

THE ADMINISTRATIVE LIABILITY OF THE CIVIL SERVANT – BETWEEN SPIRITUAL PRECEPTS AND LEGAL NORMS

RĂSPUNDEREA ADMINISTRATIVĂ A FUNCȚIONARULUI PUBLIC – ÎNTRE PRECEPTE SPIRITUALE ȘI NORME LEGALE

DOI: 10.5281/zenodo.18229374
UDC: 342.9:17(478)

Sergiu BODLEV

Cahul State University “Bogdan Petriceicu Hasdeu”,
“Paul Negulescu” Institute of Administrative Sciences,
Sibiu, Romania,
E-mail: sergiu.bodlev@fdap.usch.md
ORCID ID: 0000-0002-9903-8732

Abstract: *The chosen research topic addresses the legal and moral responsibility of public officials, emphasizing the convergence between administrative legislation, moral values, and spiritual principles. It also examines key aspects of the functioning of public officials' accountability, analyzing both the ethical and moral foundations guiding professional behavior and the legislative framework governing liability in cases of potential violations.*

Keywords: *civil servant, administrative responsibility, spiritual precepts*

Rezumat: *Tema de cercetare aleasă abordează responsabilitatea juridică și morală a funcționarilor publici, subliniind convergența dintre legislația administrativă, valorile morale și principiile spirituale. De asemenea, sunt analizate aspecte esențiale ale funcționării mecanismelor de răspundere ale funcționarilor publici, prin examinarea atât a fundamentelor etice și morale care ghidează conduită profesională, cât și a cadrului legislativ care reglementează răspunderea în cazul unor posibile încălcări.*

Cuvinte-cheie: *funcționar public, răspundere administrativă, precepte spirituale*

Introduction

The administrative liability of the public official represents a distinct institution of public law, being the expression of the control mechanism exercised by the state to sanction the deviant behavior of its agents. In recent years, the increase in the complexity of administrative acts and the expansion of discretion in public procedures have generated numerous cases of abuse of power and negligence, which has become a major concern for both legal doctrine and public opinion.

The motivation for choosing this topic derives from the need to find solutions that complement the strictly legal framework with moral and spiritual

benchmarks that can guide the behavior of public officials.

The issue addressed specifically targets the normative gaps and ambiguities in administrative legislation, which sometimes allow for formal compliance, but lacking the spirit of responsibility. Therefore, the central question of the research follows, namely to what extent spiritual precepts can be effectively integrated into the system of administrative responsibility, so as to strengthen the legitimacy and efficiency of public action.

The purpose of this paper is to demonstrate that, beyond the sanctions provided for by positive norms, the moral and spiritual dimension constitutes a *sine qua non* element of a responsible administration. To achieve this goal, we aim to be able to define and delimit the concept of administrative responsibility in relation to moral precepts, to analyze the main theories regarding the relationship between law and morality in public activity, to identify the ways of codifying ethical values in normative and deontological instruments.

The chosen methodology combines doctrinal analysis with the comparison of administrative-legal norms from Romania and the Republic of Moldova and with the critical examination of fundamental works in the field. We will mainly use the logical deductive method to build the argumentation and the comparative legal method to highlight good practices in the codification of moral precepts.

Through this approach, we aim to make an original contribution to the debate on strengthening the accountability mechanisms of public officials, suggesting an integrated model in which legal norms and spiritual values function complementary, for the benefit of the public interest.

The degree of investigation of the current problem and the purpose of the research

The research on the administrative liability of civil servants has advanced considerably over the past decades, particularly through the contributions of administrative law scholars such as Iorgovan (2002), Vedinaș (2009), and Orlov and Belecciu (2005), who have clarified the structure, functions, and legal mechanisms governing administrative sanctions. Their works have consolidated the doctrinal understanding of administrative liability as a distinct legal institution, outlining the typology of illicit acts, the scope of state coercion, and the conditions under which civil servants may be held accountable.

