

Ethics in South African public administration: a critical review

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Abstract

Commissions, for example, Zondo and Mokgoro, have revealed that public administration in South Africa is in a dilemma, because unethical and corrupt acts manifests among public office bearers. This scourge impedes government departments capacity to render public services effectively and efficiently. South African public administration is confronted by multiple obstacles such as the lack of transparency, accountability and efficiency. Government public procurement systems have become a breeding ground for corruption and maladministration. This article argues that a central neglected factor is failure to adhere to sound ethical conduct in the execution of public duties despite numerous government training and development initiatives in this regard in the public sector. Arguably, the new dispensation under the current leadership of President Ramaphosa needs to overhaul the functioning of public organisation, implement sound whistle blowing mechanisms to inhibit corruption and encourage public managers to observe good ethical conduct when serving the public. The implications of this study, therefore, accentuate good principles of governance which includes transparency, accountability and ethics, which are the key determinants for effective public service delivery.

Keywords: ethics, public administration, good governance, public sector

Biographical notes

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1 Introduction

Globally, governments are campaigning to uphold ethics because both politicians and public officials struggle to conduct themselves ethically to demonstrate integrity and honesty. Across many disciplines such as Philosophy, Law, Public Administration and Politics, ethics has been a complex

area of study because its applicability depends on the context in which one intends to narrate (Amundsen et al., 2009). Effective Public Administration in South Africa is inhibited by corruption, unethical conduct, abuse of authority, as well as bad governance and general mismanagement (Mazibuko and Fourie, 2017). Organisational ethics is fundamental to achieve organisational efficiency, effectiveness and growth. Moreover, many public and private organisations have rules and regulations which comprise ethical values. Adhering to ethics is a constitutional mandate in South Africa as stipulated in Chapter 10 of the Constitution of 1996 as well as the Batho Pele Principles. Van der Waldt and Du Toit (1997, p.43) contend that ethics serves as a set of guidelines for good conduct, while Tsebe (2011, p.9) posits that every public service employee has a role to play to respect government and maintain confidence in its institutions. Drawing from this constitutional background, this article discusses the significance of ethics in public sector organisations in South Africa and assesses the current ethical dilemma. Furthermore, this article also endeavours to address the following questions:

- What is the essence of ethics in South Africa's public institutions?
- How does South Africa's public officials' ethical leadership relate to service delivery?
- What ethical challenges face the South African public sector?
- What probable recommendations can be provided to establish sound ethical conduct in the South African public sector?

This article is structured as follows: after the introduction, the second section discusses the adopted research methodology. The third section conceptualises ethics in the discipline, Public Administration followed by an overview of the policy framework which governs ethics in the South African public sector. The fifth section discusses ethical conduct in the South African public sector, followed by a discussion on service delivery and ethical leadership. The seventh section provides an analysis of ethical challenges faced by the South African public sector, while Section 8 provides conclusions to the study, followed by scope for future research and practical implications of the study.

2 Research methodology

This article adopted the qualitative descriptive desktop approach with the aid of document analysis to invoke meaning of the underlying factors, views and motivation to help identify and clarify the essence of ethics, ethical conduct and its related challenges faced by the South African public sector. The approach followed the objectivism philosophy, that is, the social phenomena has an existence which is independent of social actors. It responds to the questions related to reality [Bryman and Bell, (2011), p.11]. As such the article is based on unobtrusive research techniques, which allows for the studies participants' social behaviour, eliminate researcher bias or the manipulation of study objects [Auriacombe, (2016), p.6]. Unobtrusive assessment relies on secondary data in the public domain [Auriacombe, (2016), p.6]. This study relied on unobtrusive data collection by way of a literature and documentary analysis, including unsolicited public documents, for example, Auditor-General (AG) Reports and legislative documents to discuss the framework underpinning South Africa's public sector ethics; progress documents, to gather information on ethical conduct in the South African public sector; and assessment reports and articles, to evaluate the extent of ethical challenges in the South African public sector.

Unobtrusive techniques are analysed conceptually, historically, in context and comparatively [Auriacombe, (2016), pp.7–11]. The conceptual and content analyses were utilised in the study to disclose the major themes related to the research problem. Conceptual and content analysis provides rich, detailed information on elements that could not be gathered through other data-gathering methods, such as surveys, because most of these are limited in scope [Webb and Auriacombe, (2006), p.592].

