

Promoting ethical culture in pursuance of a virtuous public service¹

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ABSTRACT

Various policy and institutional measures have been proposed to prevent and combat corruption in the public service. These include the introduction of codes of conduct; whistle blowing measures; improved internal control measures; improved remuneration; attempts at professionalisation of the public service; privatisation; and the introduction of competition in public service delivery. In this article the author introduces ethical culture as a significant variable in the pursuance of a virtuous public service. Considering the plethora of ethics policies and practices that have been introduced for the public service, the success of these measures appear to be modest. Ethical culture provides the public manager with a diverse range of ethics measures that could be taken to promote integrity in the public service. This research project started in 2003 and this article provides the ideal opportunity to report the findings.

INTRODUCTION

This article reflects the findings of a research project that started in 2003 with the publication of a *Pretoria News* article entitled Jail 'smuggling' not seen as corruption (Keyser 2003). This report covered the proceedings of the investigation of the Jali-Commission into incidents of corruption, maladministration, violence and intimidation in the Department of Correctional Services. The mandate of the Commission included the Department's head office and nine management areas including the St Albans- ; Pretoria- ; Ncome- ; Pietermaritzburg- ; Durban Westville- ; Johannesburg- ; Pollsmoor- ; Leeuwkop- ; and Bloemfontein Management Areas.

Some of the findings contained in the *Executive Summary* of the Jali-Commission include an institutional culture of corruption and maladministration; refusal to comply with rules and regulations; undue union influence over departmental activities; a weak disciplinary system; and a culture of impunity.

Corruption has remained a significant issue on the South African government's agenda. In the time period since 2003 the author has collected more than 124 news paper articles on ethics and corruption in both the public and the private sectors. In 2002 the South African government responded with the *Public Service Anti-Corruption Strategy* (PSACS) which outlined nine considerations it believed would reduce in the incidence of corruption in the public service. The PSACS provided a policy framework for the formulation of a range of ethics policies applicable to the public service. In this respect the dissertation by Balia (2005) served as a useful reference to the policy making process leading up to the PSACS. Throughout this study it was necessary to take note of the work done by other role players in the promotion of ethics and integrity in the public service. Whereas the Department of Public Service and Administration has taken the responsibility for initiating and designing ethics policies, the Public Service Commission has fulfilled a significant role in monitoring and evaluating the implementation of these policies.

The main guiding research question for this study was to determine how the implementation of the *Public Service Anti-Corruption Strategy* could be enhanced? It was soon realised that it was not the formulation of ethics policies that posed a significant problem, but rather its implementation. Furthermore, the publication by Gilman (1999:95-114) identified the paucity of empirical research in ethics management as an additional challenge. For the purpose of this study the existence of an ethical culture was identified as a *sine qua non* for the effective implementation of ethics policies in the public service. The conceptual framework proposed by Kaptein (2008:923-947) on ethical culture was useful in this regard and served as a basis for the development of questionnaire items for the purpose of a survey.

SOME REFLECTIONS OF PUBLICATIONS ON CORRUPTION AND ITS PREVENTION

From the outset it should be noted that any literature review has limitations. This author read as many publications as possible, but time and resource constraints will always remain an obstacle in pursuance of the epistemic imperative. The literature review served a number of purposes. It provided a broad perspective on what has been published on corruption and ethics in international and local publications. Publications on corruption and ethics have increased in frequency

and gained significant research prominence in international literature, especially during two periods in our recent history: the first period during the decolonisation and independence of many African states during the 1960's, and the second period after the end of the Cold War, communism and the disintegration of the Union of Soviet Socialist Republics (USSR) in the late 1980's and early 1990's (Williams 2000:ix-xvi). In terms of the latter period, the many research projects undertaken by the World Bank should be noted; specifically its work on the National Integrity Systems (Stapenhurst, Lanseth & Pope 1997:10).

Publications on ethics and corruption in South Africa have been less frequent and seem to lack a measure of academic depth. Many of these publications are normative and theoretical in nature focusing on the importance of a code of conduct, statutory and policy prescriptions, and developing models for understanding the phenomenon of corruption. Very few, if any, publications are based on empirical research into malfeasance in the public service. This paucity in research on malfeasance provides a significant research avenue for further academic work.

