

Fighting Corruption in African Contexts

Fighting Corruption in African Contexts:

Our Collective Responsibility

Edited by

Chris Jones,
Pregala Pillay
and Idayat Hassan

**Cambridge
Scholars
Publishing**



Fighting Corruption in African Contexts: Our Collective Responsibility

Edited by Chris Jones, Pregala Pillay and Idayat Hassan

This book first published 2020

Cambridge Scholars Publishing

Lady Stephenson Library, Newcastle upon Tyne, NE6 2PA, UK

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Copyright © 2020 by Chris Jones, Pregala Pillay, Idayat Hassan
and contributors

All rights for this book reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the copyright owner.

ISBN (10): 1-5275-5039-7

ISBN (13): 978-1-5275-5039-1

TABLE OF CONTENTS

List of Contributors	viii
Acknowledgements	ix
Foreword	x
Charity Hanene Nchimunya	

PART I

1. Ethics training at the level of Higher Education: The South African case.....	2
P. Pillay, E. A. Mantzaris and C. Mohamed Sayeed	

PART 2

2. The state of anti-corruption in Nigeria: 2015–2019	22
Femi Badejo (Yintab Strategy Consults, Lagos, Nigeria)	
3. The dignity of corruption?	37
Donald Katts (Stellenbosch University, Stellenbosch, South Africa)	
4. The faces of corruption in Nigeria: Towards a new thinking in the reverse order	52
Benson Igboin Adekunle (Ajasin University, Akungba-Akoko, Ondo State, Nigeria)	

PART 3

5. African Union and the political economy of corruption in Africa.....	74
Samuel Oloruntoba (Thabo Mbeki African Leadership Institute, South Africa)	
6. Framework for fighting corruption in the artificial intelligence age.....	93
Adeyinka Adedigba, Engr Folorunso and Abiodun Musa Aibinu	

PART 4

7. The challenges of autocratisation, impunity and corruption with reference to South Africa's BRICS partners..... 114
Chris Jones (Stellenbosch University, South Africa)
8. Perspectives on Sustainable Development Goal indicators to assess the impact of transnational fisheries crime on the blue economy and anti-corruption: The case of abalone in South Africa 133
Ivy Chen (Candidate attorney and research fellow in law and public policy) and C. de Coning (Professor Extraordinaire at the School of Government, University of the Western Cape and at the School of Public Leadership, Stellenbosch University, South Africa).
9. Corruption among youths aged 15–29 years in Nigeria: Its impact on our future 164
Arinola Bello (PANAFSTRAG, Nigeria)

PART 5

10. Church and youth involvement in political violence: A need for reassessment for a better Nigeria 182
Ezekiel Kehinde Akano (Emmanuel Alayande College of Education, Oyo State, Nigeria)
11. An ethos of responsibility as a theological paradigm for anti-corruption in Nigeria 199
Kefas Umaru (Stellenbosch University, South Africa)
12. Christian activism as responsible citizenship: Towards an anti-corruption discourse in African contexts 214
Hassan Musa (ECWA Theological Seminary, Kagoro, Nigeria)
13. An Islamic perspective on corruption control in Nigeria..... 224
Sajo Abdullahi Mohammed (University of Jos, Plateau State, Nigeria)
14. A Christian theological perspective on combatting corruption in Nigeria 236
Sunday Agang (ECWA Theological Seminary, Kagoro, Kaduna, Nigeria)

PART 6

15. International Development Partnerships and the challenge of combating corruption in Nigeria	254
Kelechi Iwuamadi, Roland Okoli (University of Nigeria Nsukka, Nigeria)	
16. Corruption versus probity, accountability and good governance: The place of literature and example of Baṣòrun Ògúnmólá in <i>Ààrẹ̀-Àgò Arikúyerí</i>	272
Cornelius Onanuga (Tai Solarin College of Education, Omu-Ijebu, Nigeria)	
17. Preventing and mitigating violence against women in Elections in Nigeria	284
Asmau Maikudi (INEC, Zamfara State, Nigeria)	
Addendum: Communique on the 2 nd AU Anti-Corruption Conference (12-13, July 2019)	296

LIST OF CONTRIBUTORS

Editors

Chris Jones
Pregala Pillay
Idayat Hassan

Co-Authors

Adeyinka Adedigba
Abiodun Musa Aibinu
Sunday Agang
Ezekiel Kehinde Akano
Femi Badejo
Arinola Bello
Ivy Chen
C de Coning
Engr Folorunso
Benson Igboin
Kelechi Iwuamadi
Chris Jones
Donald Katts
Asmau Maikudi
Sajo Abdullahi Mohammed
Evangelos Mantzaris
Hassan Musa
Charity Hanene Nchimunya
Roland Okoli
Samuel Oloruntoba
Cornelius Onanuga
Pregala Pillay
Cheryl Mohamed Sayeed
Kefas Umaru

ACKNOWLEDGEMENTS

The realisation of a publication of this magnitude, is a team effort. We would like to extend our thanks to everyone who worked tirelessly to meet deadlines and produce chapters of high quality. Thank you for your willingness, ideas, time, academic skills and expertise to reflect on this highly relevant and urgent topic of fighting corruption in African contexts.