3 Conceptualisation of ethics

According to Lawton (1999, p.299), ethics is defined as “a set of principles, often defined as a code or systems that act as a guide to conduct”. Singer (2011) reiterates that ethics must be viewed as

universal concepts at the core of human existence which entails the notions of good and which is inherent in all communities. For Andrews, as cited in Van der Waldt and Du Toit (1997, p.40), ethics are standards that guide the actions and behaviour of public managers. Derived from the Greek word *ethos*, ethics originally encompassed customs which is clearly understood in its context to imply right conduct or the right set of belief. In certain circumstances, ethics and morals can overlap depending on what society seeks to achieve. Roman, Greek, German together with other African cultures are in unison that acts which contradict the shared customs and attitudes of a country are prone to be disapproved of. Due to the heterogeneous cultures in South Africa, ethics can be a complex phenomenon. Lewis (1991, p.3) states that ethics underscores more on doing what is wrong or right, good or bad, improper or proper. These definitions usually judge human behaviour.

The above definitions endeavoured to provide insight into the concept ethics. Therefore, it can be concluded that ethics in Public Administration is reflective and judgmental of human conduct, particularly the way public officials execute their tasks. Furthermore, ethics holds public officials accountable for their actions because violation of ethical principles is inconsistent with an organisation's code of conduct.

The definition of ethics in good governance differs according to what a scholar intends to prove. According to Walter (2009), ethics focuses on the observance of humanity. When public officials act ethically, they are witnesses to what positively distinguishes humans – which is the need to respect our integrity. Freakley and Burgh (2000), as cited by Cranston et al. (2003, p.1), remark that ethics is “about what we ought to do”, not about the self in isolation. Cranston et al. (2003, p.1) further articulate that public officials need to act ethically or make an ethical judgment in response to a situation or problem which may have arisen in their conduct during the execution of functions and duties. This relates to issues of service delivery and performance management of other employees, especially those at the managerial level. Public officials, when faced with ethical dilemmas, need to act rationally in decision-making which will not harm any other party (Cranston et al., 2003). Sindane (2009, p.500) maintains that ethics in the public sector is normative which symbolises an opportunity to segregate from amongst present courses of action based on the interpretation of shared values prevalent in ongoing institutional practice and a large form of communal life.

In Public Administration (both as a field of study and as a discipline), the concept ‘ethics’ is difficult to define. Since there is no universal definition of the concept scholars tend to define it according to what they want the term to imply or present. However, to simplify the matter, ethics can be viewed as an integral part of public administration which focuses on how public officials conduct their work. Analysts often argue that ethics corresponds to accountability. However, it is difficult to administer accountability in the current public administration in South Africa given the accelerating rate of corruption in public organisations [Radhika, (2012), p.28].

Ethics in South Africa speaks to good governance among the three spheres of government (national, provincial and local) which are dependent on the social-political and economic, cultural and historical contexts of the country. Such factors impact on the administrative systems in the public sector. The important role of ethics is to equip administrators with a code to execute their public duties in a transparent and accountable manner and thereby observe and adhere thereto. For this discussion, ethics should be regarded as a system of accepted beliefs, values and morals that influences human behaviour. In that sense, ethics is the study of what is morally right or wrong. Rosenbloom and Kravchuk (2005) argue that public administrators should be the guardians of ethics as well as honour and respect the code to enhance the smooth running of public organisations. It is against this background this discussion seeks to caution public administrators against indulging in corrupt activities for personal gain. All accountability mechanisms need to be observed and thereby ensure sound ethical conduct.

In public administration, ethics has proven not to be just a concept but also an approach which is sustainable and an important area of study (Cooper, 2001). As stated by Radhika (2012, p.23), there are complex issues in public administration with regard to the implementation of ethics. These issues

relate primarily to the conduct of public officials in their organisations. According to Sorensen (2002, 2006), the clarity between public administration and ethics is problematic despite several types of research which have been conducted to specify how the concept should be implemented in the public sector. Cooper (2004) concludes that public administration should transform so that public officials can acknowledge the significance of ethics as well as ensure a thriving organisation.

In the South African public sector, ethics is important to drive service delivery or public goods and services. Radhika (2012, p.24) asserts that ethics is promoted by values which entail efficiency and maximisation of inputs and outputs in public sector organisations. The delivery of services involves the concept of reciprocity, collectivity and criteria of judgment. Ethics is an integral part of the public market to deliver services to communities. Consequently, public officials need to observe ethics by taking cognisance of the public's needs and deliver accordingly.