The literature review served a second purpose. The study of corruption and ethics does not belong to the exclusive domain of Public Administration. Rather, disciplines such as administrative law, philosophy, politics, economics, and business management have similar interests to undertake research into this field. In this regard this author recalls how some delegates at the *Global Dialogue: Governing Good and Governing Well* Conference in Amsterdam (2009) were slightly disappointed with the paper by a renowned economist Professor Susan Rose-Ackerman on administrative law and public service corruption. Her approach to corruption and its prevention originates from an economist's perspective; slightly different from that of scholars in Public Administration. Although her work is foreign to the untrained economist, it provides insight into the motivations of greedy and self maximising individuals in the public service (cf. Rose-Ackerman 1999).

PUBLIC SERVICE CORRUPTION PREVENTION MEASURES

Various generic corruption prevention measures have been established which should be promoted in unison (cf. Klitgaard 1991:73-93). These include the introduction of competition in the provision of monopoly services, the elimination of public programs, privatisation, rewards and penalties, promotion of professionalism, greater emphasis on internal control measures, improved remuneration, ethical codes, the bureaucratic hierarchy, the recruitment and appointment of virtuous public officials, and the promulgation of statutory mechanisms (cf. Rose-Ackerman 1999:71-87; Stapenhurst & Langseth 1997:320-321; Clapper 1999:387-388).

Corruption prevention mechanisms should not be studied in isolation from the broader context of public management reform and governance initiatives that have occurred during the past three decades (Webb 2010:669-684). Ironically, these reforms may in many ways have increased the opportunities for malfeasance. Management reform and governance initiatives have led to a shift in controlling inputs and processes, to controlling outputs and outcomes. These initiatives have aimed to bring about greater decision making authority for public managers. Furthermore, when the public service is staffed by individuals more inclined to the bottom line than an interest in the common good the propensity for corruption increases. In defence of management reform, Hughes (2003:218-235) hypothesises that in developing states it is not management reform *per se* that leads to increased malfeasance but rather the poor implementation of it. In the South African public service these reforms coincided with the appointment of inexperienced public servants which lead to weaknesses in internal control systems (National Treasury 2000).

Given the international tendency of moving away from Weberian styles of management to more human, entrepreneurial, and indirect styles of management it seems reasonable to suggest that the prevention of corruption should not depend on the reintroduction of internal control systems. In fact, the imposition of another layer of ethics policies could simply lead to the creation of more opportunities for corruption (Anechiarico & Jacobs 1995:143-175). Rather, the solution to malfeasance in the public service is the recruitment and appointment of individuals that find themselves on Kohlberg's conventional and post conventional stages of moral development. Such officials would contribute to maintain the social order, conform to authority, and at a higher stage of development develop a sense of moral autonomy. This researcher is more concerned with those measures that aim to change attitudes *id est* education and training, codes of conduct, and ethical culture. Through appropriate appointment and recruitment systems and the promotion of ethical codes in the public service, a virtuous public service is more likely to be attained.

POLICY FRAMEWORK AND INSTRUMENTS FOR THE PREVENTION OF CORRUPTION IN THE SOUTH AFRICAN PUBLIC SERVICE

A myriad of transversal policies have been drafted by policy makers to promote ethics and integrity in the public service. The more general policies include the *Public Finance Management Act, 1999* (Act 1 of 1999), *Treasury Regulations, 2002*, *Public Service Act, 1994* (Act 103 of 1994), and the *Public Service Regulations, 2001*. More ethics specific policies include the *Prevention and*

*Combating of Corruption Act, 2004 (Act 12 of 2004), Protected Disclosures Act, 2000 (Act 26 of 2000), Promotion of Access to Information Act, 2000 (Act 2 of 2000), Promotion of Administrative Justice Amendment Act, 2002 (Act 53 of 2002), Executive Member's Ethics Act, 1998 (Act 82 of 1998), Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), and the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000). These policy instruments have been supplemented by the *Public Service Anti Corruption Strategy (2002)*, and the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service (2006)*.*

The Department of Correctional Services was selected as a case study for the empirical research of this study. To give effect to various ethical policy requirements, the Department of Correctional Services drafted various institution specific ethics policies including the *Whistle blowing Policy, Fraud Prevention Policy, Anti Corruption Strategy, Anti-Corruption Procedures, Vetting Policy* and *Code of Conduct*. In an effort to establish anti corruption capacity, the Department has established the Departmental Investigating Unit and the Code Enforcement Unit. The Department has also received training developed by the South African Management Development Institute and the Centre for Business and Professional Ethics entitled *Ethics Management and Anti-Corruption Training for the Department of Correctional Services (2006)*.

