# The public sociology of ethics, corruption and public administration

## A South African case study

**P Pillay**
School of Public Leadership
Stellenbosch University

## ABSTRACT

*This article examines the relationship between the public sociology of ethics, public administration and corruption. The significance of public sociology in understanding ethics, ethical dilemmas and possible solutions in the municipal sphere is explored by articulating the relationships between different areas of knowledge created through social science research and public administration realities, as exemplified in a South African municipal case study.*

*In this context, the relationships between human behavioural elements and the concomitant psychological and sociological considerations in public administration are important, because the reality is that, despite the fact South Africa has abundant anti-corruption legislation and institutions, the plague of corruption is increasing. Hence, the article provides a number of steps to creating and implementing an ethical code that can make a positive difference to municipalities and other state institutions, and that can serve as a shield against corrupt practices. These steps are rooted in ethical awareness, ethical reasoning and consciousness, the development of skills combined with practice, and decisive ethical action.*

## INTRODUCTION

A great deal has been written about the nature and causes of corruption, especially in the last 20 years, although the enormous threat posed by corruption to private and public sector institutions and indeed to the economies and people of every country in the world was only really recognised in the 1980s. The general sense of alarm has since grown in proportion to the mounting number of reported cases of corruption and the accompanying realisation of the consequences this abuse has on the general well-being of a society. This in turn has led to anxious speculation on how deeply embedded and pervasive the problem might

become to any country which does not do what is necessary to curb the growing tendency to corruption.

This article deals with the significance of public sociology in understanding ethics, ethical dilemmas and possible solutions to corruption in the municipal sphere. In this context, it is important to recognise a range of different areas of knowledge created through social science research dealing with the human behavioural element and therefore with psychological and sociological considerations.

Experience has shown that to build on and benefit from this established knowledge, additional research and analysis need to be undertaken on the specific environment in which corruption is known to take place (for example, the public sector of a particular country). Such studies provide an important situational context, and can enhance the existing knowledge on corruption that is applied, and therefore assists in identifying the fuller causal picture of the existing realities in the struggle to distinguish between ethical and unethical behaviour and their consequences.

## A PUBLIC SOCIOLOGY OF ETHICS –
## ITS SIGNIFICANCE FOR LOCAL GOVERNMENT

Since its inception, the Anti-Corruption Centre for Education and Research of Stellenbosch University (ACCERUS), attached to the School of Public Leadership at the University of Stellenbosch, has advocated the view that research on corruption should be based on a comprehensive understanding of the societal forces and dynamics at the root of the phenomenon. This approach is based on the belief that a public sociology that relates theory, practice and research is a key to dissecting all or most aspects, dynamics and processes of corruption, and can be instrumental in the struggle to eliminate corruption.

Most lay people see ethics as an abstract philosophical concept associated mainly with Aristotle and the many scholars who followed his precepts throughout the centuries. However, the widespread challenges facing society and modern states with regard to unmitigated corruption in both the public and the private spheres today require us to look at the material and societal roots of a public sociology of ethics. The seminal contribution by Haimes (2002) on what the social sciences can contribute to the study of ethics emphasises and exemplifies the importance of empirical research in a comprehensive, general or specific study and the understanding of ethics as a sociological/ social phenomenon. The existing theoretical assertions with regard to the interdisciplinary relationships between anthropology, psychology and indigenous knowledge systems need to be supplemented with understandings of the nature, possibilities and limits of real-life collaborations between intellectual and cultural traditions. In this sense, the deep understanding of public sociology in respect of ethics needs to focus research on often complicated, multi-variable, competing, complementary, and fused relationships. There is an urgent need to open up and expand these relationships and our knowledge of them. This is the best way to build a critical engagement with policy and practice. Moreover, it will open up other routes for further analysis, and it will expand our horizons on ethics, and the struggle against corruption.