In the public sector, ethics is significant because it generates trust and accountability, which are necessary elements to enhance good governance. Sindane (2011) argues that trust (though it is not assumed by public officials) strengthens the relationship between different departments in public organisations and between public managers. This can have a positive impact on the public employees' performance. Furthermore, trust reveals the existence of ethics which is the glue that holds public leadership together to improve service delivery in communities. Ethics through trust establishes a conducive working environment among different types of leadership within an organisation. This discussion infers that sound ethical conduct in the public sector corresponds to good governance which is required for organisational growth and service delivery at large.

Disoloane (2010) states that in South Africa, ethics and good governance are fundamental principles which can expose the accountability, integrity, effectiveness and efficiency of public sector organisations in service delivery to communities. Holtzhausen (2007, p.136) challenges the legislators and policymakers to take a leading and innovative role in exercising accountability to the public and thereby limit corruption. Rasheed (1995, pp.12–14) concurs that in the public sector, it is akin to an uphill task to enforce the code of conduct among public officials. In that case, other employees should be included in the implementation and formulation stages of the code so that they grasp the meaning and significance of observing ethics in the employees conduct.

Rasheed (1995) states that in the public sector, the alarming levels at which ethics is being neglected has produced economic challenges. For example, in developing countries, donor agencies fund governments. However, their efforts are frustrated by fraud and financial mismanagement in government departments. The lack of a clear accountability mechanism has compromised effective service delivery to communities. The author recommends that governments as well as the private sector are held accountable to both the donor agencies and the communities they serve.

4 South African ethics legislative framework

The Public Service Act 103 of 1994 is a legal framework which guides public officials to conform to sound ethical standards in their execution of public duties. Auriacombe (2005, p.221) states that this legislative framework promotes high standards of ethical behaviour and it further entails the procedures which should be followed when dealing with ineffective and inefficient public officials. The Public Service Regulations of (1999) must be considered the vital legal provision relevant to how public officials behave when executing their public duties. Holtzhausen (2007, p.72) observes that Section 20 of this Act speaks to misconduct. It is a prime example of the government's efforts to reduce corruption and mismanagement of public entities through legislation. They argue that Section 21 of the Act also condemns misconduct of public authorities and the consequence of such actions is clearly stipulated. Hence, any misconduct will be severely punished according to the law.

Another framework which informs the observance of ethics in Public Administration is the Public Audit Act 25 of 2004. This piece of legislation mandates the Office of the AG to operate independently from the government's direct rule. It should be highlighted that article 46 of the Act does not allow any employer or employee to be active in party

politics which can affect the autonomy of the Office of the AG. However, this does not involve attending a public gathering in one's personal or private capacity. Furthermore, article 41 requires all public officials working for the Office of the AG to decline unauthorised payments since receiving these would imply that payments would be deducted from their salaries. Du Plessis (1993, p.244) states that such monies can be retrieved from the institution where it was deposited. Overall, this framework summarises the ethical conduct expected of public officials in the Office of the AG.

To enhance the delivery of services in an efficient and accountable manner, the South African government implemented the Public Finance Management Act 1 of 1999 (PFMA). This legislative framework speaks to sound ethical conduct by public officials who manage municipal funds. The PFMA; Municipal Financial Management Act 56 of 2003 (MFMA); Treasury Regulations for departments, constitutional institutions and trading entities; and the Provincial Tax Regulations Act, 2001 requires selected public officials to disclose their financial interests to avoid bias or corruption in financial-related deals within the municipalities. Furthermore, Section 2 of the PFMA requires honesty, accountability and transparency to ensure sound management of public expenditure in revenues, liabilities and assets. The realisation of sound financial management assists to limit corruption in the public sector.

As the supreme law of the land, the Constitution of South Africa of 1996 (hereafter the Constitution) provides ethical guidelines which public officials need to adhere to in the execution of the public mandate. Chapter 10 of the Constitution stipulates the values and principles that should be implemented in South African Public Administration. The principles are enshrined on Section 195(1) of the Constitution, which stipulates that Public Administration must be governed by democratic values and principles which encompass principles such as:

- a high level of professional ethics that needs to be promoted and sustained
- efficient and strategic as well as efficient use of resources that must be sustained
- public administration must be development-oriented
- services must be delivered impartially, equally and without bias
- people's needs must be addressed and the public must be invited to participate in policy-making
- public administration must be accountable
- transparency must be engendered by providing timely, accessible and accurate information to the public
- good human resource management and career development practices must be developed to maximise human capacity
- public administration must be generally representative of the South African people with job and personnel management practices focused on capability, objectivity and the need to address past imbalances in order to achieve inclusion and representation (Constitution of South Africa, 1996).