The main focus of most of these policy interventions is their emphasis on establishing formal structures to promote ethical conduct; neglecting the importance of an ethical culture in the public service. Very few policy interventions briefly refer to the promotion of ethical culture: *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service (2006)*; *Guide for Accounting Officers Public Finance Management Act (2000)*; *DCS Whistle Blowing Policy*; and *DCS Anti-Corruption Strategy*. Considering the causal relationship between policy interventions and the ethical culture, it follows that ethical culture of the public service should be evaluated (*cf. Webb 2009:669-684*). General perception seems to suggest that South Africa has all the necessary policy initiatives but lacks the ethical cultural dimension (*Vollgraaff, 2009:1*). In the next section ethical culture will be discussed in more detail.

RESEARCH APPROACH TO EVALUATE THE IMPLEMENTATION OF ETHICS POLICIES

The paucity of empirical research in ethics management has been documented;

specifically by academics (*cf.* Gilman 1999:96-97; Lawton & Doig 2006:11-33). South African research into ethics in the public service compares poor compared to international efforts. The few local publications seem to rely mostly on interpreting secondary data; data emanating from government reports and some research institutions. Governmental research efforts, it could be assumed, would resist attempts at being too critical of their client. Research institutions on the other hand undertake commissioned research which implies that their work is not always motivated by the epistemic imperative. Academics should then be careful to use their reports. This served as a motivation for this researcher to spend time in the field and collect data from primary sources both of a qualitative and quantitative type e.g. group and individual interviews, personal observations, document studies, and a survey.

At the level of meta-theory, this researcher considered the attributes of both the qualitative and quantitative methodological paradigms (Webb 2009:669-684). The guiding research question as well as the study population identified from the outset of this research project informed the choice of methodological paradigm and data collection methods. This required an identification of a sample of respondents and the application of a suitable data collection method. Although data collection methods were triangulated, it was believed that a survey questionnaire would be the most appropriate data collection method. Survey questionnaire features high on reliability but a measure of validity is forfeited.

To obtain an insider understanding of the Department of Correctional Services, the author visited two management areas: Pollsmoor- and Malmesbury Management Areas where individual open ended interviews were conducted as well as semi-structured group interviews. Individual and group interviews were conducted with officials at the Department's head office in Pretoria. Among those interviewed include the Directors for the Departmental Investigation Unit and the Code Enforcement Unit, as well as a group interview with officials from the work study division at the Department. An individual interview was also conducted by the Area Coordinator: Corporate Services at the Pretoria Management Area. Various other meetings with officials in the Department proved useful to gain an understanding of the Department's human resource matters, data on correctional centers, data on offender figures, and research protocol.

An ethics management questionnaire was designed based on data emanating from these interviews, literature on ethics and corruption, as well as previous questionnaires on ethical conduct. Questionnaire items were developed based on *inter alia* the conceptual framework on ethical culture by Kaptein (2008), as well as the ethics and integrity work of Akaah (1992), Dutch Office of Local Government Ethics/Bureau Integriteit Nederlandse Gemeenten,

Vrije Universiteit Amsterdam/Research Group Integrity of Governance, Van Tankeren (2007), and Kolthoff (2008). These questionnaire items were adapted to the work environment of the Department of Correctional Services. A pilot questionnaire was administered to officials from the Code Enforcement Unit. A final questionnaire with 100 questionnaire items (excluding the biographical data) was drafted to be administered to a sample of respondents (Webb 2009: 669-684). The sample of respondents was identified using both purposive and random sampling methods. It was believed that the sample should represent respondents from correctional centres in both urban and rural communities. Two regions were identified: the Gauteng Region in an urban area and the Mpumalanga, North West, and Limpopo Region in a rural area. Random sampling was used to identify six management areas. The author visited all six management areas sampled and distributed the questionnaire to all personnel working during that specific visit. On completion of the fieldwork the data was captured by Datanet Bureau Services. The data results were forwarded to a statistical consultant who provided analysed results. The author interpreted the analysed data and the findings will be discussed in the next section.