In her vastly underrated book *Love's knowledge*, Nussbaum (1990) writes that practical rationality is necessitated by three ineradicable features of the situated character of human action, and the values that direct it, namely

- *mutability*, which implies that much of social life involves having to confront novel actions by using the skills of improvisation and flexibility, combined with perceptiveness;
- *indefiniteness*, which means that individual actions cannot be grasped separately from their surrounding circumstances; and
- *particularity*, which is rooted in the distinctiveness of individual persons and the history of their relationships.

Sociology holds that accountable actions are rooted in social circumstances and that these actions can be determined by a thorough analysis of human conduct and the values that direct it. Sociology by its very nature is obligated to dissect *situational ethics*, and *relationships of power*. Ethics cannot be thoroughly understood without an appropriate comprehension of the social, historical and organisational contexts directly connected to "the particular, the deep, concrete detail [in which] genuinely important interrelationships are expressed" (Flyvbjerg 2001:111).

Flyvbjerg's (2001:111–114) argument on crucial intervention points to the concrete relationship of sociology with ethics and values, placing power at the core of analysis, ways of studying and interpreting relationships, pinpointing the significance of the *detail*, looking at *practice before discourse*, emphasising the studying of cases and contexts, by asking *how*, joining agency and structure, and encouraging dialogue amongst a multiplicity of alternatives. This multi layered focus provides a clear sense of the common but contested terrain of a sociology of ethics.

The study of the relationship between the individual and the collective as determinants of action(s) generates knowledge leading to policies and day-to-day planning and implementation. Such processes lead to a deeper understanding of how individuals are able to separate the right from the wrong courses of action in specific social and organisational contexts. Abstract assertions of the relationship between social realities, ethics and social or organisational structures can only be concretised through scientific research. In this study of human and organisational study and analysis, the key issue is prioritising particulars rather than theoretical abstraction, as Garfinkel (2002) and Rawls (2001, 2002:20-21) have shown, pointing out the significance of the concrete details of social practice. The analysis of *generic features* of social institutions and assertions of the socio-historical circumstances which are said to condition them cannot be separated from the actions and background of the individual and his/her positioning within the organisation and in society. The concern with universal necessity is thus accompanied by serious attention to the particularities of specific human conduct.

Michael Burawoy's 2004 Presidential Address on Public Sociology to the American Sociological Association (Burawoy 2005) critically outlines the ethical and material challenges facing humanity, the interconnection of politico-moral debates, the ethical realities within which they are framed, and the social and public policies which instantiate their resolution. The significant initiative suggested by Burawoy was dissected and debated extensively in a special issue of the prestigious *British Journal of Sociology* (2005), which

looked at the complicated relationships between different kinds of empirical research and the formulation, implementation and evaluation of public policy (see, for example, the article by Ericson 2005, cited below).

Public sociology is the link between scientific traditions and institutional formations that researches and shapes contemporary professional ethical discourse. Ethics and ethical analysis are an urgent necessity in policy formulation and implementation because of their significance in uncovering individual or collective acts by actors operating in specific local or organisational environments. Such analysis generates research-based knowledge rooted in this approach to produce a clear understanding of ethics, values and interests within given environments.

Policymakers and practitioners can only move forward in the struggle against corruption by consciously engaging in empirically and normatively informed debates, and by making decisions that shape existing practices, functions, structures and realities. It is in this way that public sociology becomes a practical, intellectual activity aimed at clarifying the problems, risks and possibilities faced by humans and societies, and at contributing to social and political praxis (Flyvbjerg 2001:4). This activity is a fundamental aspect of ethical governance. Hence also Ericson's (2005:367) belief that, from its origins, sociology has always been used to contribute to governmental programmes of security, well-being, prosperity and self-governance, and has accepted its close relation to ethics, which he aptly calls "principled courses of action", and believes to be accurate in its intellectual basis. This is because the discipline deals with factual, structural, historical and moral assessments of social life. All these relationships become more evident in the process of knowledge production.

Corruption and a lack of ethical behaviour are rife in South Africa, despite the government's efforts to promulgate solid, far-reaching and progressive anti-corruption legislation, as discussed below.