Parallel to these developments, ethical and philosophical studies—such as those by Barac (1997), Dănișor (2008), Safta-Romano (1997), and Costachi (2019)—have illuminated the moral foundations of responsibility, emphasising the relationship between legality, conscience, and the spiritual dimension of public service. While these contributions offer valuable insights, the intersection between legal norms and spiritual–ethical precepts remain only partially explored in contemporary scholarship. Existing studies tend either to treat moral

responsibility as a complement to legality or to examine ethical norms in isolation from administrative mechanisms, leaving insufficiently addressed the question of how moral and spiritual values can be integrated into the legal architecture of administrative accountability.

The present research seeks to fill this gap by analysing the convergence between administrative legislation, moral philosophy, and spiritual precepts as guiding principles for the conduct of civil servants. Building on the achievements of the existing literature, the study advances an original contribution by proposing a dual-integrative model of administrative responsibility, in which legal norms articulate the coercive and procedural framework, while ethical-spiritual values provide the internal motivational structure essential for authentic adherence to the public mission.

The purpose of the research is to demonstrate that administrative liability attains maximum effectiveness only when supported by internalised moral values and spiritual precepts. Specifically, the study aims to: conceptually clarify the relationship between administrative liability and moral responsibility; analyse theoretical perspectives on the connection between law, ethics, and spirituality in public administration; identify normative and deontological instruments capable of integrating ethical values into the regulatory framework governing civil servants; and develop an integrative model in which legality and morality operate complementarily to enhance legitimacy, accountability, and public trust in public administration.

Methods applied

The methodological design of the present research reflects the interdisciplinary nature of the topic and the complexity of the relationship between legal norms and moral-spiritual values. The study follows a logical-deductive structure, allowing the progression from general conceptual analysis to specific conclusions regarding administrative liability and the ethical frameworks applicable to civil servants. Several research methods were employed:

- doctrinal and conceptual analysis;

The analysis of administrative law literature enabled a rigorous examination of fundamental concepts related to administrative liability, disciplinary sanctions, and the legal status of civil servants. Foundational works such as those by Iorgovan (2002), Vedinaş (2009), Djuvara (1930), and Costachi (2019) were examined to identify the evolution of the doctrinal understanding of responsibility and the main theoretical currents shaping contemporary administrative law.

- comparative-legal method;

Given the relevance of both the Romanian and Moldovan administrative systems, the study conducted a comparative analysis of key legislative acts (e.g.,

OUG 57/2019; Legea nr. 158/2008; Codul administrativ al Republicii Moldova). This method facilitated the identification of similarities and divergences between the two systems and revealed the extent to which ethical values are codified or operationalised through legal instruments. It also contextualised the ethical requirements of public service within the broader European administrative space.

- ethical-axiological analysis;

To address the integration of spiritual precepts into administrative responsibility, the study employed an axiological approach, drawing upon philosophical, ethical, and theological scholarship. Works by Barac (1997), Safta-Romano (1997), Sandu (2022), and Dănișor (2008) were analysed to extract core values—such as integrity, justice, humility, and service to others—that inform the ethical dimension of public administration.

- critical analysis of jurisprudence and practical cases;

Relevant jurisprudence, administrative practices, and real cases of disciplinary or ethical breaches were examined to assess the practical implications of administrative and moral responsibility. This method illustrated how ethical principles function not only as abstract ideals but also as preventive mechanisms capable of reinforcing legal compliance and discouraging misconduct.

- normative interpretation and model-building;

Based on the insights gathered through the aforementioned methods, the research developed a dual-integrative model of administrative liability, incorporating both the coercive force of legal norms and the motivational strength of spiritual-ethical precepts. This model integrates mechanisms such as mixed ethics committees, ethical-legal compliance checklists, and codified moral standards, contributing to a more accountable and ethically grounded public administration.

