will enhance the publicness in civil service with more customer-oriented approach, responsive and timely communication, diversified areas of interest to bring overall development.

4. Do you think the salaries of civil servants should be increased to reduce corruption? Critically comment.

Introduction

"Administration, of which civil servants are a part of, is meant to achieve something and not to exist in some kind of an ivory tower following certain rules of procedure and Narcissus-like looking on itself with complete satisfaction. The test after all, is a human being and their welfare."

– PANDIT JAWAHARLAL NEHRU

Body

- In 2014, former director of the Global Indicators Group at the World Bank, posited six strategies to combat corruption in administration where increasing the pay of civil servants was the first strategy. Others included creating transparency and openness in government spending, cut red tape, etc.
- Salary increases can be used by governments to compensate for hardship jobs or increased workloads. The extent to which salary increases can be used as an anti-corruption strategy must be seen in the context of how salaries can reduce or increase incentives for corruption.
- There is a broad consensus that low salaries for civil servants in developing countries can create incentives for corruption. Scholars point to the negative relationship between the level of civil service salaries and incidences of corruption, contending that poorly paid civil servants are more vulnerable to illicit rent seeking.
- The perception of failure to receive adequate remuneration may also reduce the moral costs of corruption. In other words, public officials might find it less unacceptable – thus more tolerable – to accept bribes if they are poorly paid. Similarly, it has been argued that there is greater public tolerance for corrupt practices when civil servants are underpaid.
- Due to perceptions of unfair payment, lower compensation level in the public sector as compared to that of the private one is reckoned as a key factor in the spread of corruption. There is also the risk that higher pay in the private

sector may lead to a brain drain in the public sector as staff are drawn towards better-paying positions.

- It has also been argued that low salaries in the public service attract only incompetent or even dishonest applicants, which results in an inefficient and nontransparent corrupt administration
- Other than alleviating the 'need' for corruption, a main argument in favour of raising salaries to reduce corruption is the so-called "efficiency wage" argument, which maintains that higher salaries raise the stakes of engaging in corruption. In other words, higher salaries make it more costly to engage in corruption due to the fear of losing a well-paid job. Similarly, the "fair wage model" contends that officials engage in corruption only when they see themselves as not receiving a "fair" income, a perception that could be eliminated through higher salaries

But recently, there has been an emerging consensus that increasing salary may not be sufficient for reducing corruption, in the absence of effective controls and management of staff and resources. Here, higher wages alone are unlikely to lead to a reduction in corruption. It is assumed that other factors than underpayment are either more important or necessary for underpaid officials to resort to corruption.

- Moreover, most studies agree that increasing salaries without establishing effective control and monitoring systems as well as enforcement of appropriate sanctions is unlikely to have an effect on corruption.
- impact of salary raises on corruption is contingent on other necessary conditions in human resource management, on both the micro-level and the macro level.
- This includes integrity enhancement in personnel recruitment, training, appraisal and promotion, as well as strengthening accountability, transparency and equal opportunities in public personnel management.
- In the above World Bank report, the author himself argues that "an approach that focuses solely on changing the rules and the incentives, accompanied by appropriately harsh punishment for violation of the rules, is likely to be far more effective if it is also supported by efforts to buttress the moral and ethical foundation of human behaviour."
- In fact, there is considerable evidence to suggest that corruption or corrupt behaviour is more a state of mind than anything else. A 2010 study in Ghana is a case in point where in a bid to reduce endemic corruption on its highways, decided to double the wages of its traffic policemen which was later seen as ineffective.
- In the Indian context, it would be wrong to conclude that better pay would reduce corruption. Instead of knee-jerk responses like pointing to pay disparities or ownership, the government needs to urgently tighten scrutiny and oversight mechanisms in administration to prevent future corruption scandals.
- Recent instances prove that the canker of corruption has blighted the higher echelons of the civil service. While punitive action and speedier sanctions to

investigating agencies will increase deterrence, bureaucrats must learn to stand up to unethical pressure from political masters.

- The Prevention of Corruption Act (PCA), 1988 and its subsequent amendments have had only a marginal impact.

Conclusion

The fight against corruption in public service is extremely problem-ridden, because the canker has spread to the higher echelons of the civil service. Political will combined with greater courage on the part of senior officials to stand up to unethical pressure from above can do a lot to stem the rot. Public vigilance coupled with media support will also help greatly.

5. How does lack of probity affect the public services? Illustrate with the help of suitable examples.

Introduction

Probity in governance is an essential and vital requirement for an efficient and effective system of governance and for socio-economic development. An important requisite for ensuring probity in governance is the absence of corruption. The other requirements are effective laws, rules and regulations governing every aspect of public life and, more important, an effective and fair implementation of those laws, etc.

Body

- The dictionary meaning of probity is integrity and honesty and hence by extension, an adherence to integrity and honesty should be the key to ending corruption. Probity in public life entails more than simply avoiding corrupt practices but also actively promoting certain values in public service such as accountability, impartiality, transparency and the rule of law.
- To bring about probity in public life one would have to ensure adherence to not only certain ethical norms but also pay due attention to proper conduct and also streamline processes. There are several objectives of probity of governance that are mentioned below:
 - a) To ensure accountability in governance;
 - b) To maintain integrity in public services;
 - c) To ensure compliance with processes;
 - d) To preserve public confidence in Government processes;
 - e) To avoid the potential for misconduct, fraud and corruption.
- There is no dispute that the twin principles of integrity and probity in public life are the bare minimum that society expects from those in positions of public office, yet these have to be based on well thought out processes and practices. The absence of probity in public life increases the gap between the 'haves' and the 'have nots' and also promote counter violence by disadvantaged groups.

- Unfortunately, there is mounting documented evidence by credible organizations such as Transparency International that those in power often tend to misuse their power for narrow partisan reasons and thereby inflict immense and at times, irreparable, damage to society and their systems. This trend necessitates the recourse to legislative and legal routes to prevent and punish such kind of dangerous trends.
- Corruption is an abuse of public resources or position in public life for private gain. Political corruption which is sometimes inseparable from bureaucratic corruption tends to be more widespread in authoritarian regimes where the public opinion and the Press are unable to denounce corruption. The paradox of India, however, is that in spite of a vigilant press and public opinion, the level of corruption is exceptionally high.
- India is rated at 78 out of 180 countries in the corruption perception index prepared by a non-governmental organisation, Transparency International. Corruption today poses a danger not only to the quality of governance but is threatening the very foundations of our society and the State. For example, Corruption in defence purchases, in other purchases and contracts tend to undermine the very security of the State.
- Further, lack of probity in the Public Distribution System (PDS) and the welfare schemes for the poor including Scheduled Castes (SCs) and Scheduled Tribes (STs) affects the public service delivery. It is well-known that a substantial portion of grain, sugar and kerosene oil meant for PDS goes into black-market and that hardly 16% of the funds meant for STs and SCs reach them. This leads to growth of disenchantment with the system.
- Public procurement or government procurement is an important activity for all countries. In India, estimates of public procurement vary between 20% of GDP to 30% of GDP. While the existence of a strong legislation is a necessary means to ensure probity in public procurement, legislation alone cannot address the deviations that occur at a practical and grassroot level.

Conclusion

India is a country that has Satyam Eva Jayate or 'Truth Always Triumphs' as its national motto where probity becomes the vital feature of governance which facilitates government to act ethically and perform its duty. Therefore it is imperative for government to follow rules and adopt policies of impartiality, transparency to gain confidence of the populace.