These legal imperatives, if implemented properly, can help limit ethical dilemmas which confront Public Administration in democratic South Africa.

5 Ethical conduct in the South African public sector

The cases of corruption which dominated the Zondo and Mkogoro Commissions signify the extent to which unethical conduct was experienced in South African Public Administration. Of significance is the Gupta family corruption scandal, involving the former President Jacob Zuma and several members of the cabinet. This pointed to the abuse of ethics (February, 2019). Although the hearing was disputed and all parties denied wrongdoing, researchers and commentators could not turn a blind eye as the media across the country portrayed this as 'state capture'. In his study, Disoloane (2010, p.436) affirms that in their execution of public duties, officials should uphold sound ethical conduct which is essential to enhance public service delivery in a developmental state.

In South African Public Administration, public officials have a critical role to execute the developmental mandate of the public service. Menyah (2010) underscores public accountability which requires officials to report to their superiors and the public. As good stewards of the people, when exercising their roles, public officials can implement discretionary powers in terms of policymaking to ensure every action they undertake benefits the citizenry (Thornhill, 2012). Public officials are privileged to access both private and public information of government actions which they should utilise responsibly to enhance the lives of the citizenry and protect their rights towards democratic development. The ethical dilemma emerges when public officials fail to strike a balance between their work and personal interest when executing public duties (Mollo, 2010). Ethics, therefore, plays a crucial watchdog role to ensure that public officials do not deviate from the primary mandate of serving the public in a transparent and accountable manner. Distinguishing between what is right and wrong is the prerogative of public officials in discharging public duties. Having such a clear demarcation and understanding of their roles helps public administration flourish in South Africa for the benefit of the citizens who are the end-users of public goods and services. It should be noted that in Public Administration, ethics represents good governance which every public organisation in South Africa should boldly strive towards. Upholding ethics is fundamental for public office bearers because this is consistent with section 195 of the Constitution. The following constitutional requirements allow public officials to execute public duties in a legitimate, honest and accountable manner.

Sebola (2014, p.995) postulates that upholding ethics in Public Administration conforms with the African Union Charter on the values and principles of Public Administration, popularly known as the 2001 Charter by public administrators and researchers. He argues that ethics promotes political neutrality, professionalism and effective policy implementation. Upholding ethics promotes fair working conditions, limits the probability of corruption, as well as ensure that public officials respect ethical principles and guidelines in the delivery of goods and services (Thornhill, 2012). In many developing countries, ethics is enforced through the unsilenced voices of non-state actors who are in the business of lobbying the government to enhance the functioning of public administration. Mantzaris (2017, p.125) argues that the political-administrative disputes are rampant in South African municipalities and triggers poor service delivery in communities. Although politicians are involved in policymaking, their ethical conduct is often questionable, for example, interference in the functioning of local government is rife. This results in long-term tensions which disrupt public service delivery and promotes unethical and corrupt practices. The battle for accountability in this instance is prevalent as political office bearers behave as supremacists, especially towards political, social and public accountabilities. The researchers argue in this paper that upholding ethics in public administration requires both politicians and elected office bearers to find common ground and observe the code of conduct in their distinct workplaces. This is crucial to promote an efficient public administration capable of serving the citizens. Political infighting has proven disastrous for many government departments. For example, the City of Tshwane Metropolitan Municipality (Pretoria) was placed under administration due to in-fighting when several political representatives no longer attended municipal meetings. This resulted in unconstitutional disruptions (SA News, 2020). However, the City of Tshwane challenged this decision and the matter has since been dismissed by the North Gauteng High Court (SA News, 2020).