## SOUTH AFRICAN ANTI-CORRUPTION LEGISLATION

Over the years, the South African government has signed all international conventions, agreements and protocols opposing corruption, such as the United Nations Convention against Corruption, the Southern African Development Community's Protocol against Corruption, the African Union's Convention on Preventing and Combating Corruption, and the Organisation for Economic Co-operation and Development's Convention on Bribery of Foreign Public Officials in International Business Transactions (Woods and Mantzaris 2012).

South Africa has some of the most comprehensive anti-corruption legislation in the world, including the *Prevention of Organised Crime Act,* 121 of 1998 (RSA 1998), the *Promotion of Access to Information Act,* 2 of 2000 (RSA 2000a), the *Promotion of Administrative Justice Act,* 3 of 2000 (RSA 2000b), the *Protected Disclosure Act,* 26 of 2000 (RSA 2000d), commonly known as the Whistle-blowing Act, the *Financial Intelligence Centre Act,* 38 of 2001(RSA 2001b), and the *Prevention and Combating of Corrupt Activities Act,* 12 of 2004 (RSA 2004), in addition to various international laws. There are also the stipulations of the Revised Public Service Integrity Management Framework, the Public Service Anti-Corruption Strategy, the Public Service Charter, the *Charter for the Public Service in Africa* of 5 February

2001 (RSA 2001c), the *Public Services Act,* 103 of 1994 (RSA 1994), the *Municipal Finance Management Act,* 56 of 2003 (RSA 2003), the *Code of Conduct for the Public Service* (RSA, PSC 1999), the *Code of Good Conduct for Supply Chain Management Practitioners* (RSA National Treasury 2003), the *Financial Disclosure Framework* (RSA, PSC 2009), and the *Asset Register for Accounting Officers* (RSA National Treasury n.d.).

Institutions such as the Financial Intelligence Centre, the South African Police Service, the Anti-Corruption Task Team, the Multi-Agency Working Group on Procurement, the Special Investigating Unit, the National Prosecuting Authority, the Specialised Commercial Crimes Courts, and the Asset Forfeiture Unit investigate corruption.

Other collective organs against corruption are the National Anti-Corruption Forum, the Inter-Ministerial Committee on Corruption, the Auditor-General, the Public Service Commission, government departments, the Public Protector, the National Public Service Anti-Corruption Hotline System (0800 701 701), the Anti-Corruption Coordinating Committee and the Public Service Anti-Corruption Forum (Woods and Mantzaris 2012).


## CORRUPTION IN SOUTH AFRICA – A BRIEF NOTE ON A VOLCANO

Transparency International's corruption perception index for 2012 lists South Africa at number 69. That means that the country has fallen 31 places in the past 11 years, and was ranked behind Ghana, Namibia, Rwanda and Lesotho in 2012 (Transparency International 2012). By contrast, it was ranked 38th out of 91 countries in the 2001 survey (Transparency International 2012).

Currently, the Public Protector and the Special Investigating Unit are tasked with dealing with what has been described as a mountain of corruption proclamations on their table. The Auditor-General (2012) found multiple irregularities in the 2012 inspection of the accounts of state entities, which suggest that government employees have generally given a lukewarm response to initiatives to curb public sector corruption. Moreover, the President has failed to appoint the head of the Special Investigating Unit permanently (Gernetsky and Hartley 2012).

Early in 2012, the country's Public Protector, speaking about the state of corruption in South Africa, commented that corruption is endemic in the country, both in the public and private sectors, and that if it is not dealt with decisively, corruption will not only have an impact on good governance, but has the potential to distort South Africa's economy and ultimately derail democracy. She described corruption as a cancer afflicting the body; hence it has to be isolated in order for the country to be saved from death or disability. She added that corruption with impunity must be brought to an end (Madonsela 2012).