RESEARCH FINDINGS – AN EVALUATION OF THE IMPLEMENTATION OF ETHICS POLICIES²

The responses on the ethics management questionnaire were interpreted and the findings are reported below. The questionnaire responses are conceptually differentiated into three sections: evaluating the level of corruption; evaluating the ethical culture; and evaluating the influence of union involvement and management reform on ethics management policies and practices. These sections are discussed below.

Biographical Data

A total of 818 respondents from the sample completed the questionnaire. The majority of respondents (87,1%) are appointed on operational post levels 5 to 8 with 10,3% of respondents appointed on post levels 9 to 12 representing the Middle Management Service (MMS) and 1,88% of respondents appointed on post levels 13 to 16 representing the Senior Management Service (SMS). A total of 72,1% of respondents are based at a correctional centre, 15,6% respondents are based at the Area Commissioner's Office, and 1,9% of respondents at the Regional Commissioner's Office. A total of 64% of the respondents are based in the predominantly rural region of Limpopo/Mpumalanga/North West with the remaining 36% of respondents based in the urban region of Gauteng. A total

of 38,85% of the respondents served for less than 5 years at the Department of Correctional Services with the remaining 61,15% of respondents served the Department for more than 5 years. In terms of racial distribution of the sample 81% of respondents were black, 13% of respondents White, 5% of respondents Coloured, and 1% of respondents Indian. In terms of gender distribution 63% of respondents were male and 37% were female.

Exploratory Factor Analysis

The data was subjected to exploratory factors analysis to summarise and reduce the data. This makes it unnecessary for the researcher to interpret each of the responses on the 100 individual questionnaire items (Salkind 2004:300). The exploratory factors analysis identified 16 factors. These factors could be divided into three conceptual sections. The first section aims to evaluate the manifestation of malfeasance in the institution and consist of two factors: External service provider's role in corruption, and the offender's role in corruption. The second section aims to measure the ethical culture in the institution and consist of 11 factors: Sanctions: Rewards and punishment for misconduct; Transparency: Institutional environment; Discussability: Opinions and discussions; Discussability: External working environment; Discussability: Internal environment; Congruence of Senior managers; Congruence of Supervisors; Feasibility; Clarity: Ethics policies; Clarity: Operational activities; and Supportability. The final section aims to determine the effect of unions and management reform on ethics management practices of the institution and consist of three factors: Unions and ethical conduct; Management reform: Delegates authority structures; and Management reform: Policy Compliance. The findings on the 16 factors are reported below. Those questionnaire items that reduced the internal consistency of factors below the value of 0.60 were treated as individual items and will not be discussed in this article.

Interpretation of Factor Mean Scores

The *first section* aims to evaluate the manifestation of malfeasance in the institution. Despite the common perception that corruption is systemic in the public service, the findings suggest that the observed level of corruption in respondents' immediate working environment is fairly low. In fact, most respondents disagreed with the statement that they personally experienced malfeasance or that they observed malfeasance in their immediate working environment. These findings of the survey could be used as baseline data for longitudinal studies. Considering the fact that most respondents are found on a post level 5 to 8 it is not surprising that offenders pose a greater source of

corruption than external service providers. A sample composed mainly of senior management respondents could reveal external service providers as a greater source of corruption.

Considering the delimitations of the sample, the findings suggest that non-criminal forms of malfeasance pose a significant threat to the Department's activities. These forms of corruption should be addressed with appropriate corruption prevention measures including a code of conduct, implementation of disciplinary processes with commensurate penalties, greater professionalism and an emphasis on merit in appointments and promotions, and the maintenance of appropriate internal control measures. Public policies such as the *Public Service Act, 1994 (Act 103 of 1994)*, *Public Service Regulations, 2001*, *Public Finance Management Act, 1999 (Act 1 of 1999)*, and *Prevention and Combating of Corruption Act, 2004 (Act 12 of 2004)* only provide for a policy framework which should be supplemented by administrative action to prevent malfeasance at this level.

