**Towards a Caring Bureaucracy:
The Case of Current Reform of Civil Service Ethics in the Czech Republic**

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**Theoretical framework**

Care and care-oriented public institutions have recently been affirmed as fundamental for realizing the democratic ideals of freedom, justice and equality (Tronto 2010, 2013). They have been also defended as crucial elements of an effective welfare state administration against its undue marketization and privatization (Held 2006; Barnes 2012; Engster 2015; Stensöta 2015). At the same time, the value and organisational ethos of bureaucracy has recently been reclaimed as a vital remedy for the welfare state in the aftermath of the New Public Management reforms of public administration (du Gay 2000; Hoggett 2005). Bureaucracy has been defended against the background of the loss of public values in the post-NPM public sector and praised as “a unique kind of moral institution for the organization of public affairs, which is committed to norms of impersonality, neutrality, and objectivity” (Hoggett 2005, 168). So far, most researchers have either focused on one of the two sides or highlighted a tension between them (Burnier 2003; Hoggett 2005; Stensöta 2010). Instead, I aim to focus on how the two sides complement one another. I argue, by drawing on Bourgault’s recent thoughts on ‘caring bureaucracy’ (Bourgault 2017), that it is crucial for an effective administration of the contemporary welfare state to embody both bureaucratic and caring values. In particular, I propose that different levels of public administration (national, provincial, municipal) require different balances of bureaucratic and caring values, which in turn demands corresponding designs of organisational structure and ethos of public institutions.

**Dispute over the value of bureaucracy**

Bureaucracy as “a form of organization that has clear rules and procedures, a fairly centralized decision-making structure, a formal division of responsibility/labor, and merit-based allocation of positions” (Bourgault 2017, 204) was heavily criticized in the classical feminist literature for being excessively hierarchical, impersonal and cold, based on instrumental rationality, controlling and intimidating, unresponsive and promoting inequality (Ferguson 1984; Ianello 1992; Foner 1994). Most care-feminist literature has taken up this line of criticism and focused on how bureaucracy hinders the realization of non-hierarchical caring relationships. Stensöta e.g. contends that “from a bureaucratic perspective, the quality of relations can be seen as defined through impartiality, which basically means that everything that is not expressed through rules is filtered out” (Stensöta 2015, 194). Talking of a need for creating caring democratic institutions, Tronto maintains that “we would expect [caring] institutions […] to take into consideration the needs and perspectives of all within the institution. In practical terms, this requirement dictates that hierarchies become flattened in caring institutions.” (Tronto 2010, 168)

The feminist and care-feminist criticism of bureaucracy seems to be in stark contrast to the recent revaluation of the Weberian ideal-type model of bureaucracy as a unique “value saturated institutional space” which enables just organization and good governance of public affairs (Hogget 2005; du Gay 2005). However, there have been some exceptions to the major (care)feminist rejection of bureaucracy. Several feminist researchers highlighted positive effects of formalized and centralized structures for the organization of public affaires and warned against the risk of creating apparently non-hierarchical and structureless social formations (Freeman 1970; Baker 1982; Due Billing 2005). More recently, some care theorists have drawn attention to a duality in the practice of public administrators – the public servants are at the same time expected to deliver public goods and services fairly and equally and to care for the individual clients and communities they serve (Burnier 2003, 539) – and declared the duality healthy and productive (Dubois 2003; Bourgault 2017). I contend that we can go a step further and think of a healthy and productive connection between care and bureaucracy within public institutions and public administration of a ‘caring democracy’ (Tronto 2013). I argue, following Bourgault (2017), that a ‘caring bureaucracy’ is not only possible, but even desirable.

**A caring bureaucracy**

How does a caring bureaucracy look like? Bourgault (2017) lists several key features: 1) A caring bureaucracy combines a clear division of authority and responsibilities with consensus-based decision-making features that allow for dissonance. It interweaves mechanisms and organizational structures that enable to pursue centralization and decentralization, impersonality and personality at once (Ashcraft 2001). 2) A caring bureaucracy furthermore combines commitment to competence and impartiality with high level of attentiveness, responsiveness and relational decision-making. It fosters good discretion (enough time, adequate training and workplace ethos), institutional needs interpretation (solid listening and communicative skills) as well as the traditional Weberian criteria of impersonality and impartiality to protect both clients and servants (Bourgault 2017).