Complying with the recommendations of AG in Public Administration in South Africa has persistently proven to be a challenge due to lack of political will and poor observance of ethics governing the public service (Kanyane et al., 2013). Although Chapter 10 of the Constitution of South Africa (1996) stipulates that Public Administration should be of “high standard of professionalism and ethics must be promoted and maintained”; the clause is good on paper but in practice, little has been done to overhaul the functioning of Public Administration. For example, AG Reports between 2010 and 2018 reveal the declining state of government departments. In 2018, AG Kimu Makwetu lamented:

“When we released the 2011-12 municipal audit outcomes in August 2013, we highlighted, amongst others, a lack of decisive leadership to address the lack of accountability by ensuring consequences against those who flouted basic processes that hampered effective municipal governance. We reported

weaknesses in internal control and the risks that needed attention in local government by providing root causes for audit findings and recommendations to remedy these underlying causes. It is now five years later, and we are still faced with the same accountability and governance challenges we had flagged throughout these years. There has been no significant positive change towards credible results; instead, we are witnessing a reversal in audit outcomes.”

His statement came at a time when public institutions in South Africa were (and still are) grappling with corruption that result from poor internal control systems and the lack of compliance with the recommendation of the AG. To limit high levels of ethical misconduct in Public Administration, Manyaka and Sebola (2013, p.75) recommend ethical training which they perceive as a panacea for the public service. They suggested that South Africa is home to several institutions of higher learning which can be outsourced to help train public officials in ethics. However, government servants are often against the idea because they accuse institutions of being too ‘academic’ rather than practical. Nevertheless, the researchers hold that ethical training in public administration helps increase the level of awareness of the challenges public officials create by not upholding sound ethical conduct. Not only does ethics teach public officials how to behave, it further capacitates them to be ethical, well-mannered, respectful and professional public office bearers to inculcate integrity and shun unethical practises (bribes, fraud, corruption, for example) and execute their mandate honestly.

6 Service delivery and ethical leadership in South Africa

Upholding sound ethical leadership in South African Public Administration has not been an easy task due to prevailing corruption and political interference in public organisations. In a study conducted by Chene (2012, p.2), it was revealed that public officials in South African local government are often caught on the wrong side of the law – guilty of fraud, corruption and money laundering which inhibits the effective delivery of public goods and services. Local municipalities in South Africa are confronted by undue influence of political authority which disrupts the decision-making processes. The rampant clashes between the mayoral office and municipal manager affect public service delivery adversely, which delays policymaking or disbursal of funds. The State of Local Government Report (2009a), including the Local Government Turnaround Strategy (2009b), reflects that political tensions have been the prime cause of poor performance and unethical leadership in service delivery across many municipalities in South Africa. Furthermore, unethical leadership has been widely observed as a stumbling block to development because powerful government officials often divert resources from development initiatives which contribute negatively towards poverty, underdevelopment and inequality (Department of Public Service and Administration, 2003). The moral decadence in Public Administration has reached unprecedented levels thereby creating bureaucratic inefficiencies, because corruption increases without effective internal controls. Communities across South Africa have been protesting poor service delivery in local municipalities which explains the weak ethical thread when officials who discharge services are not doing their jobs properly and ethically or are being incapacitated by eternal forces such as political interference. It should be noted that in South Africa, it is generally difficult to divorce service delivery from political interference. To examine this hypothesis, an example can be utilised of many local municipalities which render services effectively depending on which political party is in power. The level of support public office bearers may receive from the political office determines the level of service delivery to communities. Instances of leadership disputes result in citizens being denied services because no ethical obligations are implemented to ensure that end-users who are citizens are provided for, that is, value of their money, as stated in the Batho Pele Doctrine. Basheka (2008, p.381) argues that although local municipalities in South Africa are positioned as the closest sphere to the people, their capacity to render services is constrained by the lack of accountability and corruption of scarce government resources.

To improve the delivery of services through ethical leadership, the National Treasury developed reporting templates for provincial treasuries to enhance accountability, monitoring and evaluation of the entire supply chain management system. These efforts were developed to inhibit public sector corruption, particularly in procurement system (Ambe and Badenhorst-Weiss, 2012). Therefore, it is argued that South African Public Administration has taken greater strides in promoting ethical leadership in the three spheres (national, provincial and local) of government. However, a vacuum

exists in terms of skills to implement the legal imperatives to guide sound ethical conduct. This calls for ethical leadership that can drive change, transform the functions of the public institutions within the confines of the law and render quality basic services to the public, who are the consumers of government services.

7 Ethical challenges in South African public administration

This section analyses the challenges faced by South African public officials in the execution of their duties. These challenges are drawn from various peer-reviewed articles and documents from South African Public Administration.