The *second section* of factors aims to measure the ethical culture of the institution. These factors should inform the design an institution's ethics management practices. A number of findings appear to be significant. Respondents indicated that they would report misconduct of their colleagues or supervisors and that they are willing to make such reports to institutions external to their immediate working environment. However, respondents seem not to be willing to discuss malfeasance in their immediate working environment. A perception exists that ethical dilemmas may not be freely discussed. Reporting malfeasance to an external institution has limitations. Although the National Anti Corruption Hotline has been an effective instrument for reporting corruption to an external institution, limited disciplinary action has followed allegations of malfeasance (Public Service Commission 2007:14). This requires the Department to put in place measures to increase the opportunities for officials to discuss unethical conduct amongst them, freely discuss cases of misconduct, and take the necessary remedial action.

Respondents indicated that they have considerably less certainty and clarity of the institution's ethics policies and what is expected of them in terms of these policies, as compared to the institution's operational policies. Ethics policies remain the basis for the promotion of ethical conduct. These policies including the Department's Code of Conduct, Fraud Prevention Policy, Whistle blowing Policy, Anti-Corruption Strategy, and Anti Corruption Procedures should be understood, accepted and implemented to obtain the greatest measure of effectiveness.

Respondents hold a fairly positive view of their immediate supervisors. Supervisors are seen as honest and reliable, acts ethically and with integrity, often communicate the importance of ethical conduct, and would never

approve misconduct. Respondents do not hold the same positive view of senior management. Given the prominent role of senior management in corruption prevention programs it is argued that these negative views could create an ethical culture that is conducive to malfeasance.

On the factor of supportability respondents hold fairly negative views. When employees are dissatisfied and unmotivated they are more likely to behave unethically. Respondents indicated that they experience a lack of respect and mutual trust, absence of commitment to the values and norms of the Department, and a lack of fairness and equality. Respondents also hold negative views on whether employees have the best interest of the Department at heart.

The *third section* of factors aims to determine the effect of unions and management reform on ethics management practices of the institution. The proposition that ethics management practices could be influenced by unions and management reform is relatively new and further research is required. The literature suggests that coalitions often influence the implementation of policies (Brynard 2005:649-664). Unions appear to play a positive role in promoting integrity and ethical conduct. According to the survey findings, union leaders act with honesty and integrity, and unions often reminds officials of their obligations in terms of Resolution 1 of 2006, encourages members to act with integrity and honesty, and to report fraud and corruption.

The effect of management reform on ethical conduct in institutions is a relatively new area of research. Literature points to the possible negative influence of management reform on opportunities for malfeasance. This researcher used the survey to investigate this phenomenon. Management reform initiatives *inter alia* advocate a move away from controlling inputs to controlling outputs and outcomes, as well as the delegation of authority to lower levels in the institution. If not properly applied, this could result in the breakdown of internal control measures and unchecked decision making discretion for public officials. Survey findings point to a significant emphasis on internal control measures in the Department. The delegation of authority in the Department of Correctional Services appears not to be decentralised significantly. This study merely intended to initiate research on this matter and should be further pursued. In this regard the work of Kolthoff (2007) is an appropriate starting point.

Analysis of Variance and Eta-squared tests for Factors

To compare the differences between groups of respondents, the Analysis of Variance and Eta-squared tests were performed (Diamantopoulos & Schlegelmilch 2000:154-196). With these statistical tests the effect, if any, of various independent variables including age, race, gender, level of qualification, years of service, post level, place of employment, region, union membership,

and management area on the above 16 factors as dependent variables are determined. Post level, years of service, race, region, and management area as independent variables provided for the greatest measure of variance.

