



Service delivery and ethical conduct in the public service: the missing links

L. Lues
Department of Public Management
University of the Free State
BLOEMFONTEIN
E-mail: luesl.ekw@mail.ufs.ac.za

Abstract

Service delivery and ethical conduct in the public service: the missing links

There are a multitude of policies, strategies and programmes directed at the rendering of effective services to the citizens of South Africa by public service managers. However, in spite of the pursuit of effectiveness and the condemning of unethical behaviour by public service managers, scandals still occur and allegations are still made. So, where are the missing links? In this article, a brief description is given of some ethical concepts viewed as important in addressing the question posed. The concluding remarks are twofold: public service organisations need to provide continuous commitment, enforcement, and modelling of leadership in professional ethics by means of, among other things, policy structures; and public service managers need to realise the importance of changing their own mindset and accepting the ethical standards that are established by the public service organisation, even if these differ from their own beliefs and culture.

Opsomming

Dienslewering en etiese gedrag in die staatsdiens: die verlore skakels

Daar is 'n menigte beleide, strategieë en programme wat gerig is op die lewering van doeltreffende dienste deur staatsdiensbestuurders aan die inwoners van Suid-Afrika. Maar, ten spyte van dié strewe na doeltreffendheid en die verwerping van onetiese gedrag deur staatsdiensbestuurders, vind skandale steeds plaas en word aantygings steeds gemaak. Maar waar is die ontbrekende skakels dan? In hierdie artikel word 'n kort be-

skrywing verskaf van 'n paar etiese konsepte wat as belangrik beskou word in die hantering van die vraag onder bespreking. Die slotopmerkings is tweevoudig: staatsdiensorganisasies moet 'n volgehoue verbintenis, toepassing en modellering van leierskap in professionele etiek verskaf deur onder andere beleidstrukture; en staatsdiensbestuurders moet die belangrikheid daarvan beseef om hulle eie gesindheid te verander en die etiese standaarde wat deur die staatsdiensorganisasie daargestel word te aanvaar, selfs al verskil dit van hulle eie oortuigings en kultuur.

1. Introduction

Improving the quality of life of society and developing the potential of individuals together comprise the primary aim of the South African Government in terms of the preamble of the Constitution of the Republic of South Africa, 1996 (hereafter referred to as the Constitution). In order to achieve this aim, governmental functions have been divided into four groups, namely power functions, security and protection functions, economic functions and redistribution functions (Venter & Landsberg, 2006:86). These functions aim at improving the general welfare of society. The core function in the public service in South Africa is thus service delivery. In compliance with the White Paper on Transforming Public Service Delivery (SA, 1997), all public service managers should strive for service excellence. The public service, however, has become almost synonymous with lack of customer service and unethical behaviour.

Although ample literature exists on examples of unethical behaviour and ethics, it is noted that these concepts are not easily quantifiable (Mafunisa, 2000; Sing, 2000; Auriacombe, 2002; Wessels, 2002 and Wilkens, 1995) in relation to the concept of corruption (Kotze & Matsutha, 2002). Auriacombe (2002) further acknowledges that the meaning and interpretation of the concept *ethics* often differ widely and thus influence the application thereof in a diverse public sector. This article focuses on the legislative and ethical mechanisms that are in place within the South African Government as directives for service delivery and ethical conduct. The article is, however, based on the premise that, even though there has been a flurry of legislative directives to enhance service delivery, this does not necessarily mean that public service managers will automatically accept ethical responsibility or act accordingly.

2. Meaning and nature of the concepts public service, public service managers and effective service delivery

According to the Public Service Act, 1994 (SA, 1994), the public service in South Africa comprises all individuals employed by the national departments as well as the nine provincial administrations and which are funded by the exchequer (Venter & Landsberg, 2006:83). The public service is a transparent system, embedded in a thriving environment that not only sets the pace but also outlines the actions to be taken by institutions within this service. In any society the affairs of the people must be regulated in the interest of all, with a view to promoting the general welfare of society (Roux *et al.*, 1997:207). Public officials are appointed to serve the members of the public and not to promote private and own interests (Botes *et al.*, 1996:365).