For any book to be published, a lot of hard work is done behind the scenes. To all the members of the publishing team, for their kind and professional services as well their hard work and valuable input, a word of sincere gratitude.

Thank you to Ginevra House for her very thorough proofreading of our manuscript.

A word of sincere appreciation to the Centre for Democracy and Development (CDD), an Abuja-based policy advocacy and research organization with focus on deepening democracy and development in West Africa, of which Idayat Hassan is the director, Professor Pregala Pillay, and Mr. Naas van der Merwe (Ceres, South Africa) for their financial contributions towards this project.

And lastly to my two co-editors, Pregala Pillay and Idayat Hassan, a word of deep appreciation. It was a blessing to work with you on this project. Thank you for all your support.

Chris Jones

FOREWORD

“One finger cannot kill a louse”
—African Proverb

Corruption, by its very nature and cross-border characteristics, is a very complex crime that requires concerted efforts from all stakeholders to fight it effectively. It is not possible for one individual, institution or sector to do so. And this, therefore, requires conscious decisions from all concerned to tackle it. As the above African Proverb suggests, lone and isolated efforts at fighting corruption will not work. From concerted efforts to report petty corruption to the passing of bills/legislation that curtail grand corruption and curb secrecy jurisdictions, everyone has a role to play.

In recognition of this, and within the African context, the African Union has spelled out a framework for its people, institutions and networks to fight corruption in a holistic way. To enshrine the notion that fighting corruption is our collective responsibility, the African Union Convention on Preventing and Combating Corruption (AUCPCC), as a normative framework, advocates for effective legal, institutional and policy interventions for combating corruption. In this regard, one of the objectives of the AUCPCC under Article 2 (3) is to “coordinate and harmonise the policies and legislation between State Parties for the purposes of prevention, detection, punishment and eradication of corruption on the continent”. The expectations are therefore that every African Union Member State and all State Parties to the Convention should work to ensure that policies and legislation are, to the greatest extent possible, coordinated in this common and collective battle against corruption.

As the menace of corruption affects all the Member States and their citizens, albeit to varying degrees, the onus is on all of us, as Africans, to tackle it. In this regard, no one is exempt from this collective responsibility.

At the apex of this collective responsibility lies a need for the demonstrable political will and moral leadership to fight corruption. Without this, efforts by other stakeholders will be in vain. This visible political will and leadership should inevitably be supported by effective legislation and strong institutional frameworks. It is abundantly clear that there can be no gains in the fight against corruption without strong and

accountable institutions, as was aptly put by the 1992 Nobel Prize Laureate Rigoberta Menchu Tum, who observed that “without strong institutions, impunity becomes the very foundation upon which systems of corruption are built. And if impunity is not demolished, all efforts to bring corruption to an end are in vain”.

Having effective legislation and strong institutional frameworks, in addition to demonstrated political will, is not enough by itself. It needs to be reinforced by an alert citizenry, investigative media houses, faithful clergy and responsible traditional leadership. Further, a vibrant and engaged youth cadre is an indispensable component in this collective action against corruption. In order to reach to this level, we need to start by inculcating ethical and moral values in our young generations, from as young as preschool age.

From all these various dimensions, it is clear to see that for corruption to be effectively fought, we all need to be on board, each executing their responsibilities to the best of their abilities.

I am certain that the various articles in this edition speak more of some of these dimensions of our collective responsibility to fight corruption and that they bring useful insights from which we can all benefit.

In conclusion, as we strive towards the Africa we want, the Africa of Agenda 2063, let us each take it upon ourselves to contribute towards the fight against corruption in Africa. It is a common enemy which demands the concerted efforts of all stakeholders to fight it. It is our collective responsibility and we should not shy away from it. There are many avenues for each one of us to contribute to the fight against corruption, as it is agreed that it is a collective responsibility.

It would be remiss of me if I ended this foreword without applauding the contributors and editors of this volume, who have once again shown us that there are plenty of ways we can all contribute to the fight against corruption. I salute them all for their individual stance against corruption and collective contribution in fighting it. Together we win!

Charity Hanene Nchimunya
Executive Secretary, African Union Advisory Board on Corruption

PART 1

CHAPTER 1

ETHICS TRAINING AT THE LEVEL OF HIGHER EDUCATION: THE SOUTH AFRICAN CASE

P. PILLAY

(ACCERUS, SCHOOL OF PUBLIC LEADERSHIP,
STELLENBOSCH UNIVERSITY)

E. A. MANTZARIS

(MANGOSUTHU UNIVERSITY OF TECHNOLOGY)

AND C. MOHAMED SAYEED

(UNIVERSITY OF KWAZULU-NATAL)