Post level. Post level significantly influences perceptions of ethical culture. Respondents at lower post levels provided more positive responses on the factors of ethical culture as compared to respondents on a more senior post level. For example, senior respondents seem to be less certain of the effectiveness of disciplinary and reward mechanisms than more junior respondents. Senior respondents also obtained low mean scores on their knowledge and understanding of ethics policies. These findings are significant as these respondents should not only have a clear understanding of the institution's ethics policies (as these policies also apply to them), but are also responsible to apply the necessary measures of reward and punishment to ensure ethical conduct by subordinates. A similar trend appears in respect of respondent's perceptions of their supervisors and senior management. Respondents at lower post levels appear to hold more favourable views of the commitment of their supervisors to ethical conduct and integrity than respondents at higher post levels. Ethics policies generally place the responsibility to promote integrity and ethical conduct on senior officials. Senior officials should show commitment to acting with honesty and integrity.

Years of service. Years of service of respondents provided for note worthy findings. Shorter serving officials hold more positive views of the Departmental mechanisms that exist to promote ethical conduct. As officials increase their years of service the novelty of a new working environment seems to wear off with official less convinced of the effectiveness of these policy measures. Longer serving respondents indicated that they do not have the opportunity to freely discuss their views on malfeasance; have inadequate time, authority and resources to complete their tasks, and mutual trust and respect, as well as having the Department's interest at heart seems to be lacking. These negative views are not shared by respondents with less years of service. New recruits seem to hold more positive perceptions of the ethical culture of the institution which gradually fades with continuing exposure the Department's policies and practices.

Race of respondents. The racial grouping to which respondents belong significantly influences perceptions on ethical culture. White respondents are significantly less convinced about the existence of adequate control measures within the Department, the role of unions in promoting honesty and acting with integrity, the importance of sanctions and rewards in preventing misconduct, and ethical leadership of the Department's senior management. White respondents were also less positive about the existence of mutual trust, respect, fairness, and the equal distribution of work.

Regions. Significant differences between the predominantly urban and predominantly rural regions were identified. Respondents in the LMN region experience the ethical culture of the institution different as compared to respondents in the Gauteng region. For example, respondents in the LMN region have a stronger expectation than respondents in the Gauteng region that when an employee commits misconduct, he/she will be punished for the offence. The ethical performance of duties is also more likely to be rewarded in the LMN region. Also, respondents based in the Gauteng region do not seem to share the same level of mutual trust and respect, commitment to shared values and norms, and perception that they are treated fairly than those respondents in the LMN region.

Management Areas. Significant differences in ethical culture perceptions between the six management areas were identified. The ANOVA and Eta-squared tests identified the Thohoyandou Management Area that obtained the highest mean in respect of eight of the 11 ethical culture factors. Bethal -, Boksburg -, and Leeuwkop Management Areas obtained the highest mean in respect of the transparency factor, clarity of operational policies factor, and whistle blowing factor respectively. A contradiction appears in the data findings as the Thohoyandou Management Area scored the highest mean in respect of the feasibility factor despite the fact that this area has a personnel complement of 461 and an offender total of 5434. This constitutes the highest ratio of all management areas: 11.78 offenders for each official.

Conversely, the Leeuwkop Management Area obtained the lowest mean in respect of various factors of ethical culture including the sanctions-; transparency-; feasibility-; supportability-; clarity of ethics policies; and the discussion and opinion factors. Remedial action could include a greater awareness and understanding of the DCS code of conduct through workshops and training to establish a greater measure of clarity; open and free discussions of ethical dilemmas by supervisors in the management area; the imposition and publication of appropriate penalties for malfeasance after the conclusion of disciplinary processes; or the establishment and/or maintenance of internal control measures.

Pearson's Correlation Coefficient

The Pearson's Correlation Coefficient (r) serves to identify not only the strength of the relationship between variables, but also its positive or negative direction (Diamantopolous & Schlegelmilch 2000:198-208). The Pearson's Correlation Coefficient for the 16 factors – identified with the exploratory factor analysis above – was determined. This examination served a significant purpose: to evaluate, validate (or refute), and develop this author's conceptual understanding of the subject matter of malfeasance and its prevention.