The country's Minister of Economic Development, Ebrahim Patel, has stated that corruption in the government and the private sector was "destroying the moral fabric of society and indicated that urgent action and exposure was needed to defeat it" (cited in *Al Qalam* 2012:3). He called on his audience to become instrumental in fighting corruption and ensured them that government was fighting hard to eliminate it (*Al Qalam* 2012:3).

Finally, the ANC's General Secretary G. Mantashe, at a public meeting, said that societal values have shifted from "revolutionary morality to material ownership" (cited in Hartley

2010:n.p). He ended his speech by stating: "Serving our people, not monetary accrual, is the definition of success" (cited in Hartley 2010:n.p.). In his most recent moral campaign against corruption, Mantashe said that the ANC needs selfless members who are prepared to fight corruption and nepotism. Corruption is against the ANC's moral values (Mkokeli 2013:n.p.).

Plaut and Holden's (2012) well-researched exposé on who rules South Africa is a detailed treatise on contemporary politics and corruption amongst the elites and sections of the middle class and state bureaucracy. They dedicate a chapter to crime, corruption and connections, revealing the names of a number of well-known ANC leaders involved in corruption, including the case of mining magnate Brett Kebble's assisted suicide, which is covered in several other books too (Sergeant 2010, 2012; Wiener 2011). They also attempt to measure (unsuccessfully) the *scale of corruption*, and consider the now customary corruption tirade on President Zuma and his family, and local municipalities (Plaut and Holden 2012:294-297). However, despite its importance in disseminating encyclopaedic knowledge on instances of corruption, this significant text largely sidesteps theoretical discussion, and a consideration of causal and social causes and repercussions. In the same vein, but even more journalistic in nature, is Basson's (2012) book *Zuma exposed* – Zuma's personal and political history are largely a matter of public record and reverberate throughout the book.

Having examined the legislation and provided a brief introduction on corruption in South Africa, a case study is presented below.

## A CASE STUDY – THE ETHEKWINI MUNICIPALITY

In 2010, the reputable audit firm Ngubane and Associates produced a 750-page forensic audit report commissioned by the eThekwini Municipality, but it was read by only a handful of people. Another forensic report by Manase and Associates was ordered by the Provincial Minister of KwaZulu-Natal, Ms Nomsa Dube. The probe was commissioned by the provincial Department of Co-operative Governance and Traditional Affairs after the Auditor-General's Report of 2010/2011 and subsequent allegations of widespread maladministration, corruption and fraud at the municipality (Mbanjwa 2012:4).

In March 2012, Manase and Associates produced a voluminous report. The report has been read only by the eThekwini City councillors of all parties, who took an oath of absolute secrecy. The report finally became public only in June 2013.

The key findings of the Manase report were the following (Dube 2013):

- Top officials identified in the report included the City Treasurer and the Deputy City managers responsible for infrastructure. The Head of Housing at the municipality, and his deputy, are also implicated in the report. In addition, ten councillors had companies which conducted business with the municipality in contravention of the *Code of Conduct for Councillors* and the *Municipal Systems Act,* 32 of 2000 (Dube 2013:4).
- There was serious non-compliance with the Supply Chain Management regulations, resulting in irregular expenditure of more than R2 billion in the preceding three financial years. In the top echelons of the hierarchy, the City Treasurer and the former

municipal manager did not take all the reasonable steps required to prevent irregular expenditure (Dube 2013:6–12).