Results obtained and discussions

The problems that arise in the framework of administrative liability originate mainly in the lack of effective mechanisms for the implementation of administrative acts, administrative contracts and concrete administrative acts. Also, the discretionary use of law by public authorities is often the result of unclear, incomplete or ambiguous regulations. In this context, it is essential to comprehensively analyze both the characteristics of administrative acts and the particularities of administrative liability.

The institution of administrative liability in the public domain plays a crucial role, offering individuals and economic agents the opportunity to obtain compensation for material and moral damage suffered.

Legal liability, traditionally, is considered a fundamental institution of law, occupying a central position in the legal system. It reflects the level of evolution

of society, the degree of social consciousness and responsibility (Iorgovan, 2001-2002: 331).

Legal liability is a relationship between an authority and an individual, from which certain rigors arise that the individual is obliged to bear. From this perspective, legal liability is of a normative nature, it belongs to the domain of public authority that aims, in fact, compliance or non-compliance with certain prescriptions contained in legal norms, being indifferent to the individual's position in relation to these prescriptions.

Legal liability usually involves more severe sanctions compared to other forms of legal liability; it is social liability. Legal sanctions are characterized by promptness, efficiency and binding nature, being inevitable in their application.

Administrative liability, as a fundamental institution of administrative law, is relatively recent. It was initially developed in French legal doctrine, with the main objective of holding the administrator accountable for damages caused to individuals by issuing illegal administrative acts.

In the doctrine of administrative law, the requirement for civil servants to assume social responsibility is increasingly clear, understood as a conscious and responsible reporting to the needs of society, as well as to the professional mission that falls to them within the public administration. This form of responsibility transcends the simple execution of job duties, reflecting an internalization of the values and purposes of public administration. In this perspective, for civil servants animated by a genuine spirit of social responsibility, the efficient performance of professional duties, as well as the prompt and serious resolution of citizens' requests, are not only legal obligations, but become the expression of a professional vocation and a fundamental social mission.

The need to introduce a new form of legal liability arises when "logical dysfunctions" appear in the theory of existing forms, determined by new types of illicit acts that require adapted sanctioning regulations. This situation manifests itself when there is no longer a concordance between the content and the form of the illicit act. Each form of liability reflects the legal regime specific to the category of illicit act to which it applies, thus defining the legal mechanisms associated with liability for the respective acts. We agree with the statement of the scholar V. Vedinaş, who mentions that through responsibility, both the repressive, sanctioning and preventive purposes are achieved, to which must be added the educational purpose, which - although it implies prevention - is not reduced to this (Vedinaş, 2009: 470).

The state of legal responsibility of the state official, as a subject of administration in any field (the real attitude towards the provisions of the contraventional legal norms and the concrete results), will determine the need to apply one of the forms of state coercion towards him - legal liability (Guțuleac,

2015: 334).

Thus, in the opinion expressed by Lidia Barac, responsibility, being of a value nature, must be sought in the existence of the individual, being part of the sphere of feelings, attitudes, expressing itself through what we call human behavior. "Understanding that responsibility is a dimension of the individual, linked to his spiritual life, in discovering the premises of responsibility" (Barac, 1997: 10–11), the author Lidia Barac appreciates that "it is not enough to highlight only its social sources, but it is necessary to move the problem beyond these sources, researching and deepening the sphere of human spiritual life, a framework in which it will be found that the foundation of human spiritual life is living, because it is the result of the complexity of psychological organization" (Barac, 1997: 10–11).

The liability of civil servants is closely linked to the obligation to respect the Constitution and the laws, the rights and freedoms of citizens, the interests of the state, which are also the object of the crimes committed by them. These obligations are assumed at the time of taking the oath upon inauguration, the violation of which constitutes a distinct basis for the occurrence of legal liability.