Abstract

There is almost unanimous agreement among political, administrative and private sector leadership figures throughout the world, that widespread corruption has become a structural rather than a functional reality and, that the struggle against it and its perpetrators, is as fundamental as the struggles for human rights and sustainable development. This means that the battle for honest and accountable governance is a struggle for democracy and against the lack of ethics and integrity among public servants and elected leaders. South Africa has been constantly in world news since 1994 because of its commitment to change. However, in the last ten years it has become the epicentre of corruption scandals in both the public and private sectors. This is despite the fact that there have been a number of measures implemented to combat corruption in all spheres of life through, among others, the promulgation of a rich and diversified legislation, the introduction of Treasury rules and regulations, an active Public Service Commission and a large number of anti-corruption agencies. Within this context, the debate over what contribution education, and especially higher education, can make as an important contributor to the struggle against corruption must be considered. This debate is aligned to questions about

whether ethics pedagogy in higher education institutions is possible, and on how universities can prepare ethical future leaders through their academic qualifications for a career in the public service. The present contribution aims to expand the discourse on ethics within the university landscape, specifically within the South African context, and in so doing examines contemporary national and international Public Administration trends. This is done through a survey of diverse research in the academic literature, and a South African case study on the existing context of the nature and scale of corruption in South Africa. The chapter in its final analysis presents a holistic higher education programme on Ethics and Anti-Corruption for future use.

Keywords: university; public sector; ethics; ethics education; corruption; integrity

Introduction

There has been growing concern over the ethical behaviour of public servants in South Africa, Africa and internationally in recent years in response to the increase in corrupt incidents within the public sector. This raised awareness is linked to the rationale that an ethical and accountable public service is seen as instrumental in ensuring and enhancing democracy and good governance. This in turn raises the question whether ethics should be a key part of Public Administration curricula, as there is agreement that it will “offer an opportunity to raise the moral awareness, moral reasoning and moral quality of actions taken” by public officials (Mohamed Sayeed, 2016: 45; Beck, Montfort & Twijnstra 2010:22; Montfort, Beck, and Twijnstra 2013:119; Van der Merwe 2006:41–42). While there is recognition that ethics training will not completely eradicate corruption, it has shown to offer a strategy to increase awareness of roles, responsibilities (Beck et al. 2010:22; Montfort et al. 2012:119), and thus has the potential to promote an ethical and accountable public service. Within this context, higher education institutions potentially play a significant role in developing competent, capable and ethical public servants as a strategic stakeholder, in producing and disseminating knowledge through their curricula and engaging in research and innovation to tackle corruption. This key role cannot be underestimated as they are instrumental in producing the future leaders of a country, by engaging in the teaching and learning of its politicians and its public servants, who are most likely to be educated and trained in such educational institutions. While South Africa remains at an elementary level of development with regards to ethics in the public sector, the authors seek

to investigate the teaching of ethics at higher education institutions in South Africa.

The chapter starts with a short exploration of corruption in South Africa and a dissection of the significance of the theory and practice of moral development in relation to ethics, professional ethics and ethics within a public administration environment. It goes on to empirically examine existing programmes in South African universities and maps out a possible holistic higher education programme on Ethics and Anti-Corruption for future use.

The context: corruption in South Africa

It has been calculated that South Africa has lost in excess of R700 billion to corruption in the last 21 years. Over R30 billion is lost every year from government coffers through its tendering system (Mantzaris 2015). It has been widely acknowledged that in the 25 years of the country's democracy, South Africa has become one of the most corrupt societies in the world. This is despite the fact that the new democratic government has, over the years, introduced a highly comprehensive legislative and regulatory framework to guard against corruption, and has also put in place a multiple anti-corruption agencies system (Pillay and Isaacs 2015).

The laws of the country have introduced a wide range of initiatives against corruption, including: constitutional institutions, namely the Auditor-General South Africa (AGSA), the Public Protector (PP) and the Public Service Commission (PSC); National Treasury bodies – the National Treasury (NT), the South African Receiver of Revenue (SARS) and the Financial Intelligence Centre (FIC); and a wide variety of enforcement and investigation agencies such as the South African Police Service (SAPS), the Directorate for Priority Crime Investigations (DPCI), the National Prosecuting Authority (NPA), the Asset Forfeiture Unit (AFU) and the Special Investigating Unit (SIU) (Woods and Mantzaris 2012). Despite these efforts, corruption has escalated. Over these two-and-a-half decades of democracy, there has been an extremely wide range of corrupt practices throughout the public and private sector terrains, including supply chain and procurement fraud, bribery, nepotism and the systemic looting of public funds. These well-reported acts have been seriously exacerbated by a chronic lack of central coordination of the agencies' activities, perpetual infighting and corrupt leadership (Mantzaris 2018).

It has been shown fairly conclusively that organisational ethics, accountability, openness and transparency are essential elements in the fight against corruption. The embedding of these features must be rooted in carefully planned and implemented policies to modify behaviour and bring about positive change in organisational culture to ensure the practice of good governance. The actions of key figures within an institution – for example, their attitude, leadership, management skills, experience and know-how – are critical to the success of policies aimed at pushing out corruption (Woods and Mantzaris 2012:112-123).

This is where the role of teaching and training in ethics, ethical behaviour and the systems and components that support ethical organisations come into consideration.