A public official, according to Cloete (1995:52), is an individual who is employed in a public institution such as a state department, but who is not a political office bearer. A public official of higher rank who is employed in a state department or public institution is termed an *administrator* (Cloete, 1995:5). According to Fox and Meyer (1995:105), a public administrator is a public employee with managerial responsibilities. These classifications have led to the conclusion that a public service manager is an official appointed by the Government and who is responsible for executing managerial tasks and decisions in order to achieve goals and objectives effectively and efficiently. The success of services rendered by the public service to society is therefore closely linked to the quality of management.

The public service as an instrument of governance "... must loyally execute the lawful policies of the Government of the day" (Constitution, 1996: Section 197). This is in addition to the basic values and principles advocated by Section 195(1) of the Constitution towards rendering effective service delivery, which demand that:

- a high standard of professional ethics must be promoted and maintained;
- efficient, economic and effective use of resources must be promoted;
- public administration must be development-oriented;

- services must be provided impartially, fairly, equitably and without bias;
- people's needs must be responded to and the public must be encouraged to participate in policy making;
- public administration must be accountable;
- transparency must be fostered by providing the public with timely, accessible and accurate information; and
- good human resources management and career-development practices to maximise human potential must be cultivated; and that public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

As the role of the public service is to support the government of the day as explained above, the role that public service managers are expected to play can be best understood by examining the legislation that directs ethical conduct and service delivery.

3. Legislative directives to enhance public service delivery

Although it is apparent that there are abundant legislative directives in place to promote ethical behaviour and quality of service delivery by the public service manager, this does not necessarily guarantee a corruption-free public service. It is, however, essential to provide an overview of the most important legislative directives in order to show that these directives could indeed serve as supporting mechanisms for developing and sustaining a high level of ethical behaviour in public service institutions.

South Africa has gradually moved away from being a divided country characterised by racial conflict, mistrust, widespread poverty and the violation of human rights. Furthermore, the country is making progress through the individual and collective endeavours of citizens and governmental initiatives. These initiatives refer to legislation, committees, structures and the efforts of government officials who contribute to the well-being of the country. A major review of policies took place in South Africa during 1995 and 1996, also called the "White Paper Era" (Cloete *et al.*, 2006:203). This period was

followed by a significant focus on enhancing service delivery and ethical conduct.

Under constitutional supremacy, the Constitution is the highest norm and can therefore be identified as the foundation of service delivery in the South African Public Service (Constitution, 1996: Section 2). In practice, this indicates that all laws, actions and institutions exercising governmental power are subject to the Constitution. In terms of the Constitution, the general functions of the Government in the three spheres (national, provincial and local) have been assigned to separate branches known as the legislative, the executive and the judicial authorities (Constitution, 1996: Sections 43, 85 & 165). The managerial role of public service managers comprises that part of the executive authority on which this article will concentrate.

In order to maintain effective service delivery and regulate discipline, legislation mandates the public service to comply with the Public Service Act, 1994 (SA, 1994) and the Public Service Regulations. This legislation called for definite outcomes-based strategies as part of the management plan of departments. These include strategic management plans in keeping with the medium-term expenditure framework, organisational structures that comply with the strategic management plans, strategies to improve service delivery, and human resource development strategies. The Public Service Act (SA, 1994) further provides for the regulation of the dismissal of members of the public service in cases of misconduct and maladministration.

Published in 1995, the White Paper on the Transformation of the Public Service laid down eight transformation priorities, of which the transformation of service delivery was a key element. This White Paper (SA, 1995:91) outlines the transformation priority areas as

... rationalisation and restructuring to ensure a unified, integrated and leaner public service; institution building and management to promote greater accountability and organisational and managerial effectiveness; representativeness and affirmative action; transforming service delivery to meet basic needs and redress past imbalances; the democratisation of the state; human resource development; improving employment conditions and labour relations and the promotion of a professional service ethos.