Administrative liability is the legal liability established by the norms of administrative law, which occurs in the case of an unlawful act committed in the field of administrative law. Therefore, it can be said that administrative liability is an autonomous liability that contains different characteristics and that involves the application of administrative sanctions by the executive against persons who commit administrative offenses, on the basis of and in the manner provided for by administrative law (Orlov & Belecciu, 2005: 140).

The responsibility of civil servants involves not only a legal obligation, but also the manifestation of a constant attitude of openness and solicitude towards the needs of citizens, as well as objective and competent engagement in the fulfillment of service duties. The civil service is perceived, in this logic, not as a simple administrative position, but as a genuine social mission.

For the civil servant characterized by a high sense of responsibility, the absolute priority is the achievement of professional tasks with rigor and rational discernment, in full accordance with the general interests of the community. Such a civil servant feels a genuine moral discomfort in the face of any dysfunction in his own activity, even when it is minor or hardly perceptible to an external observer. This reflex of professional conscience is the expression of a consolidated institutional culture and of high administrative ethics.

The formation and maintenance of such a body of civil servants represents, in the context of contemporary society, a constant priority both for the specialized doctrine and for the political and legislative decision-makers. In some states, the public service is accompanied by a true cult of responsibility, cultivated through coherent public policies, rigorous professional standards and a thorough civic

education.

In this framework, the legal liability of the civil servant acquires particular importance, as it contributes to ensuring the equitable functioning of public power, to the consolidation of the rule of law, as well as to the development of democracy and civil society. Strengthening the mechanisms for holding civil servants accountable is thus the most effective measure to prevent abuses and excesses of power, behaviors that can only be counteracted by guaranteeing the inevitability of legal liability for all those who violate the legal order.

From a philosophical perspective, responsibility is a direct consequence of the exercise of freedom, man having the obligation to assume responsibility for all his actions. This interpretation is in harmony with moral and religious precepts, which maintain that each individual is responsible for his actions, being subject to both human laws and divine judgment, considered infallible and inevitable.

In this context, theology differentiates between positive sanction, manifested through rewards for actions that respect the moral order, and negative sanction, in the form of punishment for violating it. Thus, no human act remains without consequences: good ones are rewarded, and bad ones are sanctioned (Safta-Romano, 1997: 167-172).

As Gh. Dănișor states, the connection between law and morality is one of the most interesting themes addressed in legal and philosophical doctrine, because law, cleansed of morality, risks becoming immoral or, at least, amoral (Dănișor, 2008: 17).

In the European legal and ethical tradition, the notion of precept is often associated with a normative moral or religious exhortation, which, although not codified in a legislative corpus, acts as a guiding principle of human conduct. Etymologically, the term derives from the Latin *praeceptum*, meaning "command", "teaching" or "principle of life". In this sense, precepts do not impose through coercive force, but through their moral and spiritual force, shaping the conscience and behavior of those who hold a public office.

Applied to the field of public office, spiritual precepts acquire an axiological and formative value, completing legal norms by appealing to the deeply human dimension of responsibility. Such precepts include: service to one's neighbor, truth, modesty, the spirit of sacrifice, justice as a virtue – all reflecting ideals that transcend legal positivism and confer a superior dimension to the exercise of authority.

Where legal norms draw the external limits of conduct, spiritual precepts act at the level of intention and inner vocation, encouraging the civil servant not to limit himself to formal compliance, but to also follow an ethical ideal. For example, in Christian traditions, serving one's neighbor is not only a voluntary gesture, but a spiritual duty. Transposed into the field of public office, this idea

underpins the principle of public interest as a secular form of a moral mission (Sandu, 2022: 27).

In the doctrine, it was emphasized that the modern civil servant cannot be reduced to a simple executor of legal norms, but must also be a guardian of community values, an exponent of the moral culture that preceded the law and which, often, gives it meaning (Costachi, 2019: 581). This explains why contemporary legislation – although based on positive norms – increasingly enshrines principles such as integrity, honesty, impartiality or loyalty, all of which have their roots in traditional moral precepts.