Public service accountability, ethics and Kohlberg's theory of moral development

Hejka-Ekins (1988:885) correctly asserted that Woodrow Wilson's politico-administrative dichotomy gave the illusion of a value-neutral public servant who was removed from "substantive value judgments resulting in a chronic neglect of the ethical foundations of the field and the absence of a coherent system of ethical standards to ground the administrative role". The rise in the discretionary powers of public servants post-World War II increased concerns over public service ethics and was given further emphasis through the rationale of New Public Administration. The ethical and professional legitimacy of public servants thus has, over the years, been largely associated with the extent to which they are able to perform and be accountable. This is considered a critical part of reinforcing democracy and ensuring good governance within a country. There is, however, a growing concern amongst academics that a lack of ethics amongst public servants is the cause of large-scale corruption within South Africa, despite extensive legislative frameworks that guide the actions and activities of public administrators (Mantzaris 2018:277).

We draw here upon Kohlberg's theory, which defines three stages of morality, each split into two sub-levels, giving a total of six sub-levels. Stage one, "pre-conventional morality", consists of: i) the "obedience and punishment orientation" where the "authority" sets fixed rules that ought to be strictly obeyed and morality is something "outside the individual"; and ii) the "self-interest" level, which is related to individualism and exchange, and involves recognition that there is not simply one correct view

determined by the authority, but rather different opinions, attitudes and ideas amongst different individuals.

Stage two, “conventional morality”, begins with iii) “good interpersonal relations” – the level at which young children start relating morality to their own relations with family, community and society, and come to see themselves as carriers of good feelings and honesty, able to live a life guided by good motives. The next level within stage two refers to iv) “maintaining the social order”, when there is a turn towards society as a whole. The individual comes to understand the societal rules and regulations associated with the legal system that must be obeyed, coupled with respect towards authority. This helps to maintain the social order and is achieved through honest and law-abiding behaviour.

Stage three, “post-conventional morality”, begins with v) the “social contract and individual rights”, whereby people wish to live in a well-functioning society, even in cases where this might not necessarily be a “good society”, as the examples of Germany’s National Socialism and Russia’s authoritarian Communism have conclusively shown. In this context, a “good society” refers to the social contract, under which most people work for the “common good” despite the existence of economic, political or social differences. The “societal balance” in this instance is based on the existence of basic rights, such as freedom and respect for human life, fair and honest laws, and democracy.

The second level of post-conventional morality is couched in terms of vi) “universal principles” according to which people, through the protection of human rights and the activation and maintenance of democratic processes, work towards the realisation of a “good society” that is based on the moral/ethical theories of philosophers such as Kant or Rawls (Crain 1985; Rest, Barnett, Bebeau, Deemer, Getz, Moon, Spickelmeier, Thoma, and Volker 1986; Rest, Narvaez, Bebeau, and Thoma 1999).

Within this context, it should be noted that Kohlberg’s theory has not been immune to criticism, especially with respect to its methodological omissions (Rest et al. 1986; Rest et al. 1999). However, it is used here because of the significance of its focus on moral development in a psychological Piagetian paradigm that resonates with what has been called the “public sociology of ethics” (Mantzaris 2013). Kohlberg’s understanding and analysis of moral thinking has opened (or re-opened) significant debates that have been raging for decades and that continue even today, albeit without the intensity of the past.

This important contribution cannot be understood or implemented without a clear understanding of ethics.

Ethics

Menzel (1997:11) notes that “to act ethically has been at the core of modern public administration ever since Woodrow Wilson issued his call for a “civil service cultured and self-sufficient enough to act with sense and vigour”. For Wilson, public servants are required to act in two complementary ways, namely, competently and responsibly. Within this perspective, Menzel (1997:11) suggests that an incompetent public servant is as unethical as an irresponsible one. The responsibility of preparing public servants to be competent and responsible within South Africa lies in the hands of higher education institutions. Menzel (1997b:224) notes that the idea of “getting the job done right meant for all practical purposes doing what was right or ethical”. For Stillman (1991), this meant being efficient, economic and effective.

In an age of governance, public administrators are increasingly being called upon to analyse the normative and ethical implications of the decisions that they take. According to Pickus (2002:10), “it has become increasingly clear that the model of bureaucratic obedience and rationality that formerly characterised public administration has reached its limits. Ethical criteria are now as relevant to the decision-making of policy experts and administrative elites as they are to individuals serving in a more purely political capacity”.

Professional ethics

Josephson (1989:2) described ethics as a “system or code of conduct based upon universal moral duties and obligations which indicate how one should behave; it deals with the ability to distinguish good from evil, right from wrong and propriety from impropriety”. Within this perspective, professional ethics thus provides a system of behaviour and norms governing how individuals ought to respond in various situations. Within public administration, public servants are guided by professional ethics and by citizens who interpret situations and make judgments based upon their personal ethics. The debates regarding the similarities and differences between personal and professional ethics continue, but within today’s challenging and multi-faceted societies these need to be set in their appropriate context. Personal ethics are the values, behaviours, attitudes and

actions of an individual shaped by socialisation, culture, history and traditions that determine his/her codes of conduct. In this context, it has been widely accepted that family-based, educational and cultural socialisation are builders of respect, honest behaviour, responsibility, zest for knowledge and commitment. Such virtues or personal ethics have positive behavioural effects in a professional situation (Waibl and Herdina 1997:17).