In addition, the White Paper on Transforming Public Services Delivery (Batho Pele) was published on 1 October 1997, with the aim of providing a framework for the improvement of public service

delivery and, concurrently, ethical conduct. This framework can be implemented in a practical manner. It requires government departments to undertake the following actions:

- Identify important improvements (irrespective of how insignificant they may seem) for immediate implementation.
- Follow the implementation strategy provided for in the White Paper by developing a service delivery improvement plan.
- Publish standards for services provided.
- Monitor the standards of service delivery.
- Correct mistakes and malfunctions.

To render services to the public against the background of transformation, public service managers should be committed to removing the obstacles that hamper effective service delivery. Section 5 of the White Paper makes provision for encouraging innovation and rewarding public officials who have shown that they are committed to quality service delivery. Section 6 is concerned with a partnership between the public service and the wider community in order to develop a service-orientated culture. Section 7 proposes the introduction of mechanisms and the implementation of a strategy to make effective service delivery a reality. The requirements of Section 8 are that service standards and a statement of commitment should be published, while Sections 9, 10 and 11 respectively deal with the implementation of the “Batho Pele” principles, the role of the Department of Public Service and Administration in supporting the implementation of the Batho Pele principles, and the monitoring of the progress of implementation. Section 12 is entitled “No time to lose” and proposes the setting of time frames for the implementation of specific aspects. However, Section 12 is primarily concerned with the importance of the implementation of the principles, with a view to eventually reaching a stage where the public realise that they have the right to proper service delivery and where public servants are proud of the service they render (SA, 1997).

Further legislation addressing service delivery is contained in the White Paper on Affirmative Action in the Public Service, published in April 1998. This legislation focuses on the accountability, monitoring, coordination and reporting responsibilities of the various role players within affirmative action programmes. Moreover, the Public Finance Management Act, 1999 (SA, 1999), the Protected Disclosures Act, 2000 (SA, 2000), the Provincial Tax Regulations Act, 2001 (SA,

2001), and the Public Audit Act, 2004 (SA, 2004), to name but a few, came into being, emphasising that the Government is committed to improving its service delivery, and to ensuring ethical behaviour on the part of public service managers. The most recently established framework to promote and facilitate service delivery, the Inter-governmental Relations Framework Act, 2005 (SA, 2005), further provides for mechanisms to “facilitate the settlements of inter-governmental disputes and to provide for matters connected therewith” (SA, 2005:2). This Act directly focuses on greater effectiveness with regard to coordination in the implementation of policy and legislation, which includes the effective provision of services (SA, 2005:12).

The South African Government recently assessed the impact of ten years (1994-2004) of ANC democratic governance in the “Ten Year Review 1994-2004” document. In this review the focus was on assessing the impact that most policies had on enhancing the quality of life of people. It was concluded that considerable progress had been made in transforming the state, although some areas, such as the conduct of the public service (concerning the demeanour of the officials), had shown slower progress (SA-PCAS, 2003:75). Van Tonder (2007:1) argues that poor governmental policy has moved South Africa downwards into the 50th place in the IMD World Competitiveness Yearbook, with poor service delivery being one of the variables responsible for this situation. In a similar vein, Du Plessis (2007:20) highlights the discrepancies with which unethical conduct is treated or ignored and makes the statement that the application of legislation that governs service delivery is “corrupt”.

4. A reflection on the ethical responsibility of public service managers

An accompanying directive for service delivery takes as its point of departure the broad vision of the Government to build a united, non-racial, non-sexist and prosperous democratic South Africa to ensure a better life for all, not merely paying attention to supportive governmental structures but also addressing professionalism and ethical behaviour. To the uninformed, public service institutions predominantly consist of professional groups such as, among others, medical professionals, pharmacists, state attorneys, human resource practitioners and engineers. It is, however, imperative to realise that professionalism is not limited to these conventional professions. The ideal is to develop professional managers through-