In a context in which trust in public institutions is directly proportional to the morality of those who lead them, the appeal to precepts becomes not only justified, but necessary for revitalizing the ethos of public administration. They provide an inner compass in situations where the legal norm is silent or allows for ambiguity, and the decision must be made in the spirit of the common good, not just the letter of the law.

Moral and legal norms are essentially different. However, since law is an integral part of the moral order in society, immoral principles should never be the basis of a legal norm. The relationship between ethics and law is so close and necessary that both share the same level of truth and the same value. Therefore, both morality and law must be viewed logically.

As Professor G. Costachi states, legal culture dictates to each person the principles of correct and legal conduct, and to society – the system of legal values, ideals, legal norms, which ensure the unity of legal institutions. It is inconceivable outside of moral coordinates (Costachi, Gh., 2019: 581).

Ethical rules and legal norms differ in that, compliance with moral rules cannot be imposed by coercion, while legal norms can be applied with the help of the coercive force of the state. If a public official complies with ethical rules only because of a constraint, his behavior no longer has moral value, because it is not the result of his own will to do good.

On the other hand, if a public official complies with legal norms because of a constraint, this does not diminish the value of that behavior, because compliance with these norms is the desired goal. Therefore, the behavior of a public official may be in accordance with the law, but not necessarily in line with ethical rules. That is why it is often stated that "Not everything that is permitted is also honest."

The boundary between ethical rules and legal norms is always flexible, which allows them to evolve over time. Thus, an ethical rule can be integrated into the legal sphere, transforming into a legal norm, and a legal norm can, in turn, become a simple moral rule.

According to the provisions of the legislation of the Republic of Moldova, civil servants (including civil servants with special status) bear administrative-

disciplinary, administrative-property, including moral liability for acts of negligence or abuse in office, applying sanctions such as warnings, salary reductions, demotions, withholding of personal rank or even dismissal.

Below we propose an integrated model in which legal norms and spiritual precepts complement each other to ensure a legitimate, efficient and citizen-centered public administration.

Thus, the dual integrative model of administrative responsibility consists of clear norms (Administrative Code/GEO 57/2019 (Romania); Law 158/2008 (Republic of Moldova), mandatory sanctions (disciplinary, patrimonial, contravention/criminal), spiritual ethics, which in turn is divided into fundamental precepts: honesty, service to one's neighbor, justice, responsibility, as well as continuous training and moral mentoring. Intersection points: codes of conduct that also include moral obligations, dual "checklist" before any administrative act: legal compliance, ethical adequacy, mixed ethics committees (lawyers and community representatives).

Transparent public reporting of sanctions and ethical initiatives, periodic consultations with civil society, mixed performance indicators: legality and ethical satisfaction.

The essence of the model lies in the fact that legal norms and spiritual values function complementary, providing both a framework coercive, as well as a moral compass, for an administration worthy of public trust.

The fundamental laws that regulate the administrative liability of civil servants in the Republic of Moldova are the Administrative Code, Law No. 158 on the civil service and the status of civil servants, as well as specific laws at the departmental level: Law on the status of persons holding public office No. 199 of 16.07.2010, Law No. 178 of 25 July 2014 on the disciplinary liability of judges, Law No. 3 of 25-02-2016 on the Prosecutor's Office, Law on the Customs Service No. 302 of 21.12.2017, Law No. 320/2012 on the activity of the Police and the status of the police officer, etc.

If morality regulates the internal deeds and intentions of civil servants, law aims to regulate their external, visible deeds, but taking into account their internal intentions.

When the ethical rule commands civil servants to be correct, it commands them a spiritual attitude, an honest intention. As soon as this interaction has manifested itself externally, through a behavioral act in relation to citizens, the legal phenomenon appears as a consequence (Djuvara, M., 1930: 576).