- In addition, the Municipal Manager contravened the *Prevention and Combating of Corrupt Activities Act,* 12 of 2004 by not reporting fraudulent and corrupt activities contained in the Ngubane report to the South African Police Service early enough (he only reported the matter two years later). This prejudiced the municipality by R1,1 million. He also contravened the *Municipal Finance Management Act,* 56 of 2003 by failing to report irregular expenditure in writing to the mayor, the Member of the Executive Council (MEC) and the Auditor-General (Dube 2013:13).
- The Deputy City Manager responsible for infrastructure and the Head of Housing did not comply with Supply Chain Management policies and failed to exercise due care.
- Seven contracts of senior managers reporting directly to the City Manager were not renewed but they continued to be employed at the municipality in contravention of Section 57 of *Municipal Systems Act,* Act 32 of 2000 and therefore any remuneration paid to these managers could be irregular (Dube 2013:27).
- At the lower levels, 161 municipal employees were doing business with the municipality. The Auditor-General identified 38 of these and the Manase report identified the remaining 123 (Dube 2013:17–18).
- There was irregular appointment of employees, and some of the suitably qualified and experienced employees were overlooked for appointments and promotions.
- At least 14 metro officers are taxi owners, with fines ranging from R5 000 to R117 000 (Dube 2013:18), and there is some substance to allegations that 30 metro police officers purchased their driving licences (Dube 2013:18).
- Three contractors involved in the R24 million Westrich Housing Rehabilitation Programme were issued with appointment letters even before they had submitted appropriate documents. There were also serious irregularities in the multi-million rand Burbreeze and Hammonds Farm housing developments (Dube 2013:13–17).

The Report recommended (Mbanjwa 2012:4) that a comprehensive forensic investigation be instituted into each of the irregular contracts to identify and discipline officials implicated in these, the municipality recover irregular expenditure in terms of section 32(2) of the *Municipal Finance Management Act,* 56 of 2003, the waste volume reduction tender process be restarted, disciplinary action be taken against employees with interests in companies doing business with the municipality, an investigation be instituted into claims of abuse of overtime payments, action be taken against the Deputy Head of Applications and Projects in relation to an irregular appointment of a senior manager, and the legal department be involved in all the agreements signed on behalf of the municipality to ensure that the interests of the municipality are protected.

Forensic reports generally deal with laws, processes, systems and functions within a municipality. In respect of ethics in the context of public sociology, these reports raise concern about and reveal dishonest or illegal behaviour; pinpoint individuals or groups of individuals in unethical and dishonest acts; identify people who seek gains for personal reasons, usually for reasons of self-interest or self-enrichment; concern an organisational and sometimes an intra-organisational setting; concern public assets, including goods

and monies; material need and greed (and other human inclinations); reveal low ethical standards; expose opportunities to commit fraud and corruption; and indicate where there is a low risk of being found out and low consequences if people are found out.

Ethics is a human process and a reality, so there are various ways, structures and means that can promote and enhance ethics within local government. The setting up of this process is described in the next section.

## PROMOTING AND ENHANCING ETHICS IN LOCAL GOVERNMENT

The theoretical and conceptual aspects of ethics in a municipal environment would be an empty cypher if there is no practical blueprint on designing, introducing and managing both an ethics management policy and programme, and a code of ethics. This section explores such a blueprint, relying heavily on the work of Woods and Mantzaris (2012).

Hoffman's (1994) seminal work recognises three levels of ethical behaviour. He argues that organisations need to strive to reach a situation where all staff can be considered ethical leaders. The first level is *ethical awareness*. At this level one must be aware of ethical issues before looking at different situations from an ethical perspective. Individuals and organisations must make some effort, and must assume responsibility and accountability to provide an opportunity for people's ethical awareness to increase. The second tier of the pyramid is *ethical reasoning.* At this level, one might be conscious of an ethical dilemma, but might still make a bad decision because of a lack of the skills required for thinking through the issues. The development of skills combined with practice in using the skills is necessary to support ethical reasoning. The third step in the pyramid is *ethical action.* This refers to acting on what one knows to be right. Many things can prevent that action from taking place, such as fear of other forces (for example, peer pressure, or fear of losing a job) and their consequences.

According to Richter and Burke (2007:67), empirical research has shown that organisational variables influence the ethical behaviour of employees. These variables include top management and supervisory philosophies, managerial behaviour, the organisation's reward and reinforcement systems, and the job itself. External forces can also influence ethical behaviour within organisations. These forces include a decay in political, social and cultural institutions, competitive pressures, volatile economic conditions, resource scarcity and pressure from stakeholders. These forces seem to be particularly relevant in the eThekwini case.