out the public service that will conduct their responsibilities in a proficient manner and simultaneously deliver quality services (Vyas-Doorgapersad & Ababio, 2006:391). In elucidating the concept of professionalism, Fox and Meyer (1995:103) explain that public organisations tend to fall under the authority of a single profession that sets itself up as a select class within an institution in order to direct employment standards, administrative policy and its methods of work. Lawton and Rose (1994:202) argue that for services to be delivered more efficiently and effectively, professionals should acquire management skills such as the managing of resources. The authors moreover suggest that a combination of professional expertise and managerial competence is needed, and that professionals should not assume that, because of their professional identities, they are unable to act corporately in the public service nor display the necessary management skills. Professionalism is not merely free from malpractice, it also embraces the quality of work performed by public servants.

It is expected of public service managers to promote the efficient, economic and effective use of resources in order to improve the functioning of the department concerned. In addition, they should apply diplomacy, etiquette, good behaviour, protocol, and communication competencies (Van der Waldt, 2004:115-116). A distinctive feature of public service institutions is that they are expected to be highly professional, thus combining public service values with the values and standards of the profession itself (Sekoto & Van Straaten, 1999:106). These values should be captured in the ethical performance of public service managers such as their quality of work (Vyas-Doorgapersad & Ababio, 2006:393).

Whilst professionalism embraces the quality of work performed by public servants, public service ethics are concerned with actions and decisions that have a direct effect on members of the public. Ethics, according to Cloete (1995:29), may be defined as "... the collection of moral principles, norms, attitudes, values and obligations that serve as conduct and behaviour rules", to ensure that public servants stay focused on the promotion of the general welfare of the public. Ethics are thus the moral principles that should govern the conduct of all the role players in the public service and include aspects such as commitment to public trust, service delivery to society and protection for the disadvantaged (Mafunisa, 2000:79-80; Van der Waldt, 2004:111).

These moral principles refer to impartiality, fair and equitable services, responsiveness, accountability and a high standard of pro-

professional ethics (Constitution, 1996: Section 195(1)). Every citizen has the right to expect decent public services, which are in keeping with these values. Unlike instinctive morality, ethics are a rational and conscious attempt to formulate the principles governing good and bad, right and wrong. Moreover, in contrast to instinctive morality, it has the advantage of being open to scrutiny, reflection and improvement. This is important, because codes of behaviour need to be adjusted periodically (Mafunisa, 2000:79), because ethical and moral standards go beyond the prohibitions of legislation.

The White Paper on Transforming Public Service Delivery (SA, 1997) recommends that national and local departments give recognition to and reward staff for performing well in providing proper customer services. For this reason, performance management systems should include an assessment of the performance of an individual in respect of how much the individual has contributed towards improving service delivery (Sing, 2000:2; Van der Walddt, 2004:112). In addition, public service managers should ensure that individual assessments also consider ethical conduct towards the public.

The public service cannot develop a truly service-orientated culture without the active participation of the broader community. Consequently, attempts have been made to establish partnerships with the broader community (Sing, 2000:5). To establish such partnerships, government departments should involve representatives of the broader community, not only in all discussions about the future development of public services, but also in the interest of interest groups which, according to Cloete *et al.*, (2006:113), are key role players in policy agenda setting.

There are seven independent state institutions that support ethical conduct. These include the following:

- the Public Protector (investigates the conduct of state officials on behalf of the public);
- the Human Rights Commission (promotes the protection of human rights);
- the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (promoting respect for the rights of cultural, religious and linguistic communities);

- the Commission for Gender Equality (encourages respect for and general protection of gender equality);
- the Auditor-General (audits and reports on financial statements and the financial management of all national and provincial departments and administrations and municipalities); and
- the Independent Electoral Commission (coordinates free and fair national, local and municipal elections) (Constitution, 1996: Sections 182, 184, 185, 187, 188 & 190; Venter & Landsberg, 2006: 207).