The ethical and moral foundations that guide the professional behavior of civil servants are based on principles as well as spiritual precepts that reflect society's expectations from these state employees, given their crucial role in serving the public interest. These principles are formulated to ensure the integrity, transparency, responsibility, impartiality, fairness, professionalism, and

competence of civil servants, so that they exercise their duties with respect for the law and citizens.

These principles are usually formalized in codes of conduct and internal regulations of public institutions and are supported by control and sanctioning mechanisms. They contribute to building a trustworthy public administration and to increasing the transparency and efficiency of services provided to citizens.

The activity of a civil servant cannot be analyzed exclusively through the lens of legal obligations and administrative norms, but must be understood in a broader axiological framework, in which ethical principles and spiritual precepts play an essential role. The professional behavior of those who exercise public power prerogatives is traditionally shaped by a set of moral values and ideals that precede and substantiate positive legal norms. In this sense, it can be said that the responsibility of a civil servant has its roots not only in the text of the law, but also in moral conscience and in the spirit of serving the common good.

In a democratic society, collective expectations towards civil servants transcend simple compliance with legal norms. An ideal of public conduct is thus emerging, based on virtues such as honesty, loyalty, compassion and respect for fellow human beings – traits with deep roots in the religious, cultural and philosophical traditions of the community. These constitute a spiritual foundation of public service, which confers dignity and meaning to the administrative act (Vedinaș, V., 2022: 45).

Spiritual precepts, although not expressly codified in the normative corpus, strongly influence the conduct of civil servants by internalizing moral benchmarks that support social coherence and the moral authority of the state. For example, the idea of serving one's neighbor – present in all major religious traditions – is found, in its secular form, in the principle of public interest, which governs the entire activity of public administration (Sandu, A. 2022: 27). At the same time, fairness, modesty, moderation and the spirit of sacrifice are not only private virtues, but also implicit requirements of good governance.

These moral foundations are also reflected in the modern legal framework, through the establishment of codes of conduct, deontological norms and explicit regulations whose main objective is to protect public values against abuse, corruption and institutional dysfunctions. The Administrative Code of Romania (GEO no. 57/2019), for example, enshrines the obligation of the civil servant to act with integrity and professionalism, these principles being rooted in the moral and spiritual tradition of serving the common good.

Obviously, reporting on moral values does not substitute the obligation to comply with positive law, but complements and strengthens it. The law provides the formal framework of the action, but morality ensures its ethical direction. In the absence of solid moral convictions, the legal norm risks being applied in a formalistic manner, emptied of its profound content and essential connection with

the public interest.

It is necessary to recognize that the administrative responsibility of the civil servant cannot be reduced to a simple legal-technical analysis. It must be understood as a complex form of responsibility, located at the intersection of legality and morality, between the reason for the norm and the spirit of service. From this perspective, spiritual precepts and ethical values become not just abstract landmarks, but sine qua non conditions of an efficient, legitimate and citizen-oriented public administration.

Civil servants in the Republic of Moldova, in carrying out their professional activities, are guided by a code of conduct and professional integrity, which also includes ethical and moral precepts that reflect spiritual ideals. This implies values such as honesty, fairness and responsibility to the public.

In the ethics of the civil service, moral precepts establish values and standards, such as integrity and transparency. These are essential for building public trust in state institutions.

The professional behavior of the civil servant is regulated, as a rule, by the ethics of principles and the ethics of virtue. Ethical virtue imposes certain character traits and value orientations on the civil servant. Ethical principles require a set of specific requirements regarding problem-solving methods. Ethical principles help to correctly choose standards from a social and historical point of view and to act in accordance with them, in the event of similar situations in the future, which provide for the presence of the following characteristics and qualities of character or, in the language of ethics, virtues in public officials: courage, determination, discipline, politeness, high culture of communication and behavior.

Along with the above-mentioned values, they also have the role of clarifying expectations regarding the integrity of public officials, values that are permanent, especially at the current stage of the Republic of Moldova's accession to the European Union.