I am in general sympathetic to Bourgault’s characterization of a caring bureaucracy and agree on her contention that “there are some very good reasons for care feminists to give modern welfare state, and its accompanying (large) bureaucratic institutions, one more chance” (Bourgault 2017, 215). Yet, I would like to draw attention to some limits that need to be overcome, if we want to push the idea of caring bureaucracy a bit further and prove its applicability in the context of real public institutions. First, I deem it necessary to elaborate and specify the features of caring bureaucracies with respect to different levels of public administration, such as the municipal, provincial and national one. Bourgault seems to think mainly of public services which are delivered at the street-level. However, creating a caring bureaucracy at the level of central government institutions may, in my view, be even more crucial for achieving a caring democratic society. Second, in order to render the idea of caring bureaucracy less utopian, we need to consider concrete mechanisms and procedures of how it can materialize in different dimensions of the everyday life of our societies through real policy-making and policy-implementation. For these reasons I aim to spend the last part of this paper by zooming in on a particular case, namely the case of current reform of civil service ethics in the Czech Republic.

**A case study: Current reform of civil service ethics in the Czech Republic**

In early 2017, a reform of civil service ethics was launched at the level of central government of the Czech Republic. The reform, which is currently in progress, includes a thorough revision of the Code of Ethics for Czech Civil Servants and a pilot project of the Committee on Civil Service Ethics at the Ministry of Transport. I have been involved in both initiatives as a specialist advisor on ethics. Besides my practical engagement as an advisor, I have recently become engaged also as a theorist: I was awarded a grant of $250,000 for a research project “Measures for Developing an Ethical Culture in Czech Civil Service” (2018-2021). The project is funded by the state-run Technological Agency of the Czech Republic and aims to come forward with a set of tools and mechanisms for effective introduction and development of an ethical culture within the Czech civil service. It combines basic and applied research and its outcomes will be based on extensive pilot testing in the environs of central authorities of Czech civil service.

I find the case of civil service ethics particularly instructive with regard to the idea of caring bureaucracy, since a good ethical culture has proven critical for maintaining a good quality of public institutions and public policy-making/implementation. Let us first take a look at the Code of Ethics for Civil Servants from the perspective of caring bureaucracy.

The currently effective Czech Code of Ethics for Civil Servants is centered around the values of impartiality (acting free from outside influence, treating people and cases fairly and equally), legality/loyalty (acting in compliance with existing laws and the decisions of superiors), expertise (acting on the basis of competence) and openness (acting transparently and truthfully). The same holds true for most current Codes of Ethics for Civil Servants in other European countries (c.f. the central values of the UK Civil Service Code: integrity, honesty, objectivity and impartiality). The above mentioned values, which are derived from the traditional ideal-type model of bureaucracy, are in my view entirely suitable for creating caring bureaucratic institutions, especially at the central governmental level. However, if we want these institutions to operate in a truly caring manner, the ethos of the officials and civil servants has to embody also values such as attentiveness, responsiveness and service (the Polish Civil Service Code adds ‘trust’ in terms of establishing relations of trust and collaboration between citizens and administration). The current revision of the Czech Code of Ethics for Civil Servants has been lead precisely by the idea of a balanced emphasis on both dimensions of civil service.

However, having a well-balanced Code of Ethics for Civil Servants is definitely not enough. In order to make a move towards a mature ethical culture in civil service and the realization of a caring bureaucracy, we need to create an ‘ethical infrastructure’ which helps to implement and foster the values declared in the Code without introducing even more rules and prescriptions. Such an infrastructure includes personnel training for skilled ethical knowledge, recruiting and promoting civil servants with respect to their communicative and listening skills, encouraging participation and inclusion at the workplace, assigning responsibility for ethics work and, last but not least, an example set by management through its own conduct. It is the mission of the newly established Committee on Civil Service Ethics to implement the ethical infrastructure at the Ministry of Transport of the Czech Republic and to serve as a pilot test for other central agencies of the Czech government. In our research project, we aim to focus especially on personnel training, the role of an example set by management and establishing both intra- and extra-organizational relations of trust and collaboration. Most of the work is ahead of us. Yet it seems obvious, that the project has the potential to test the viability and applicability of the idea of caring bureaucracy at a particular level of administration of a contemporary welfare state.