

Ethics is the study of values and how to define right and wrong action (Van Wart 1996; Menzel 1999; Cooper 2001, 2012). Ethics is more than just thinking about right and wrong—it is doing right, not wrong. As those who study ethics like to say, ethics is not a spectator sport—it is a contact sport. Therefore, the ethical lens is, in my view, the most important lens through which to view guerrilla government, yet it is perhaps also the most difficult to think about in a concrete fashion. What constitutes ethical behavior and how do we ensure it? Who decides what is ethical and what is not?

Waldo (1988) offers a map of the ethical obligations of public servants, with special reference to the United States, that is especially applicable to the issue of guerrilla government. In his map, presented here in Figure 1.2, Waldo identifies a

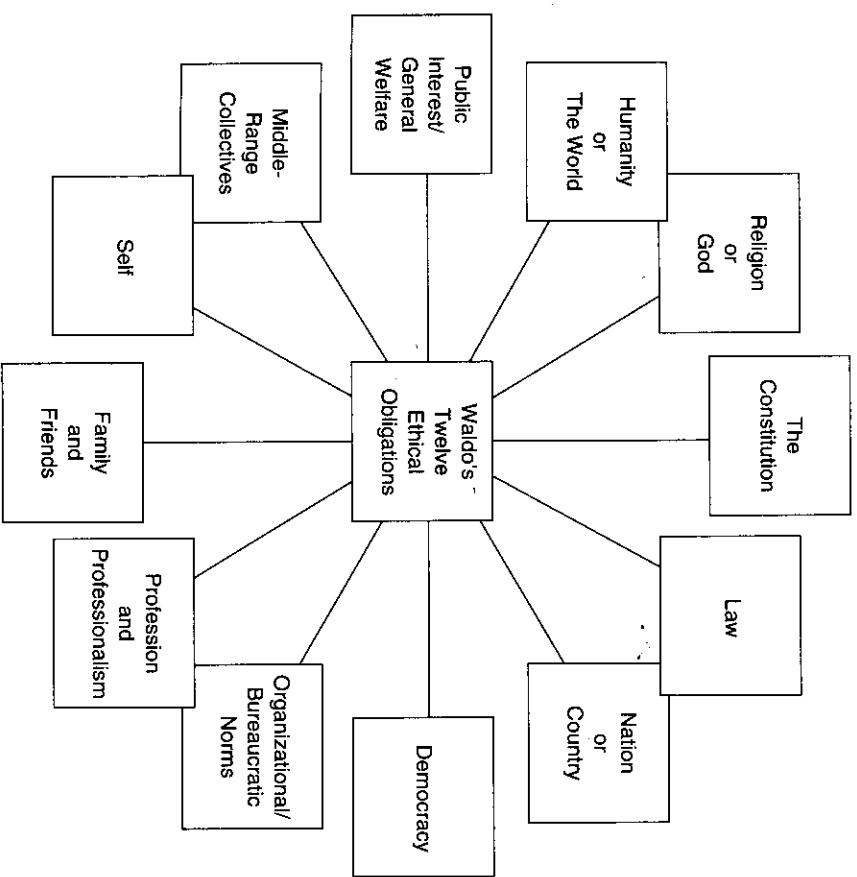


Figure 1.2 Waldo's Map: Ethical Obligations of a Public Servant

dozen sources and types of ethical obligations, but he cautions that the list is capable of “indefinite expansion” (103) and that the obligations do not lend themselves to any prioritization.

The first ethical obligation is an *obligation to the Constitution*. The upholding of regime and regime values, Waldo writes, is a typical source of public servant obligations. In the United States the Constitution is the foundation of regime and regime values (Richardson 1997). This sentiment is in sync with that expressed by Rohr (1986), who maintains that nothing is more fundamental to governance than a constitution. It also comports with the opinion of Rosenbloom, Carroll, and Carroll (2000), who maintain that “constitutional competence” is essential for all public managers.

A second obligation of public servants is an *obligation to law*. This refers to the laws made pursuant to, and in addition to, the Constitution. Public servants must follow and implement the law. But, Waldo asks, what if the law is unclear? What if laws conflict?

Next Waldo tackles a public manager's *obligation to nation or country*. Waldo points out that in many situations obligation to one's “Fatherland, Motherland, Homeland” (104) overrides the obligation to regime. President Abraham Lincoln articulated this tension in a letter dated April 4, 1864, when, in justifying his actions to end slavery, he asked, “Was it possible to lose the Nation, and yet preserve the Constitution?”

Obligation to democracy is next on Waldo's map for public servants. Waldo explains democracy as the will of the people, but then asks several provocative questions: How do we know the will of the people? It is intertwined with the Constitution, but it is not 100 percent contained in the Constitution. What about other laws? What about avenues in addition to law? And is the will of the people to be put ahead of the welfare of the people, say, when a public servant has information not available to the people? Ethicist Louis C. Gawthrop (1998) takes this obligation one step further:

To labor in the service of democracy is to recognize that all of us are called, in one way or another, in varying degrees of responsibility, to be watchmen, sentinels, or prophets for others—any others—as well as for one another, in attempting to attain the common good. . . . public administrators must be willing to confront the suppressive and debilitating constraints that are currently being imposed on “bureaucracy” from all directions, and to reaffirm the values and virtues inherent in the notion of service that have unified the ethical forces of democracy in the past. Public service in the spirit of democracy demands an unqualified commitment to the common good. Nothing less will do; nothing more is needed. (100–101)

Obligation to organizational/bureaucratic norms is another competing obligation with which public servants must grapple. Such obligations are both generic and specific. Generic obligations can be found in most, if not all, public bureaucracies in