7.1 Ineffective control systems

The abuse of ethics in Public Administration can be attributed to many factors which include the lack of goodwill to render quality services, corruption and weakness of internal controls. Whenever public officials perceive a loophole, either in the policy framework or code of conduct, they may be tempted to bridge such a gap. The weak control systems that are not enforced trigger corruption. Madonsela's (2010) presentation at the Nigerian Conference focused on the state of corruption in the South African public sector. She lamented over the corruption that has fast become the root cause of poor service delivery in communities. Van de Merwe (2006, p.32) argues that "effective anti-corruption measures should consider both the nature and causes of public sector corruption". This statement corroborates Madonsela's (2010) view when she suggested that anti-corruption measures should be implemented to inhibit corruption. Kroukamp (2006, p.208) explains that in South Africa, the causes of corruption and abuse of ethics is contextual, which makes it more difficult to provide a meaningful account of its causes; given the biased political environment. In most instances, political corruption dominates which is often difficult to control because systems are manipulated for personal gain.

7.2 Lack of transparency

Upholding sound ethical conduct in Public Administration requires public officials to exercise transparency in the execution of public duties. Transparency and accountability are the backbones of any successful public organisation. Document analysis revealed that Public Administration in South Africa is consumed with heavy bureaucracy in top management which impedes the transparency of how a decision has been made; for example, procurement processes. An audit opinion from the AG (2018) revealed that five municipalities in Limpopo Province regressed, showing signs of complacency with an unqualified financial statement. Underperformance was observed and poor performers with high levels of transgressions suffered no consequences. Poor accountability was also experienced with regard to infrastructure development and financial management, which all had adverse effects on service delivery. Similarly, the lack of accountability trends was witnessed in the Eastern Cape where seven municipalities regressed by failing to account for their supply chain management. The AG (2018) lamented over the infrastructural projects that were not delivered due to poor planning and project management. To make matters worse, the irregular expenditure of R13, 558 billion (which accounts for 48% of total irregular expenditure) was incurred in Eastern Cape municipalities in that year. These figures demonstrate the lack of accountability and sound ethical conduct in local municipalities.

Van Der Waldt and du Toit (2007, p.49) further confirm that unethical conduct and corruption in public administration can largely be explained as a result of inadequate internal control and the lack of accountability, which results in dishonesty and unethical actions being taken by public officials in their public duties. Although many government departments in South Africa offer performance appraisals and bonuses for the job well done, this does not inhibit corruption and other unethical practices (Pillay, 2004). This is simply considered human nature – to have more at the expense of the poor. In this paper, it is argued that improved transparency and openness of how public departments spend public money would increase citizen's trust and produce effective delivery of services.

7.3 Unauthorised expenditure

The extensive literature review revealed gross mismanagement of state resources, which is a growing challenge that needs an urgent address. In Public Administration, Moeti (2014, p.9) describes

unauthorised expenditure as a form of overspending or simply spending which is inconsistent with the allowed requirement of appropriate funds. Unauthorised expenditure was explained in the PFMA (as amended in Act 29 of 1999) as an expenditure that exceeds the budget amount for a specific purpose. The findings from the AG Report (2018, p.16) revealed that North West Province incurred irregular expenditure contributing 15% of the total irregular expenditure of 2016–2017, which represented 22% of their provincial expenditure budget. Furthermore, the lack of accountability for sound financial management was experienced as a result of poor leadership which is evident for the financial viability of local municipalities. These statistics reveal the extent of irregular expenditure by government departments, which is detrimental to public service delivery. In many instances such expenditure disregards the efficient, economic and effective utilisation of state resources. Speaking on the incurring of unauthorised expenditure in government departments, Pauw et al. (2009) advise that such unethical acts should be reported to the relevant authorities so that reasonable action can be taken in line with the prevailing legislation.

Although the PFMA sanctions unethical conduct and corruption in Section 2, loopholes in terms of government expenditure are still being incurred because funds are misused for a business that does not bring value to the government. Further analysis revealed that transparency and accountability as determined in the PFMA is often lacking in government departments, which is a serious impediment towards the delivery of effective and efficient services. The question remains as to who will hold public officials accountable if they circumvent legislation regularly. If not caught and punished, ethics will be violated continually by both government officials and the private sector. Arguably, whistleblowing measures can be implemented to help inhibit unethical practices and thwart unauthorised expenditure in government departments.