The responsibility of public officials is an area in which moral and legal norms intertwine, aiming to prevent abuse of power and maintain citizens' trust in public administration. Often, the ethical dilemmas raised by certain situations go beyond legal provisions, implying a moral responsibility towards the community and the public interest.

In the exercise of their duties, a public official may encounter certain ethical dilemmas, conflicts between the strict application of the law and their personal or community values. In this context, spiritual precepts can serve as informal guides, helping the official to maintain his integrity in situations of moral ambiguity.

In cases where the public official violates moral and ethical standards, the individual conscience and personal reputation of the citizen are affected.

The disciplinary, contraventional, civil or criminal liability of public officials are attracted by the culpable violation of service duties. It follows that they represent forms of subjective liability, based on fault, the absence of the subjective element determining the impossibility of their intervention (Vedinaș, V. 2009: 470).

By the Decision of the Constitutional Court of Romania (Romania, 2019, art. 368), it was stated that legal acts that establish general obligations of civil servants do not constitute *per se* grounds for criminal liability.

It was found that civil servants have the duty to exercise their official duties with professionalism, impartiality and in strict compliance with the law. They are also obliged to avoid any action that could cause harm to natural or legal persons or that would affect the prestige of the public office they hold. This responsibility is regulated to ensure the fulfillment of duties with certainty, competence and integrity.

In addition to sanctions, the responsibility of the civil servant is also supported by preventive measures, such as continuous training in professional ethics and awareness programs of the rights and obligations of civil servants.

In the Republic of Moldova, there are known cases of legal and social sanctions of civil servants for violating ethical norms and moral principles. These cases frequently involve officials accused of corruption, conflict of interest and incompatibility in the exercise of their functions. For example, studies on corruption in public institutions show that 93% of the cases analyzed involve “petty corruption”, but there are also cases involving high-ranking officials, such as prosecutors, judges and dignitaries. In most cases, such officials have been sanctioned for abuse of power, bribery and other acts that contravene professional ethics, seriously affecting public trust in institutions.

Preventing negligence, abuse of power, excess of power or exceeding the duties of office and maintaining citizens' trust in public administration through the prism of civil servants requires a series of well-defined, efficient and transparent measures, aimed in particular at responsibility and ethics in public functions. The administrative responsibility of the civil servant, located at the intersection of legal norms and moral and spiritual precepts, represents an essential dimension of the modernization of public administration, but also a reminder of the perennial values that have always underpinned the service of the common good. Beyond the rigor of legal provisions and the sanctions imposed in case of misconduct, the responsibility of the civil servant is, in essence, an expression of a moral calling: that of acting with integrity, in the service of the citizen, with respect for the law and with loyalty to the ideals of justice and equity.

In a society in constant transformation, where legal standards are becoming more sophisticated and the pressures exerted on the public service are increasing,

it is firmly required to strengthen the link between law and ethics, between normative and vocational. Only a public servant who understands his mission as not only a legal duty, but also a moral and spiritual commitment to the community, will be able to contribute to the consolidation of an efficient, equitable and trustworthy administration.

Thus, administrative responsibility should not be perceived only as a sanctioning mechanism, but also as an educational and preventive instrument, designed to form consciences and characters. The true strength of a modern public administration does not reside only in the efficiency of procedures, but also in the nobility of the spirit of those who serve it. In this context, returning to established values – honesty, integrity, moral courage, respect for the law and for one's neighbor – becomes a necessity not only theoretical, but also practical and vital for the future of a democratic society.

The combination of legality and morality is essential for the consolidation of a modern, responsible and citizen-oriented administration.

The responsibility of the public servant, therefore, is and will remain a bridge between the letter of the law and the spirit of justice, between institutional rigors and the vocation in order to serve with dignity. Only through this synthesis of the legal with the moral and the normative with the spiritual, can a truly just administration be built and in the service of the common good.

