



## The Ethics of Protests in Civil Service

The recent paralysis of Odisha's administration, where hundreds of officers abandoned their posts in protest of a colleague's brutal assault, brings to light critical ethical questions about public service and governance.

The protest was sparked by an attack on the Additional Commissioner by workers of a political party, which not only targeted an individual but also challenged the principle of **impartial governance**. However, the retaliatory strike by the Odisha Administrative Service Association (**OAS**) has disrupted essential services like welfare schemes, healthcare, and disaster response, holding citizens hostage to demand accountability.

This situation raises difficult questions about whether civil servants can ethically use public suffering to defend their safety, and whether the state's failure to protect its officers justifies paralyzing public functions.

### What are the Reasons Behind the Targeting of Civil Servants?

- **Politicization of the "Steel Frame":** The systematic erosion of bureaucratic neutrality forces civil servants to align with ruling parties, and officers who resist partisan orders are labeled "disloyal" and targeted.
- **Normalized Culture of Impunity:** Historically, unpunished attacks on bureaucrats have made violence a low-risk tactic in elections, with law enforcement often avoiding FIRs against politicians. A significant percentage of such attacks have gone without convictions.
- **Legal Vacuum for State Cadre Officers:** Unlike IAS and IPS officers who are protected under Articles 311/312, state officers lack such safeguards, making it easier to transfer, suspend, or threaten them without due process.
- **Post-Election Scapegoating:** Defeated candidates often blame civil servants for their electoral loss, accusing them of bias or misconduct.
- **Hierarchical Inversion in Administrative Design:** Civil servants report to elected executives who control their promotions and transfers, creating a fear of retaliation for reporting abuses by MLAs and ministers. There is a structural flaw as no independent authority exists to shield officers from political coercion.

### What are the Ethical Dilemmas in Civil Servants' Protests?

- **Self-Preservation vs Public Welfare:** Civil servants face a dilemma between their right to personal safety and dignity and their responsibility to provide essential services such as healthcare, disaster response, and welfare.
- **Collective Solidarity vs Institutional Integrity:** There is a conflict between standing together in solidarity against injustice (such as an assault on colleagues) and the potential damage to public trust in the reliability of state institutions.
- **Rule of Law vs Moral Necessity:** Civil servants face the ethical tension of following official service rules (which often deem strikes illegal) versus the moral imperative to resist state-sanctioned lawlessness.
- **Immediate Accountability vs Systemic Reform:** The ethical dilemma involves choosing between using protests as a tool for immediate accountability, such as pressing for quick arrests,

and pursuing long-term reforms that address systemic issues.

- **Political Neutrality vs Civic Resistance:** Civil servants face a conflict between maintaining traditional bureaucratic impartiality and the ethical responsibility to resist a criminalized political system.

## What Ethical Frameworks Govern the Role of Civil Servants in Times of Crisis?

- **Weberian Bureaucratic Ethics:** This framework stresses strict adherence to hierarchy, neutrality, and rules. In a crisis, civil servants must maintain the administration's stability, avoiding actions like strikes that disrupt governance.
- **Social Contract Theory:** The state and its servants have mutual obligations, with the state providing protection in exchange for service. If the **state fails in this duty during a crisis, civil servants may ethically suspend** their duties until the contract is restored.
- **Utilitarian Public Stewardship:** This approach aims to maximize societal welfare. In a crisis, civil servants must weigh the short-term disruption of services against the long-term benefits, justifying a strike if it prevents greater harm.
- **Kantian Duty Ethics:** Civil servants must treat citizens as ends in themselves, not means to an end. In a crisis, actions like denying essential services for personal gain violate this principle, as public suffering should never be instrumentalized.
- **Virtue Ethics of Public Guardianship:** This framework emphasizes integrity, courage, and civic responsibility. During a crisis, civil servants should **balance self-protection with a commitment to serve**, even if it requires symbolic strikes while maintaining essential services.
- **Niti (Ethical Governance):** Niti in Indian philosophy refers to the concept of ethical governance and moral conduct, especially in the context of leadership. Civil servants, as public administrators, are stewards of Niti and are expected to perform their duties with integrity, fairness, and a sense of justice.

## How Can Accountability Be Ensured Without Disrupting Essential Public Services?

- **Implement Tiered Service Guarantees:** Legally mandate "**essential service minimums**" during protests, ensuring critical services like **hospitals and disaster response remain unaffected**, while non-essential functions can be limited, and unions document violations in real-time.
- **Establish Independent Crisis Investigative Panels:** Create statutory bodies with judge-led panels and civil society representation to investigate assaults within 72 hours, fast-tracking public hearings and providing interim protection orders for victims, similar to Singapore's Corrupt Practices Investigation Bureau model.
- **Enforce Political Party Liability Laws:** Introduce legislation holding **political parties financially and electorally accountable** for crimes committed by their members during political activities, with automatic deregistration by the Election Commission and fines allocated for victim restitution.
- **Launch Digital Whistleblower Platforms with Judicial Backstop:** Develop secure digital platforms for officers to report threats or violence, automatically triggering High Court oversight if state inaction exceeds 24 hours, with judges appointing special prosecutors or central forces to pursue the cases.
- **Adopt Graded Protest Escalation Protocols:** Require unions to follow a structured escalation before protest, starting with formal complaints, progressing to symbolic protests, and ultimately targeting non-essential service withdrawal, minimizing public harm while increasing pressure.

## Conclusion

The strike highlights deep governance issues, where protectors become victims. It reflects the state's failure to shield its servants, the impact on citizens, and a lack of accountability. Resolution lies in rebuilding trust between civil servants, citizens, and the state through ethical protest and accountability. The situation warns that bureaucracies weaken when officers fear violence more than neglecting duty.

Upholding impartial service and safety is crucial for effective governance.

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