Finally, the Public Service Commission (PSC) functions as an independent body that monitors and arbitrates the activities, ethos and conduct of the public service (Constitution, 1996: Section 196). Officially launched on 1 July 1999, the PSC replaces the nine Provincial Service Commissions and the National Public Service Commission initially established in 1994 under the Interim Constitution. The powers and functions of the Commission are set out in Section 196(4) of the Constitution (1996) and include the following:

- promoting the values and principles of public administration, as set out in Section 195 of the Constitution, throughout the public service;
- monitoring, evaluating and investigating human resource practices, service delivery and related organisational aspects to assess the extent to which they comply with constitutional values and principles;
- supporting the efforts of the public service to promote a high standard of professional ethics; and
- investigating grievances of officers and recommending appropriate remedies or actions, and reporting at least once a year to Parliament and local legislatures on its activities.

Ethical conduct and ethics are not necessarily the main variables influencing service delivery. However, some ethical concepts are likely to impact significantly on service delivery, especially when augmented by other aspects that may lead to a cumulative effect. For example, undesirable ethical conduct in addition to other inadequacies such as lack of resources and infrastructure could become significant elements towards poor service delivery. Furthermore, notwithstanding its probable contribution to poor service delivery, the actions of public institutions and the conduct of public service managers should conform to specific ethical norms – even if it is

merely seen as an aspect inherent to the leadership and mentor role that the public sector should play as an extension of the ethical and moral code exerted by the government of the day. Current and future demands on government departments will guide the type of ethical behaviour and professional competencies required. The public service manager should be sensitive to these needs and should respect and comply with essential management principles such as accepting diversity, upholding ethics and values, balancing work and personal needs, being flexible and able to adapt, and eschewing corruption (Vyas-Doorgapersad & Ababio, 2006:395).

5. Addressing the missing links

From the afore-mentioned it can be established that, firstly, there are a multitude of policies, strategies and programmes directed at the rendering of effective services to the citizens of South Africa. Secondly, several authors have touched on service delivery and ethics in the public service and have made valid contributions towards addressing these issues (Cloete, 1996; Clapper *et al.*, 2002; Mafunisa, 2000; Wessels, 2002; Van der Waldt, 2004; Auriacombe, 2005; Vyas-Doorgapersad & Ababio, 2006). Mafunisa, for example, identified seven causes of unethical behaviour, i.e. psychological, social, economic and organisational factors, as well as complex legislation, lack of an ethical awareness and deficient control and accountability. He added several measures that could be used by public service managers to promote ethical behaviour and service excellence, such as providing clear codes of conduct and codes of ethics (Mafunisa, 2002:196-200). Finally, it is clear that the Government has done its fair share to put legislative mechanisms in place to enhance service delivery and to ensure that public service managers are well equipped to function within this regulated milieu. However, in spite of its pursuit of effectiveness and its condemnation of unethical behaviour by public service managers, examples of scandals and allegations such as the following are still evident (Clapper *et al.*, 2002; Grobler & Joubert, 2004; Van der Merwe, 2006):

- The misuse of property and public resources.
- Public officials taking a percentage on governmental contracts, which are then often paid into their personal bank accounts.
- Public officials contracting governmental business to themselves, friends and relatives either through questionable companies and “partners” or even openly to themselves as “consultants”.

- Government officials receiving excessive performance bonuses or offerings from governmental contractors.

5.1 Discussions already on the table

In the discussions that follow, a brief perspective will be given on some of the issues that impact significantly on ethical behaviour.

- ***Ethics education and training in public administration should not merely promote ethical conduct but also morale and enthusiasm (Mafunisa, 2002:196)***

The Public Administration curricula of Higher Education Institutions (HEIs) should include aspects of service delivery such as ethical dilemmas (Hanekom *et al.*, 1995:170), as this generation of graduates are the potential future public service managers. This proposal is especially significant, as it has been experienced that students demonstrate unethical behaviour through plagiarism, cheating and other academic malpractices. If these practices of graduate students are the result of a “lack of ethical awareness” (Mafunisa, 2002:195), there is no better platform for addressing this issue with young academics and for encouraging postgraduate students to persist in research projects that will make a contribution towards ethical behaviour and service delivery in the public service.