The behaviour of decision-makers is arguably the most important of these variables. If the decision-makers of the organisation do not "approve and support responsible behaviour, despite the official norms of the organisation, it becomes increasingly difficult for these decision-makers to act upon their own belief of what is viewed as moral behaviour" (McDonald and Nijhof, 1999:140). Another factor that influences ethical decisions at the organisational level is the official distribution of tasks, authorities and responsibilities and the official agreements on the process of decision-making" (McDonald and Nijhof 1999:140). Each organisation has an internal decision-making structure that consists of a power structure and the organisation's "decision recognition rules" (McDonald and Nijhof 1999:141). This

internal decision structure influences "the degree to which employees can bear moral responsibilities" (McDonald and Nijhof 1999:141).

For this reason, McDonald and Nijhof (1999:141) believe that an ethics programme must be "designed around a formal decision-making process". The final organisational factor is the distribution of resources. McDonald and Nijhof (1999:141) distinguish between different types of resources, namely information, money, existing equipment and time. A lack or absence of resources can have a negative impact on the ability to act ethically.

Managers in the municipal sector have a special responsibility towards promoting good ethical behaviour, both generally and from an anti-corruption perspective. Public sector managers should at least set a good example by consistently and actively demonstrating their maintenance of high and uncompromised ethical standards on a daily basis, and in this way they should "set the tone from the top". Managers should make visible the documented "Code of Ethics"; make the code a condition of employment; adapt, where necessary, the code to their particular organisation; and make ethics a living issue by circulating messages and promoting ethical behaviour regarding its importance to all concerned (Woods and Mantzaris 2012:131) .

The legislation will be useless if the *Constitution of South Africa,* 108 of 1996 (RSA 1996) is not implemented – supplemented by the *Public Service Regulations* ( RSA 2001b), chapter 4 part VII on Ethics and Conduct, the *Local Government: Municipal Finance Management Act,* 56 of 2003 (RSA 2003), which has an addendum that contains an outline of a code deemed appropriate for all local government bodies, and stipulates mandatory ethical management in all government institutions, and gives the accounting officers special responsibility to this end.

Enhancing professionalism and ethics in a municipal environment means that an ethics management programme is adopted to address and make decisions on ethical dilemmas on an on-going basis as they arise, to codify and constantly update a body of decisions and knowledge on dealing with ethical issues, to enhance awareness of ethical issues on an on-going basis, and to be able to respond systematically to those breaches of ethics which do arise.

An ethics management programme establishes the roles of different public officials to manage ethics, provides a sound schedule for on-going assessment of ethics requirements, establishes required operating values and behaviours, aligns the organisation's behaviour with operating values, develops awareness and sensitivity to ethical issues, attempts to facilitate integration of ethical guidelines to decision making, provides a structured mechanism to resolving ethical dilemmas, facilitates on-going evaluation and updates to the programme, and helps convince the organisation's employees that attention to ethics is a valuable exercise (RSA 1999).

The roles and responsibilities in an ethics management programme demand that most senior managers fully support the programme; establish an ethics committee at the council level; create an ethics management committee comprised of senior officials and charged with implementing and administrating an ethics management programme, including training on policies and procedures, and resolving ethical dilemmas; consider assigning and developing an ethics officer; consider establishing an ombudsperson; and ensure that *one* person is ultimately responsible for managing the ethics management programme (RSA 2009).

The following guidelines are useful in the implementation of an ethics management programme (Woods and Mantzaris 2012:197-200):

- it needs to be understood that managing ethics in the workplace is a process;
- the ethics management programme of a municipality must seek to accomplish preferred behaviours in the workplace;
- municipal institutions can handle ethical dilemmas best by preventing their occurrence;
- group decision-making and public announcements are appropriate and usually produce better quality decisions when they include diverse interests and perspectives, increasing the credibility of the decision process and outcomes by reducing suspicion of unfair bias;
- local management leadership should endeavour to integrate ethics management with other management practices such as stakeholder consultation;
- organisation cross-functional teams are appropriate for developing and implementing the ethics management programme; and
- municipal institutions should appreciate the fact that trying to operate ethically and making mistakes is better than attempting to avoid the issues.

