

22nd session of the Committee of Experts on Public Administration

Written statement by the Civic Leadership Education and Research (CLEAR) Initiative at the University of Southern California

*Agenda item 7: Reinventing public sector workforce training and institutional learning
towards changing mindsets in the public sector.*

In 1948, the United Nations enacted its Universal Declaration of Human Rights (UDHR), which (rhetorically) committed its Member States to ensuring their citizens basic rights to life, to freedom from torture, slavery, and inhumane treatment; to freedom of thought, conscience, and religion; to freedom of expression and opinion; to a fair trial and due process of law, among others. While no one is naïve enough to believe that simply signing onto this declaration would lead to members' respective credible commitment to its goals, the UDHR represents arguably the clearest articulation of inalienable rights endowed to every human being.

In signing onto the Universal Declaration of Human Rights, each State is responsible for assuring the rights therein are guaranteed through its authority. A basic understanding of a State includes several components, but most pertinent to the function of public administration are: (1) a constitution that spells out the basic principles of governance; and (2) a set of institutions responsible for reifying those principles into implementable law. Hence, public administration is the law in action (Resh 2019) and its credibility will be established, in part, by the extent to which the public sees their basic human rights protected in action (North 1993). Administration serves as the mechanism through which the government enforces laws and regulations that uphold basic human rights and is, therefore, responsible for investigating and prosecuting violations of human rights, as well as providing support and assistance to victims of abuse or discrimination. Ultimately, administrative effectiveness in protecting human rights depends on the political will of the government and the capacity of its institutions in ensuring accountability and transparency.

At no time is the strength of a State's institutions, and particularly its administrative capacity, more evident than in the advent of crisis. In the aftermath of a natural disaster, for instance, the government's administrative response is crucial in ensuring the protection and fulfillment of these human rights. For instance, the government must take steps to prevent further loss of life and injury, provide shelter, food, and medical care to affected individuals, and ensure that displaced people are not subject to discrimination or mistreatment.

For instance, when massive earthquakes bring incredible devastation upon our international communities, killing tens of thousands of people at a time, often the magnitude of the earthquakes is not unprecedented in and of themselves. We are capable of understanding a region's respective susceptibility to sizable earthquakes by their geological fate. Therefore, responsiveness by State administrative apparatuses involves prompt and effective emergency measures such as evacuation and rescue operations, providing aid and support to citizens, and setting up emergency shelters. Doing so demonstrates adherence to the Universal Declaration of Human Rights principles. Unresponsiveness to these principles leads directly to human devastation and derives almost solely from the lack of State capacity in administration.

Without regulatory enforcement integrity, for example, developers can easily skirt laws intended to prevent the deck-of-cards collapse that so many urban high-rises unnecessarily

incur in such events. With hollowed-out State emergency response agencies, the lack of competence leads to ineffective coordination or due preparation for a regional inevitability. Without proper professional independence of emergency services, a fundamental distrust develops of outsiders, obstruction of civil society involvement in support services follows. Where third sector support is accepted, the predominance of corrupt practices becomes insidious practice.

In short, a lack of administrative capacity equates to a commitment deficit in upholding Universal Declaration of Human Rights principles of protecting and promoting human dignity and well-being. Ostensible commitments and relative standing within the international community might presage some relative effectiveness in administration—effectiveness that would be evident in the face of a natural disaster. Instead, we see the very real consequences of diminished administrative capacity, where the politically loyal but incompetent are charged with matters that otherwise require professional expertise and capacity.

So where does this put us as a field in terms of our culpability? Where does it put the international community of nation States? One cannot simply wave their hands at these tragedies as if they appear from thin air. These tragedies are the direct result of administrative negligence that assaults citizens' basic rights to life. The academic community of experts in public administration needs to voice this reality. The United Nations and other transnational establishments who purportedly value democracy and human rights must call out this duck by its undeniable quack.

Public administration scholars, most poignantly from Western democracies, have a spotted history in their embrace of fundamental human rights in other countries and, indeed, their own (Roberts 2019). Schools of public administration in developing and established democracies to this day “are still stuck to structural, organizational, and [narrow] legal perspectives” that eschew these normative concerns (Karkin & Gurses 2022). Some regimes purge thousands of academics from centers of higher education through exile or even imprisonment when they espouse the importance of these principles.

So, what excuse do those of us in the international academic community have? The leading Western and international academic associations tend to ignore the prickly human rights dilemmas that emerge from authoritarian regimes as a seeming matter of convenience, if not for profit. As once promising nation States slip further into autocracy, where are those associations' voices as their citizens lose their fundamental rights? It is time to take human rights seriously and to recognize the centrality of public administration to democratic integrity in the pursuit of those rights. It should not take tragedies of such a magnitude to make this point salient.

References:

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