Furthermore, it is necessary that the training of public officials is a continuation of the education provided by HEIs and other service providers, and that it provides clear direction of what is permitted and what is not within a public service environment (Van der Merwe, 2006:41). In the field of adult learning, training in ethical behaviour holds significant benefits (Clapper *et al.*, 2002:34), although variables such as incompetent trainers, negligent consultants, lack of support from senior management, and uncoordinated aims and objectives could seriously hamper this initiative. Ethics education and training in public administration further raises several questions, ie. (i) to what extent can an adult be taught how to act ethically?; (ii) is this not merely serving the purpose of making someone aware of acceptable and unacceptable behaviour?; and (iii) when (at what stage in life) is education and training in moral and ethical conduct most effective? In answering the last question, the cognitive developmental theories of Kohlberg and Kramer (1969) should be kept in mind. These theories have shown that moral reasoning, based on the concepts of equality and reciprocity, changes in predictable ways during the years of childhood and youth and will thus directly determine the ethical behaviour of public service managers.

- ***Exemplary ethical behaviour by public service managers is essential (Mafunisa, 2002:196)***

A lack of ethical behaviour by public service managers still appears to exist in modern-day South Africa, and therefore provides a variety of case studies to be studied by graduate students. For the sake of graduate students and young public officials in particular, managers need to set the standard for excellence in service delivery. Furthermore, they should serve as positive role models – i.e. “a person who fulfils his or her role as a good example for others ... carries out a role demonstrating values, ways of thinking and acting, which are considered good in that role” (Wikipedia, 2006: on-line). Mafunisa (2002:197) proposed that, in order to change this culture of unethical behaviour, the main instigator should be brought to justice and made an example of. The problem does, however, not end with disclosure. The public official who acts as such, immediately exposes him-/herself to further predicaments in ethical conduct such as “whistle-blowing” (Auriacombe, 2005:215), the minority taking on the majority, or the presence of political power play and nepotism. Public service managers are subjected to these realities, and according to Auriacombe (2005:223), although the popularity of whistle-blowing hotlines has increased, it appears that many choose to disregard malpractices and rather find means to work around them.

- ***Adequate and fair compensation***

Mafunisa (2002:195) is of the opinion that economic factors can cause unethical behaviour such as corruption, whilst Clapper *et al.*, (2002:30) postulate that the less a public official is paid, the more likely such an official is to accept an incentive to supplement his/her salary. The authors further concluded that the longer a person is employed in the public service, the greater the chances of upholding ethical standards, whilst those with less than five years of public service (74%) consider it reasonable to accept incentives (Clapper *et al.*, 2002:30). During the past five decades various motivational theories have been studied which address remuneration as a motivator. Maslow’s hierarchy of needs (1954:134) was divided into lower-order needs (physiological, safety, social) and higher-order needs (esteem and self-actualisation) and according to his theory, although no need is ever completely fulfilled, a satisfied need no longer motivates (Maslow, 1954:134). Thus it appears that the original measure to safeguard public service ethics and accountability through *adequate and fair compensation* (Mafunisa, 2002:195) is supported by Maslow’s theory that a satisfied need no longer motivates. Nevertheless, in reviewing the current remuneration pack-

ages of public service managers, it appears that the public service managers, while receiving adequate and fair compensation (Grobler & Joubert, 2004:95; Van der Merwe, 2006:33), are in the forefront when it comes to malpractice (Leon, 2007: on-line) and that the application of constitutional mechanisms that govern service delivery is not applied consequently (Du Plessis, 2007:20)

- **Constitutional mechanisms**

The Constitution (1996) mentions of the role of the Public Protector, the Auditor-General, the Public Service Commission and Judicial Institutions in the controlling and monitoring service delivery. Prior to 2000, the Government also paid attention to the establishment of monitoring systems such as political oversight and the need for evaluation and review (Cloete *et al.*, 2006:205). However, the objectivity of the application of these monitoring systems with regard to senior officials is disputed by Leon (2007: on-line) and Du Plessis (2007:20). The authors argue that, although the Government applies high ethical standards in the cases of some officials by removing them from office, these standards are “applied selectively or in favour with the ruling elite”. Leon (2007: on-line) further pleads with the Government to promote a culture of personal responsibility.