The first task of an Ethics Management Programme should be to agree on a Code of Ethical Conduct. A code of ethics that spells out ethical conduct is the foundation for any effective fraud prevention programme, because such codes, if they are well-written, can have a significant effect on that part of the human psyche that tries to rationalise dishonest behaviour. Codes of conduct must make sure that all participants and employees know what is allowed, what the consequences of dishonesty are for internal parties and for external parties, and what their responsibilities are in respect of maintaining high standards of ethics (Woods and Mantzaris 2012:199).

According to Woods and Mantzaris (2012:200), it should be made clear that there are no innocent bystanders: merely refusing to participate does not relieve an individual of the responsibility to report it; having knowledge and not reporting this can also have serious consequences; and failure to supervise with care and diligence will be punished. All reports received will be logged and seriously evaluated and acted upon.

The purpose of a code of ethics is to safeguard the members of the organisation against abuse, to describe the moral authority for actions necessary to function professionally, to prevent unacceptable moral behaviour, to define acceptable behaviour, to promote high standards of work performance, to provide a benchmark for members to use for self-evaluation, to set a framework for professional behaviour and responsibilities and to be a vehicle by which society identifies members of the organisation (Woods and Mantzaris 2012:199).

According to Woods and Mantzaris (2012:201), the code should ideally recognise that most members of staff are honest and want to work within the rules by doing the right things. Prevention is better than cure, so a code of ethics is for everyone, including the honest, rather than just the dishonest individuals. Moreover, a code of ethics does not regulate morality, it regulates conflicts between public duties and personal interests. Therefore, it must be understandable and plausible, and it must be tailored to advance the vision and goals of an organisation and its people. Furthermore, it must level the employment playing field and

thereby enhance efficiency, and it must encourage law-abiding citizens to seek employment with public organisations (Woods and Mantzaris 2012:201). This can be done by using the code to provide guidance and reassurance to citizens that public servants act in the public interest at all times. External stakeholders have a stake in the work of an organisation and should have a chance to participate in ensuring high ethical conduct and governance in the public sector institution (Woods and Mantzaris 2012:199).

The section below is extracted and summarised in part from the Local Government Sector Education and Training Authority (LGSETA) publication *Principles of ethics and financial governance in municipalities* in Woods and Mantzaris's (2012) *Anti-corruption reader,* produced for ACCERUS. The code of ethics should guarantee compliance with internal policies and procedures, as well as compliance with external laws and regulations, and should take its direction from organisational values and individual values. In particular, a Code of Ethics must address some very specific issues in addition to the more generic ones listed above. The following are some of the most common issues addressed by typical codes of ethics: equal opportunity, sexual harassment, diversity, privacy and confidentiality, conflicts of interest, gifts and gratuities, employee health and safety.

Once a code of ethics has been approved, the organisation has to put mechanisms in place to verify the observance of the code of ethics and to make it known both within and outside the municipal organisation. This is all part of the implementation process. However, implementation is not a once-off event, because the code has to be constantly monitored and maintained and compliance must be promoted to prevent that the code slides into disuse. Management has to take responsibility for developing a corporate culture around the principles, values and standards which are enshrined in the code of ethics – to the extent that this culture in itself provides for compliance with the code. This means that the matter must be placed high on management's agenda and that management is compelled to plan accordingly.

Planning which properly introduces the code and thereafter promotes compliance with it can adopt many possible strategies, instruments (tools) and tactics. There should also be a set of internal initiatives which relate to actions taken within the organisation, and a further set of initiatives which involve the external role players and the public (LGSETA 2006 cited in Woods and Mantzaris 2012).