7.4 Nepotism

One of the ethical dilemmas which have affected Public Administration in South Africa is nepotism. As described by Hanekom et al. (1995), nepotism includes the appointment of friends or relatives to senior public positions without considering their merit. In many instances this creates poor performance because appointed officials want to 'please their master'; in the process, they would most likely breach the code of conduct or not follow the stipulated rules and regulations. Such nepotism in public administration can trigger dissatisfaction in the workplace which may cause low staff morale. Nepotism disregards the principle of fairness because unqualified candidates are hired to positions simply because they know the right person.

Furthermore, Nengwekhulu (2009, p.344) deplors the way people assume higher municipals posts, as they will be sympathetic to the political and ideological direction the government is taking. Although there is seemingly nothing wrong with employing a fellow cadre, their unethical behaviour results in the poor performance of various government departments because they would only listen to the hiring authority. This phenomenon is rampant in South African Public Administration and the fruit of such actions is both poor service delivery and performance. Nepotism in public administration is a sign of unethical conduct which destroys the integrity of a public organisation and at times dissuades potential investors from doing business with the government.

Cloete (1998, p.185) laments against nepotism when he rebukes family connections in public sector staffing. For the past few years, local municipalities could not acquire qualified audits due to, *inter alia*, the lack of compliance with AG reports or embezzlement of funds. In many instances this is attributed to nepotism where unqualified candidates are at the helm of government business with improper knowledge, direction and understanding of what their jobs entail. The findings from the AG Report (2018, p.13) revealed a lack of leadership and accountability as the primary causes of poor compliance with audit outcomes. Seven municipalities could not conduct financial audits, which placed the financial health of municipalities at risk. The AG (2018, p.14) affirms that in Gauteng, the lack of compliance with legislation was reported as another major hurdle for municipalities to achieve clean audits. These examples demonstrate the lack of sound ethical conduct which inhibits government departments from improving service delivery. Kokemuller (2020, p.1) claims that

employing friends and family members is a form of gross nepotism which leads to ineffective and inefficient utilisation of government resources, culminating in poor service provision.

Contestations and debates in South African Public Administration often utilise the example of Black citizens enforcing nepotism through affirmative action. Nepotism has triggered mistrust of government departments amongst the citizenry which is evidenced through massive service delivery protests when citizens mobilise and rise to question the government of how public money is spent. The researchers, therefore, argue that nepotism is cancerous and can destroy democracy, breed unethical practices and brand the image of public administration negatively. When this happens, the citizens, media, social and political commentators do not hesitate to question the validity of public administration.

7.5 Corruption

In South African Public Administration, Pauw et al. (2009, p.344) noted that corruption is described as the gross abuse of authority or position for personal gain or the benefit of political comrades or affiliates. Corruption in Public Administration in South Africa manifests itself in different forms. According to Vorster (2012, p.133), corruption is a growing spectacle which is rampant in various facets of life, such as in trade and workplaces, among others. Analysts and public administration practitioners have come to a consensus that corruption in many instances is difficult to control because it can involve high ranking persons in the powerful positions in government departments.

For example, the BOSASA corruption scandal, which was heard before the Zondo Commission in 2019, revealed higher levels of corruption and unethical conduct involving the company and government officials. Although some refute the claims of being corrupt, overwhelming evidence was present regarding underhanded dealings in terms of government contracts (Daily Maverick, 2019). For Du Plessis and Breed (2013, p.2), corruption in South African Public Administration has grown dramatically and manoeuvred its way into the three spheres of government leading to increased government expenditure and erosion of the moral fabric of local communities. Van der Westhuizen (2009, p.162) opines that communities experiencing high levels of corruption have been suffering from service delivery backlogs and there is a dire shortage of basic services such as water and electricity. Mafunisa (2007, p.261) holds that in South African Public Administration, corruption of services is seen or categorised in various ways depending on the type of approach or view taken. In most cases, corruption is very familiar even to ordinary citizens and other high bureaucratic institutions. The abuse of public offices by elected officials demonstrates the level of unethical conduct which triggers public mistrust in service provision.

Mawela et al. (2017) revealed that with the advancement of technology through e-governance in the South African Public Administration, complex challenges to public organisations of how they should fight corruption and unethical conduct using modern technology have been solved. Tiihonen (2003, p.3) observes the rising pressure for democratic participation in the governance of the country which forces public sector officials to minimise corruption, since the public influences public policymaking. Kanyane (2016, p.10) proclaims that besides unethical conduct, public trust with regard to state institutions reveals various gaps in accountability which requires attention to enhance the functioning of public institutions in South Africa. The lack of public accountability, transparency and observance of ethics threatens the survival of public administration and service delivery. Hence, Madonsela's (2010) speech condemned corruption in its widest sense.