A close look at the constitutional mechanisms discussed leads to the argument that, even though a decade of new legislative directives to enhance public service delivery has already passed, this does not necessarily mean that the public service manager will automatically accept ethical responsibility or act accordingly, and evidently this argument stands. So, what are the missing links? What follows, provides a brief overview of some ethical concepts that are viewed as essential mechanisms to address the question posed.

5.2 Behaviour, situation, cultures and egoism

According to Van der Merwe (2002:17) en Auriacombe (2002:5), the problem lies in the difficulty in reaching moral consensus in the 21st century. On the one hand this is due to a lack of understanding of different ethical paradigms and on the other hand to the difficulty in distinguishing between individual rights and social obligations. This situation is especially relevant to the South African Public Service with its diverse workforce of around 1 250 000 employees. In a similar vein, Wilkens (1995) recommends ethical theories to substantiate this concept of diversity. The author, however, cautions that individual views are not always present in one particular theory, but may consist of a combination of theories.

Relevant to this article is the *Theory of behaviourism*, which reduces ethics to a strategy where people are trained to behave in a certain way and where their behaviour is solely controlled by cause and effect (Wilkins, 1995). Thus public service managers who relate to this theory merely know that they are not free of social influences in their decisions and when a particular cause is in place, a specific effect must follow. This theory emphasises the importance of having an understandable and all-inclusive ethical organisational policy that is not only supported but also implemented by the relevant top management. The so-called *Theory on situation ethics* stresses the fact that a relevant norm arises from a situation and that no universal valid rule is possible but the one absolute: love (Wilkins, 1995). Situation ethics compel public service managers to reject legalism and base their behaviour merely on a passionate sentiment. Having public service managers who contemplate situation ethics within a public service organisation without clear and concise ethical boundaries, might be some cause for concern.

In the *Cultural relativism theory* each person's culture is the standard by which the person's actions are to be measured (Wilkins, 1995). The public service manager who relates to this theory will view cultural differences as positive and enriching and therefore it is important that public service organisations spend time to enlighten public service managers on the different cultural perspectives in order to foster an understanding of one another's culture.

The last theory to be considered for the purpose of this article is that of *Ethical egoism* (Wilkins, 1995). The foundation of ethical egoism is that the moral obligation of each individual is only relevant to those acts that are advantageous to the person in the long term. In this theory the public service manager acts with a view to self-preservation and self-interest; a situation that often occurs within public service organisations. Once again the importance of having a policy on ethics in a public service organisation is emphasised, especially because ethical behaviour is shaped during early childhood and in many cases in South Africa this upbringing is lacking.

5.3 Ethics begin at home

Ethical behaviour, a rational and conscious attempt to formulate the principles governing good and bad, or right and wrong, is best learned from childhood, whether provided by parents, caretakers, the church, the education system or role models in the community. King (2007:104) is of the opinion that it is because of the absence of ethical guidelines from the church and home in modern society that

organisations must now try and bridge/close this chasm. The fundamental point of departure for this argument is Aristotle's suggestion that morality cannot be learned simply by reading an essay on virtue; the character of ethics, argues Aristotle, is awakened in the individual only through the observation and conduct of an ethical person, i.e. a parent, educator, pastor or administrator.