Internal initiatives to achieve ethical compliance include ethical auditing activities, that is, the analysis and evaluation of the process of controlling ethical risks aimed at promoting the continuous improvement of ethical behaviour; a review of the organisation's policies and procedures that have a significant impact on the organisation's ethics; the institution of an information channel through which violations of the code of ethics can be reported; the appointment of ethics officers who are tasked with creating innovative ethics training formats, and setting up ethics help lines; ongoing evaluations/audits of ethical performance, with rewards and sanctions; and the creation of a board ethics and/or corporate responsibility committees (Woods and Mantzaris 2012:197).

External initiatives to achieve high ethical compliance can be achieved by creating public awareness through education, discouraging tolerance of unethical acts and challenging the unacceptable belief that corruption is a normal and unavoidable reality of life. To develop and carry through programmes and projects that target anti-corruption initiatives, public empowerment should take precedence. Key external initiatives include communicating with

the public what behaviour they should expect from public officials – as well as what type of behaviour is expected from the public. This would obviously include channels through which members of the public can engage with the municipality on ethical issues and report unethical behaviour. All violations or suspected violations of the code of ethics can be submitted to the committees established to deal with ethics. These committees must act in such a way as to protect any person who reports any government department action which could be construed as victimization (LGSETA 2006 cited in Woods and Mantzaris 2012:198).

A holistic approach to enhancing public awareness around ethical issues in service delivery by public organisations involves providing ethics education in schools and higher institutions; teaching the public that it is their duty to identify corruption and turn in corrupt officials; encouraging reporting of unethical practices to the media; encouraging public speaking and debate presentations on corruption; creating local organisations with grassroots membership whose aim is to identify corrupt practices and report perpetrators; developing a source book that stipulates guidelines and methods citizens can use to fight corruption; holding regular meetings and inviting the public to attend; identifying "heroes" and rewarding them for their brave actions and recruiting well-known and respected citizens to get involved as role models, attend events and do commercials on radio and television (LGSETA cited in Mantzaris and Woods 2012:199).

Punishment and accountability programmes tend to promote ethical standards and help the fight against unethical behaviour. Such programmes, usually based on national legislative frameworks, can be used to send a clear signal against corruption by punishing perpetrators. It is important to punish both the briber and the bribed, to punish high and low officials equally, to empower supervisors to enforce discipline and punish bad behaviour, to apply penalties that are in proportion to the misdeed, to publicise acts of corruption to shame those found to be corrupt, and to criminalise a wide range of corrupt acts.


## CONCLUSION

Organisational ethics has now been developed to the point where it is considered to be a management discipline. This development has been necessitated by the realisation that an unethical organisation will ultimately pay a high price, usually both in reputation and financial terms, if it does not ensure adherence to acceptable ethical standards. It is appreciated that the wider community is also directly affected by the presence of unethical organisations in its midst.

The formalising of this management discipline has become known as having an ethics management programme, which in broad terms involves identifying and prioritising values so as to guide behaviours in the organisation and from this to establish policies and procedures which help ensure that those behaviours are practised.

As with all programmes, it is important that an ethics programme be continuously evaluated. For it to be successful, evaluation should be seen as a process of systematically and objectively assessing the value of what has been done by the organisation in implementing its ethics management programme. Evaluation examines the relevance, efficiency, effectiveness, impact and sustainability of what various role players do to give effect to an approved ethics programme.

Good evaluation of an ethics management programme entails involving a broad range of stakeholders to ensure the independence of the process, as well as the accuracy and completeness of the conclusions, recommendations and lessons learned. Evaluation can also be used to gauge if an ethics management programme as designed ensures that employees' perceptions of ethics are understood, and whether senior managers have acquired the necessary skills to train fellow employees on ethics in their respective offices, in addition to reviewing employee's capabilities in making ethical decisions through enhanced ethics programme implementation capacities.

The initiatives presented in this article can be described as a first major step in solving problems such as those identified in this article.

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