Professional ethics, on the other hand, essentially refers to the organisational codes of conduct upon which ethical and moral values and principles are rooted, and which each and every employee is obligated to respect and obey (Chadwick 1997:24). Adherence to professional ethics is based on the employee's obligation to the public, because he/she must follow the dictates of the ethical code of conduct as the foundation of a solidly built and maintained professional environment, based on discipline, honesty, accountability and mutual respect. In such a setting, confidentiality, fairness, transparency and proficiency are considered key elements of ethical governance (Almond 1996:12).

It is understood that both private and public sector organisations are governed by laws, rules, regulations, policies and procedures intended to ensure that leaders, managers and senior members, as well as everyone else in the entity, acts with the utmost integrity, objectivity and independence. All activities are thus guided by ethical codes of conduct that set up processes and procedures that can be assessed and monitored by specifically designated sections and leaders whose key responsibility is to ensure the implementation of and compliance with these policies and procedures meets the prescribed ethical standards.

Public Administration ethics

Goss (1996:594) calls for a “congruency” between the ethical values of citizens, politicians and public servants if successful public administration is to be achieved. Public administration ethics cannot be visualised without planning and implementing a well-structured ethics management policy and programme epitomised by a code of ethics. It should be understood that a “code of ethics” cannot guarantee ethical behaviour unless the existing relationships within an organisation are determined by moral supervisory practices, appropriate leadership and managerial behaviour, and the existence of steady internal and external forces and influences. Such forces include the political, social and economic environments and the relationships amongst stakeholders and role players (Richter and Burke 2007:67). Such relations are determined, to a large extent, by attitudes and

behaviours among leaders and decision-makers that lead to the erosion of power-struggle dynamics within the internal decision-making structure, and that underline the degree to which employees bear moral responsibilities (McDonald and Nijhof 1999:140–141). There is no possibility for ethical behaviour to exist within an organisation without a commensurate awareness of ethical issues, their dimensions, processes and outcomes. Awareness is the root of responsibility and accountability on the part of individuals. It is cemented by ethical reasoning, which leads to ethical consciousness coupled with the acquisition of appropriate knowledge and skills. This is the foundation upon which ethical action can take place without fear or favour (Hoffman 1994). Ethics programmes and codes of conduct cannot be operationally functional without a set of well-defined indicators and systems that are designed around a formal decision-making process that identifies duties, responsibilities and directives, resources, information, equipment and timeframes. The lack or absence of resources can negatively impact on the ability to act ethically (McDonald and Nijhof 1999:141).

Public administrative leaders are the prime implementers of existing laws, policies, rules and regulations, bearing key responsibility for the promotion of ethical behaviour. It is for them to set a living example by maintaining high moral and ethical standards and embodying the organisational code of ethics. This “living document” is not only the foundation of implementing ethical employment conditions, but an issue of “transformed living” (Frey 2004:19). Leaders are under an obligation to enhance professionalism and ethics in the working environment through addressing ethical dilemmas on an on-going basis and responding systematically to those breaches of ethics which do arise. It is also their responsibility to establish administrative processes and identify roles that facilitate the management of professional ethics, as well as to provide for the continuous assessment and evaluation of ethics and ethical behaviour within their organisation (Icheku 2011:32).

The creation of an ethics committee in conjunction with an ombudsperson, especially in the public sector, can be instrumental in planning, designing and implementing an ethics management programme. The committee’s roles might include training on policies and procedures, and the resolution of ethical dilemmas (Woods and Mantzaris 2012). Ethics are crucial for public administration because they are both the basis of and are determined by public trust. This means that public-sector leaders, managers and employees have a responsibility to citizens and the government to be honest,

accountable, respectful and loyal to the people and the laws, rules and regulations, and to abide by all ethical principles above private gain.

Ethical behaviour, when recognised by the citizens, creates and sustains complete confidence, trust and respect in the integrity of the administration. This can only be realised when employees maintain the highest standards of integrity in their dealings with citizens and communities, stakeholders and role-players, civil society, the private sector and other government officials (Chadwick 1997). Public ethics related to high standards of professionalism, coupled with impartial, fair and equitable service, are thus expected by communities and governments. These elements lead to the honest and transparent utilisation of resources in an efficient and effective way, as well as to the enhancement of public participation at all societal levels.

Ethics in South Africa

With the introduction of codes of conduct and an overall commitment by the executive to reduce the levels of ethical violation, moral reform is necessary within the public service. Research has shown that the existence of a code of conduct does not guarantee that public servants will be familiar with its contents or adhere to them (Mackay 2007; Mle 2012).

A number of researchers over the years have written that there are four main principles of public administration within South Africa: the Constitution and authority of Parliament, the values of society, the laws and the Batho Pele Principles that form the foundation of the country's democracy and of developmental and sustainable service delivery (Mafunisa 2002; Mackay 2007; Matshiqi 2007; Kanyane 2014).