Validating the questionnaire. The findings served to validate the conceptual framework within which the author sought to evaluate the implementation of corruption prevention policies. Consequently the measuring instrument: the survey questionnaire with its conceptual components could be used as a basis for further work on unethical conduct and ethical culture. In the sections below the correlations between factors are reported.

Manifestation of corruption. Two factors served to evaluate the manifestation of corruption: FB1: External service providers' role in corruption and FB2: Offender's role in corruption. These factors obtained a positive and moderate degree of correlation with each other which implies that a rise in malfeasance involving offenders in a management area would most probably coincide with a rise in malfeasance involving external service providers.

Furthermore, the factors FB1: External service providers' role in corruption and FB2: Offender's role in corruption obtained a negative and low degree of correlation with some of the factors of ethical culture. This implies that when greater clarity of operational and ethics policies is obtained, or an increase occurs in both the severity and frequency of penalties for malfeasance, or officials gain greater access to resources and time to execute their responsibilities, the level of observed malfeasance is likely to be reduced. Consequently, a rise in ethical culture measurement coincides with a decrease in level of observed malfeasance.

Ethical culture. Eleven factors served to evaluate the ethical culture of the institution: FC1: Sanctions: Rewards and Punishment for misconduct; FC2: Transparency: Immediate working environment; FC3: Discussability: Opinions and Discussions; FC3: Discussability: External working environment; FC3: Discussability: Internal working environment; FD1: Congruence of Senior Managers; FD2: Congruence of Supervisors; FD3: Feasibility; FD4: Clarity: Ethics policies; FD5: Clarity: Operational policies; and FE1: Supportability. Most of these factors of ethical culture obtained a positive and moderate degree of correlation with each other. For example, it could be expected that the application of institutional disciplinary measures and rewards systems would coincide with the free expression and discussion of opinions among officials; a senior management that emphasises the importance of acting with integrity and honesty; supervisors that are committed to acting ethically; an appropriate allocation of time, resources, and authority to carry out duties; a clear understanding and knowledge of ethics policies; and a clear understanding and knowledge of operational responsibilities.

The findings served to identify a possible contradiction in the subject matter of corruption prevention. It is generally believed that various corruption prevention measures should be applied in unison. Three factors obtained a positive but lower degree of correlation with the other factors of ethical culture

id est FC2: Transparency: Immediate working environment; FC5: Discussability: Internal working environment, and FC4: Discussability: External working environment. While the positive and low degree of correlation for the first factor could be ascribed to the secretive nature of a prison environment, the correlation findings for the latter two factors point to an unwillingness of officials to report malfeasance internally or to an external institution. An increase in the measurement of most factors of ethical culture would not coincide with an increase in measurement for these factors. For example, increased senior management and supervisor commitment to acting ethically and with integrity, adequate penalties for misconduct and rewards for ethical conduct, or the promotion of ethical behaviour through the publication of a code of conduct and/or a code of ethics would not to coincide with a greater willingness by officials to report misconduct internally or to an external institution. It could be argued that efforts to reduce malfeasance should be directed at promoting an institution's ethical culture and the establishment and maintenance of an external reporting mechanism for whistle blowing purposes represent two rather distinct measures for preventing and combating malfeasance.

Role of unions. Findings also pointed to the role that unions could play in the promotion of scrupulous conduct. When unions advocate ethical behaviour it is likely to coincide with an increase in the significance of internal control measures and an emphasis on compliance with Departmental policies and procedures. Greater union involvement also coincides with increased trust and mutual respect, and employees being treated fairly which could make an important contribution to ethical culture. The ANOVA and Eta squared tests indicated that unions play a significant role in increasing the understanding and knowledge of ethics policies and operational activities.

Management Reform. Findings indicate that a positively moderate and high correlation exists between eight ethical culture factors and the two management reform factors: the delegation of authority and the maintenance of internal control measures. The delegation of decision making authority to lower levels in the institution seems to coincide with an improved ethical culture. A similar finding applies to the second management reform factor. The emphasis of internal control measures and the compliance with departmental policies and procedures has a positively high and moderate degree of correlation eight factors of ethical culture. Consequently, when institutions maintain an internal control framework, it is likely to coincide with an improved measure of ethical culture.