Conclusions

Administrative liability of civil servants emerges as a complex institution situated at the confluence of legal norms and moral-spiritual values.

The analysis demonstrates that positive administrative law, while offering the coercive and procedural framework, cannot function effectively in the absence of an internalised moral foundation guiding the conduct of civil servants. Thus, legality and morality operate not as competing forces, but as complementary dimensions of public responsibility.

A comprehensive understanding of administrative liability requires an integrated conceptual approach that incorporates both normative mechanisms and ethical-spiritual principles.

The study shows that legal responsibility is inseparable from moral consciousness. Spiritual precepts—honesty, modesty, justice, service to others—act as internal guides that prevent formalism, arbitrariness, and abuses of power, giving substantive meaning to the legal duties imposed on public officials.

The comparative examination of Romanian and Moldovan legislation reveals significant convergences in the codification of ethical standards, as well as contextual differences rooted in administrative culture.

Both legal systems promote integrity, impartiality and professional responsibility, yet, the degree of integration of moral precepts into administrative

practice varies. Strengthening this integration becomes essential for enhancing public trust and modernising administrative institutions.

The moral and spiritual dimension of responsibility serves as an internal self-regulatory mechanism for civil servants.

Where the law is silent, ambiguous, or allows multiple interpretations, spiritual precepts can guide decision-making towards the public interest. These values constitute an “inner code” that supports ethical behaviour even in the absence of explicit normative constraints.

Effective and legitimate public administration depends on the complementariness between legal norms and moral values.

The research confirms that a functioning administrative system is built not solely on sanctions or external supervision, but on a culture of responsibility grounded in ethical education, civic consciousness, and a vocation of public service. A morally anchored civil servant complies not only with the letter of the law, but also with its spirit.

The dual-integrative model proposed in this paper provides a viable conceptual and practical framework for strengthening administrative accountability.

By combining normative regulation with ethical and spiritual guidance, this model offers concrete mechanisms such as ethics committees, enhanced codes of conduct, dual compliance procedures (legal and ethical), and continuous moral training, contributing to greater transparency, legitimacy, and public trust.

Strengthening administrative responsibility requires not only legal refinement but also long-term ethical cultivation within public administration.

The effective functioning of public institutions depends on fostering an organisational culture centred on integrity, professionalism, empathy, and respect for citizens. This includes investment in ethical training, preventive mechanisms against misconduct, and consistent societal expectations regarding both moral and legal accountability.

References:

1. Barac, L. (1997). *Răspunderea și sancțiunea juridică*. București: Lumina Lex.
2. Costachi, G. (2019). *Cetățeanul și puterea în statul de drept*. Chișinău: Tipografia Print-Caro.
3. Dănișor, G. (2007). Critica dreptului abstract. *Revista de drept public*, 1/2008.
4. Djuvara, M. (1930). *Teoria generală a dreptului (Enciclopedia juridică)*. București: Librăria Socec &Co.
5. Orlov, M. & Belecciu, Ș. (2005). *Drept administrativ*. Chișinău: Elena V.I.
6. Guțuleac, V. (2015). *Drept polițienesc*. Chișinău: Î.S. F.E.-P „Tipografia

Centrală”.

7. Iorgovan, A. (2001–2002). *Tratat de drept administrativ*. Vol. II. Bucureşti: All Beck (ediţia a III-a, evizuită şi adăugită).
8. Safta-Romano, E. (1997). *Arhetipuri juridice în Biblie*. Iaşi: Polirom.
9. Sandu, A. (2022). *Etică şi deontologie profesională*. Iaşi: Editura Lumen.
10. Vedinaş, V. & Enache, M. (2023). *Funcţionarul public în jurisprudenţa Curţii Constituţionale*. Bucureşti: Universul Juridic.
11. Vedinaş, V. (2009). *Drept administrativ*. 4th ed. Bucureşti: Universul Juridic