The 1996 Constitution of the Republic of South Africa contains clear guidelines within which the government can determine its policies. It also sets out how public sector administration should be conducted. Chapter 10 of the Constitution states that public administration must be governed by the democratic values and principles contained in the Constitution, including: promoting and maintaining professional ethics; promoting the efficient and effective utilization of resources; development-oriented public administration; providing services impartially, fairly and equitably; responding to people's needs by encouraging participation in policymaking; obtaining accountable public administration; and promoting transparency by proving the public with timely, accessible and accurate information.

Within the context of public administration internationally and in South Africa, values refer to “what is fundamentally good and desirable, that individuals hold on to as a guide through their lives”. Values include elements of reasonableness and fairness, balance, truth, justice, thoroughness and efficiency (Mafunisa 2002; Mackay 2007; Matshiqi 2007; Kanyane 2014).

The Constitution of South Africa is supplemented by the Public Service Regulations (2001), Chapter 4 Part VII on Ethics and Conduct, the Municipal Systems Act (Act 56 of 2003) which, as an addendum, contains an outline of a code deemed appropriate for all local government bodies, the Public Finance Management Act and the Municipal Finance Management Act. This code stipulates that there must be mandatory ethical management in all government institutions, with accounting officers being given special responsibilities to this end.

Public ethics are a key characteristic of the Batho Pele (People First) principles. One of these principles is consultation, which can take a wide variety of forms, such as meetings with community groups, wards committees, non-governmental and non-profit organisations; research amongst communities on the key elements of service delivery needed; interviews with individual users; consultations with groups; and meetings with religious, cultural and other representative bodies (Kanyane 2014).

Setting service standards is the cornerstone of establishing benchmarks to constantly monitor the extent to which communities and other societal stakeholders are satisfied with the services and products they receive from government departments. As an equal member of BRICS and the developing nations, South Africa is setting high standards and objectives when it comes to being globally competitive and benchmarking to internationally accepted standards.

Increasing access to basic human rights such as shelter/housing, water, electricity and sanitation has been one cornerstone of development, as epitomised in the National Development Plan (NDP), the new developmental path to 2030. Batho Pele’s key objective is systematic, accountable, transparent and efficient service delivery that will rectify historical inequalities in the distribution of existing services.

Ensuring courtesy requires empathy, consideration and respect towards citizens, as well as continuous, honest and transparent communication with them about services, products, information and problems. This is directly

related to the continuous provision of information regarding all facets of planned and/or implemented service delivery.

Redress emphasises a need to quickly and accurately identify when services are falling below the anticipated standards and to maintain procedures to rectify the situation. This should be done at the individual transactional level with the public, as well as at the organisational level, in relation to the entire service delivery programme. There is always an opportunity to encourage and welcome complaints as a means to improve services, and to deal with them such that any weaknesses in the system can be remedied quickly.

Openness and transparency ensure that citizens know how their government, its layers and agencies operate, how well the available resources are being utilised, and who is in charge.

Value-for-money means that resources are spent ethically, transparently and accountably and citizens are aware of the way they are utilised (Woods and Mantzaris 2012).

Teaching ethics

Menzel, when referring to teaching ethics in US universities in the 1990s, argued that “colleges and universities have moved forward with courses and programs aimed at ensuring that we do not produce ‘a new generation of leaders who are ethically illiterate at best or dangerously adrift and morally misguided at worst’” (Menzel 1997:518). Within a context of increased calls for public servants to be ethical, this holds true for those institutions that feel the need to rise to the challenge. It is important to note at this stage that the idea of incorporating ethics into public administration curricula is not aimed at prescribing a set of moral truths, but at providing a platform where students are able to engage in discussions over ethical issues that are complex and perhaps challenge their traditions, culture and religious precepts. As a result, the aim is to challenge students to think differently about the ethical issues they may encounter.

Why adopt ethics into Public Administration courses in South Africa?

Mafunisa (2008:81) notes that public servants “occupy a position of trust in society and [that] the promotion of the public interest is therefore their first priority”. According to a PricewaterhouseCoopers Report (2014:4) “Bribery and corruption has been the fastest growing economic crime

category in South Africa since 2011". Kuye et al. (2002:196) argue that "the training of public officials and political office-bearers [can] promote ethical and responsible conduct because these functionaries could then be informed what they should do to ensure that their conduct is ethical". Clapper (1999:381) notes that in the pursuit of an ethical public administration that is informed by discretion, morality and virtue, the teaching of public servants must be combined with leadership and a complimentary ethics structure.

Menzel (1997:517), when investigating ethics courses via a survey of representatives of the USA's National Association of Schools of Public Affairs and Administration (NASPAA), concluded that there is a "positive outcome in reinforcing, not changing, students' basic value systems". Ethics curricula cannot deny the vital significance of the theoretical foundations of the concept, but the myriad problems and challenges facing states and societies equally mean that such an initiative can only succeed through the marriage of theory and practice. This approach can be based on the understanding that a platform of intellectual and material unity, moving from Kohlberg's research-based generalities to more specific explorations, will be rooted in the history and the future of social sciences.