These findings appear to be substantiated by Kolthoff's (2007:109-117) investigation of the effect of management reform on integrity violations in the Ditch regional police service. In his study it was found that not all dimensions of management reform have a negative impact of ethical conduct. For example, the dimensions of performance measurement, decentralization, and businesslike

management had a positive effect on ethical conduct, while downsizing and entrepreneurship has a negative impact of ethical conduct. However, these findings should be interpreted with caution as the findings are relevant in a developed state context.

A CONTRIBUTION TO THE STUDY OF ETHICS MANAGEMENT IN PUBLIC ADMINISTRATION

This research project was guided by an interest to gain an improved understanding of the implementation of the PSACS. Public institutions should – addition to the establishment of ethics policies and institutions at departmental level – pursue the promotion of an ethical culture. In this respect this research project contributed to two noteworthy findings. These findings are shortly reported below.

Measurement Instrument

This study is based, in part, on empirical studies of ethics and integrity preceding it. In drafting this Ethics Management Questionnaire, this author drew on the conceptual work and experiences of other international scholars. In this sense it is not new. The questionnaire was developed with the objective to evaluate the implementation of ethics policies in the Department of Correctional Services. Although the questionnaire initially contained five conceptually distinct sections (excluding the bibliographical section), two sections of the questionnaire have been validated and could form the basis for further surveys.

The first section consists of two factors measuring the external service providers' role in corruption and the offender's role in corruption. This section aims to measure the regularity with which acts of malfeasance are observed within the Department and could be used as baseline data for longitudinal studies.

The second section consist of 11 factors each consisting of a separate set of questionnaire items. These factors aim to measure the ethical culture of an institution. In Kaptein's original conceptual framework eight factors were provided: Sanctions, Transparency, Discussability, Congruence of Senior managers, Congruence of supervisors, Feasibility, Clarity, and Supportability. As a result of an exploratory factor analysis six of the original eight factors were retained with the exception of two factors i.e. Clarity and Discussability. These factors were sub-divided into five new ethical culture factors. The original factor Clarity was divided into FD4: Clarity: Operational policies and FD5: Clarity: Ethics policies. The factor Discussability was divided into FC3: Discussability:

Opinions and discussion; FC4: Discussability: External working environment; and FC5: Discussability: Internal working environment. A positive correlation between eight of these factors were identified which served to validate the conceptual framework of ethical culture.

The Significance of Promoting an Ethical Culture

The remaining three factors of ethical culture obtained a positive but lower degree of correlation with the other factors of ethical culture *id est* FC2: Transparency: Immediate working environment; FC5: Discussability: Internal working environment, and FC4: Discussability: External working environment. From these findings it appear that the promotion of an ethical culture and the reporting of malfeasance of colleagues to institutions external to the Department – the practice of whistle blowing represent two distinct measures for combating and preventing corruption.

Reporting misconduct to the authorities is a significant aspect of most corruption prevention measures (Stapenhurst & Langseth 1997:321). However, it should not be assumed that the establishment of whistle blowing measures for reporting malfeasance would enhance the ethical culture of an institution. In fact, considering the ineffectiveness of the National Anti-Corruption Hotline, corruption prevention efforts might be more effective if directed towards the promotion of an ethical culture.

CONCLUSION

In the author's view, a focus on the ethical culture in an effort to promote integrity and the ethical behaviour of officials provides the public service with various intervention strategies. The one dimensional approach of drafting ethics policies and the imposition of penalties if such policies are not complied with could be supplemented by a focus on availing resources for officials to perform their work; cultivating a culture of dialogue, openness, and discussion; and establishing respect and mutual trust among officials.

This study ends with a measurement instrument that could be adapted and used in many institutional contexts. This tool could be used to identify weaknesses in an institution's ethical culture framework. Also, statistical findings pointed to the divergence between reporting malfeasance – popularly known as whistle blowing – and the promotion of an ethical culture as corruption prevention strategies. Given the apparent ineffectiveness of whistle blowing measures in preventing corruption the public service could rather pursue the promotion of an ethical culture.

NOTES

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- 2 Due to limitations on the length of publications, the findings of the statistical analysis could not be included in this article. Interested readers should contact the author for these findings.

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