The review of the AG Report (2018, p.14) on KwaZulu Natal municipalities revealed that between 2015–16, approximately 13 municipalities took a downward spiral due to the lack of compliance, ineffective leadership, weak financial reporting and general failure to comply with the recommendations of the AG. Many studies (Mle, 2012; Bitarabeho, 2003; Thornhill, 2006, 2016) conducted in South Africa focused on the abuse of public offices for personal gain, although they failed to critically analyse the reasons for unethical and corrupt practices by public officials. In most cases, corruption entails the abuse of a strategic position for personal benefit. The diversion of state

resources for personal and strategic gain has created many ethical dilemmas in public administration, turning public offices into corrupt zones, which are unable to deliver public goods and services.

The question, however, remains as to who will watch the corrupt in public administration? Some argue prevailing legislation; however, it is always subject to manipulation by corrupt and unethical public officials. This article, therefore, argues that inhibiting corruption and unethical conduct among public officials can transform South African Public Administration into an efficient service provider as postulated in the White Paper for Local Government (1998), among other legal imperatives.

8 Conclusions and recommendations

To repeal the effects of poor service delivery and mismanagement of public enterprises, the South African government should internalise values and ethics. Sindane (1999, p.88) concurs that adopting values and ethics is fundamental for effective public service delivery. Critical scholars such as De Gruchy and Prozensky (1991, p.1) hold that South Africa possesses an enormously rich and diversified culture of faith, knowledge and understanding which is useful in public leadership. Ethics derived from religious practices can influence development if these are adopted in the public sector. However, this might be subject to debate. Upholding ethics in public administration helps to enhance the citizens standard of living through effective provision of services.

This study argues that proper ethical conduct is a recipe for good governance in every organisation. Without the observance of ethics, cases of mismanagement, corruption and abuse of funds occur, which compromises the public organisations integrity. The analysed literature further revealed the systematic deviation from ethical conduct as government officials engage in private-sector deals and manipulate public procurement systems for personal aggrandisement. When this occurs, Public Administration in South Africa is at risk of being tarnished by corrupt and unethical practises exhibited by certain individuals who occupy positions of power.

The extended Commissions of Inquiries review set in South Africa over the past two years has revealed escalating levels of unethical practises, which disclosed multiple cases of corruption which occurs at the upper echelons of government. A gap, therefore, exists in research regarding the observance of ethics and sound ethical practises as part of good governance in public institutions. Enforcing the moral code among public officials requires a collaborative effort and a spirit of goodwill where laws are enforced and compliance thereto is not only a prerogative but an imperative to enhance public service delivery. In this instance, accountability and transparency remain the greatest weapons public managers can utilise to avoid unethical practises related to state capture and other corruption-related activities. This discussion, therefore, recommends public managers in South African Public Administration observe ethics to promote trust, enhance service delivery and performance management in public institutions including the citizenry at large.

9 Scope for further research

This type of study is highly informative for decision-makers in Public Administration, and all spheres of government. Unethical practices are rampant in government and decision-makers need to devise robust strategies to enhance public value. However, since his research is conceptual, it serves as a scoped review of critical ethical issues in the public sector. An empirical investigation using a cross-case analysis of ethical challenges comprising a sample of several public institutions in South African Public Administration would be useful to generalise the ethical challenges experienced in the country at large. Thus, further research can empirically analyse the resurgence of ethical violations in the public sector to mitigate the resultant effects on the economy, as well as foster mechanisms to recover proceeds of unethical conduct in Public Administration.

10 Practical implications for scholars and practitioners

Scholars and practitioners agree that unethical conduct and corruption trigger various service delivery challenges in South African Public Administration (Sibanda et al., 2020). Given the escalating corruption-related issues in public procurement systems (Van der Waldt, 2016), public administration

in South Africa demands ethical leaders to uphold integrity, accountability and transparency in the execution of public duties. Complying with ethical guidelines and legal provisions governing the functioning of the public institution is now a prerequisite to enhance service delivery in a developmental state (Sibanda, 2017). This article, therefore, responds to scholarly calls to address the government official unethical conduct in South African Public Administration because they are fundamentally responsible for the proper utilisation of public finances and provision of service delivery at large. This research can help the South African government to implement strategic policies and whistleblowing mechanisms to detect corruption and unethical conduct, which is essential to achieve an effective public administration.

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