This means that teaching ethics can only be fruitful when existing theoretical paradigms are tested in relation to past or existing human and power relationships, cultures and traditions. Fundamentally, then, there cannot be an adequate or comprehensive ethics training that is divorced from serious critical engagement with international, continental, regional or national policy and practice, or with the particularities of local circumstances. An ethics course can only be successful if it combines – through an understanding of societal ethics and values and their relationship to context – the essence and alternatives of agency and structure.

Methodology

The empirical component of this chapter is based on an analysis of the curricula of five higher education institutions in South Africa offering Public Administration, in an attempt to determine the extent to which they incorporate ethics into their curricula. Further data was obtained from existing secondary sources, along with telephone interviews with academic and research staff at five South African universities and the government-run school of government.

The overall aim of the empirical section of the chapter is to comment on the extent to which higher education institutions are able to prepare students, through their academic qualification, for a career in public service.

Findings, challenges and the way forward

All five universities offer undergraduate and postgraduate programmes in Public Administration, together with a range of other training programmes and/or short courses in Public Administration. One institution offers a fully-fledged module on Public Sector Ethics at undergraduate level, the other institutions offer ethics as a focus area in the course content of specific modules.

The authors are of the view that ethics education is a necessity, given the range of challenges relating to bad governance, corruption and service delivery that abound in South Africa. Hence, it can be deduced that ethics should be taught more widely and comprehensively as a key module at both undergraduate and postgraduate levels. Furthermore, ethics education is straddled across several disciplines, thus requiring a multi-disciplinary approach. Innovation can be introduced to the teaching process by bringing on board experts from a range of professions – such as lawyers, theologians, sociologists, and psychologists – to help teach the relevant modules.

Teaching ethics should no doubt be about improving behaviour, not simply improving reasoning. For the effect of teaching ethics in South Africa to be assessed, research into the impact of the learning is necessary. It is felt that given the national, continental and international situations, it is important for ethics to become a compulsory and wide-ranging part of the Public Administration curriculum both in South Africa and globally.

A holistic curriculum such as this would be most likely structured around the following key themes:

Theories of Ethics and Moral Dilemmas

This course aims to develop an understanding of human relations as they revolve around both the micro- (between individuals) and macro- (between professionals and society) ethical dimensions of individual and social/professional responsibility and codes of conduct.

The knowledge acquired is embedded by inculcating a comprehensive understanding of various theories on ethics, enabling students to compare various ethical codes with respect to moral theory and moral dilemmas in individual, societal, professional and human relations.

The objective of the course is to know and understand non-consequentialist/deontological theories, consequentialist/utilitarian theories, virtue theory and care theory, and to comprehend their relationship to moral theory, morality and moral dilemmas (Callahan 1988; Davis and Stark 2001; Pritchard 2000).

National Ethics, Global Ethics, Human Rights and Accountability

This course's key objective is to introduce students to the combined normative and empirical approaches to international justice, organisations and processes. Hence the key aims of the course are:

- to apply normative and empirical approaches to international justice, organisations and processes, by analysing global political institutions and policies and their relationship with human rights and accountability;
- to be able to understand the relevance of the concepts of policy and how it is implemented, such as the economic, social and political benefits of good governance, and the need for codes of ethics for politicians and businesses, which have been high on the agenda of organisations such as the World Bank, the World Health Organisation and the UN as well as many multinational corporations (Kaufmann and Kraay 2008; Lee 2010; Menzel 2005).

Ethics and Professional Practice

The aim of this course is to introduce the origins, influences and impact of ethical thought on people's professional and personal lives. The objectives of the course are:

- to inculcate the skills and practice frameworks necessary to enable individuals to perform ethically within the work environment;
- to teach students how to identify, analyse and respond appropriately to a variety of ethical dilemmas and challenges which might arise within a work setting;
- to familiarise students with the relevant codes of ethics and models of ethical decision-making (Allen and Bunting 2008; Blackburn and

McGhee 2004; Markovits 2011; McDowell 2000; Oakley and Dean Cocking 2001; Pettifor and Paquet 2002; Rowson 2006).

Governance Problems in the Private and Public Sectors

The main aim of this course is to develop an understanding of corruption and its causes, such that graduates will know what to do about it and how to do it.

This will involve more than simply conveying a body of knowledge against which students are then tested at the end of the course. The exercise also requires that a basis for the practical skills referred to above has been effectively developed and incorporated. Any examination at the end of the course would need to demonstrate that students have fully absorbed these practical skills and can apply them in real-world situations.

The objective of the course is to understand corruption, its consequences and ways to fight it (Davis and Stark 2001; Pritchard 2000; Hussmann et al. 2009; Kaufman 2005; Kaufmann et al. 2007; Sparrow 2000; UNDP 2008; UNDP 2009a; UNDP 2009b).

Conclusion

Focusing on the thematic issues raised in the chapter, it is clear that South Africa must push ahead with ethics education, and this must be seen as a moral obligation against the backdrop of fulfilling its constitutional mandates. Furthermore, universities are strategically placed to make a difference, since education means the process of gaining knowledge, inculcating forms of proper conduct and acquiring technical competence. Tackling corruption involves instilling values and principles in the next generation, and demands the development of the relevant skills along with the achievement of individuals' physical, mental and social development. Resources must be made available for universities to ensure the successful implementation of ethics courses into the curricula. Given the above responsibilities, the centrality of ethics management and the importance of promoting a culture of ethics cannot be overemphasised.

References

- Allen, C. and Bunting, R. 2008. A global standard for professional ethics: Cross-border business concerns. *Journal of Accountancy*, 205(5), May.
- Almond, B. 1996. Applied ethics. In T. Mautner, *The Penguin Dictionary of Philosophy*. United States of America: Penguin.
- Beck, L., Montfort, v A. and Twijnstra, A. 2010. Can Integrity be Learned? The Effectiveness of Integrity Training Programs for Municipal Officials. Amsterdam University: VU University Press.
- Blackburn, M. and McGhee, P. 2004. Talking virtue: Professionalism in business and virtue ethics global virtue. *Ethics Review* 5(4): 90 – 122.
- Callahan, J. 1988. *Ethical issues in professional life*. New York: Oxford University Press.
- Chadwick, R. F. 1997. *Encyclopaedia of applied ethics*. London: Academic Press.
- Catron, B. L. and Denhardt, K. G. 1987. Teaching ethics, teaching ethically. *City Almanac* 20: 32–35.
- Clapper, V. 1999. On seeing the Promised Land: Prospects for public sector right-doing. *Journal of Public Administration* 34(8): 380–381.
- Crain, W. C. 1985. *Theories of development* (2nd revised edition). New York: Prentice-Hall.
- Davis, M. and Stark, A. M. (eds). 2001. *Conflict of interest in the professions*. United States of America: Oxford University Press.
- Frederickson, H. G. 1999. Dwight Waldo and education for public administration. *Journal of Public Affairs Education* 1: 5–11.
- Frey, R. G. 2004. *A companion to applied ethics*. London: Blackwell.
- Goss, R. P. 1996. A distinct public administration ethics? *Journal of Public Administration Research and Theory* 6(4): 573–597.
- Hejka-Ekins, A. P. 1988. Teaching ethics in public administration. *Public Administration Review* 48: 885–891.
- Hoffman, W. M. 1995. *A blueprint for corporate ethical development in business ethics: Readings and cases in corporate morality* (3rd edition). New York: McGraw-Hill.
- Husmann, K., Hechler H. and Penailillo, M. 2009. *Institutional arrangements for corruption prevention: Considerations for the implementation of the United Nations Convention against Corruption*. Article 6, Issue 2009:4 U4 Anti-Corruption Resource Centre.
- Icheku, V. 2011. *Understanding ethics and ethical decision-making*. Bloomington: Xlibris Corporation Press.

- Kanyane, M. 2014. Exploring challenges of municipal service delivery in South Africa. *Africa's Public Service Delivery and Performance Review* 2(1): 90–110.
- Kaufman, D. 2005. Myths and realities of governance and Corruption. In, *Global Competitiveness Report 2005–06*, World Economic Forum, October.
- Kaufmann, D., Kraay, A. and Mastruzzi, M. 2007. Measuring corruption: myths and realities. In, *Transparency International Global Corruption Report 2007*, Cambridge University Press Cambridge. 318–323.
- Kaufmann, D. and Kraay, A. 2008. Governance Indicators: Where are we, where should we be going? *World Bank Research Observer* 23:1–30.
- Kuye, J. O., Thornhill, C., Fourie, D. J., Brynard, P. A., Crous, M., Mafunisa, M. J., Roux, N. L., Van Dijk, H. G. and Van Rooyen, E. J. 2002. *Critical perspectives on Public Administration: Issues for consideration*. Sandown: Heinemann Publishers.
- LaFollette, H. 2002. *Ethics in practice* (2nd edition). London: Blackwell Publishing.
- Lee, D. and Lee, E. 2010. *Human rights and the ethics of globalization*. Cambridge: Cambridge University Press.
- Mackay, K. 2007. *How to build monitoring and evaluation systems to support better government*. Washington, DC: World Bank.
- Mafunisa, M. J. 2002. *Critical perspectives on public administration: Issues for consideration*. Cape Town: Heinemann Publishers (Pty) Ltd.
- Mafunisa, M. J. 2008. The role of codes of conduct in promoting ethical conduct in the South African public service. *South African Journal of Labour Relations* 32(1): 81–92.
- Mantzaris, E. A. 2013. Towards a sociology of ethics: A South African case study. Keynote Address, International Conference on Local Government, Livingstone, Zambia.
- Mantzaris, E. A. 2018. Towards an evidence-based corruption index in South Africa: The first step. *African Journal of Public Affairs* 10(4): 271–294.
- Markovits, D. A. 2011. *Modern legal ethics: Adversary advocacy in a democratic age*. United States of America: Princeton University Press.
- Matshiqi, A. 2007. Public service performance: Towards a better life for all. *Policy: Issues and Actors* 20(5):1–21, Feb.
- McDonald, G. and Nijhof, A. 1999. Beyond codes of ethics: an integrated framework for stimulating morally responsible behaviour in organisations. *Leadership and Organization, Development Journal* 25(1):133–146.