According to Gini (1996: on-line), this belief of role modelling or mentoring relies on four principles. Firstly, people learn to conduct themselves primarily through the actions of significant other persons. The *Social learning theory* of Bandura (1977) emphasises the importance of observing and modelling the behaviours, attitudes, and emotional reactions of others. From observing others, one forms an idea of how new behaviours are performed, and one then uses this encoded information at a later stage as a guide for ethical decisions and behaviour. Secondly, when the behaviour of others is reiterated often enough and proves to be positive, some may emulate these actions; and thirdly, when individuals' actions are in turn constructively reinforced by others, they might become acquired characteristics or behavioural habits. In this regard, the *Operant conditioning theory* of Skinner (1950) is based upon the idea that behaviour, specifically moral behaviour, can be learned through reinforcement (reward). This reinforcement could take place by means of verbal praise, a feeling of increased accomplishment, or promotion. According to the fourth principle of Gini (1996: on-line), role modelling that produces a positive or beneficial action does not necessarily fulfil the basic requirements of the ethical enterprise at either a descriptive or normative level. Role modelling, customs and good behaviour (whether positive or negative) are not the final target. The final step in the process of mentoring includes reflection, evaluation, choice, and conscious intent, because ethics always involve free will (Gini, 1996: on-line).

It appears that the missing links are to be found somewhere between the public service organisation and the individual public service managers. Public service organisations need to provide continuous commitment, enforcement, and modelling of leadership in professional ethics. Training, education and awareness must continue and will therefore ensure that there is a supply and a demand that will hopefully instil a new culture of transparent government. However, public service managers should realise the importance of changing their personal mindsets and accept the ethical standards that are supported by the public, which might differ from their own beliefs and cultures.

6. Conclusion

This article paid attention to legislative and ethical mechanisms that are in place within the South African Public Service as directives for service delivery. The emphasis first fell on the statutory framework for improved service delivery to indicate that a strong support base for ethical conduct was put in place. Secondly, the various mechanisms to improve the quality of service delivery within the South African Public Service should also be highlighted. The following conclusions are drawn from the discussions above:

- It is clear that a multitude of policies, strategies and programmes are directed at the rendering of effective services to the citizens of South Africa by public service managers. The Government has done its fair share to put legislative directives in place to enhance service delivery as well as the competence of the public service manager.
- There is a significant, though diverse understanding among theorists and practitioners regarding ethical paradigms. Apparently role players find it rather difficult to distinguish between issues such as individual rights and social obligations in society (Van der Merwe, 2002).
- Individuals tend to act upon ethical theories and own beliefs (Wilkins, 1995).
- Since there is a decline in the promotion of ethical guidelines by religious institutions and homes, it seems that there is a growing obligation on the part of the public service to bridge/close this chasm (King, 2007:204).
- Morality cannot be learned simply by reading relevant literature. It is instilled in the individual only through the observation and conduct of the ethical behaviour of other people, e.g. parents, educators, pastors or managers.
- The belief of role modelling or mentoring relies on four principles. The final step in the process of mentoring includes reflection, evaluation, choice, and conscious intent, because ethics always involve the free will (Gini, 1996: on-line).
- The *Social learning theory* emphasises the importance of observing and modelling the behaviour of others. This encodes information at a later stage as a guide for ethical decisions and behaviour of individuals (Bandura, 1977).

- Skinner's theory (1950) is based upon the idea that moral behaviour within a work situation can be learned through positive reinforcement such as personnel assessment.
- There is a growing emphasis on the ethical responsibility of public service managers who need to establish and live their own ethical philosophy within the public service milieu.
- In the present-day South African Public Service situation there are also a multitude of contributing factors that may lead to poor service delivery and are not necessarily linked to ethics and ethical conduct. Such factors may be outside the sphere of control of public service managers and include a lack of resources (human, physical and fiscal).

In conclusion, ethics affect the ethos of the public service and will therefore assist in the formulation of ethical choices and decisions of public service managers. These officials help to set the climate, develop the vision, and shape the behaviour of all those involved in their organisations. The critical point to understand here is that the ethical conduct portrayed by public service managers establishes models for the behaviour of individuals working with them as well as for the public.

List of references

- AURIACOMBE, C.J. 2002. Die etiese posisie van staatsamptenare in 'n staatsburokrasie in verhouding tot die publiek en hul hiërargiese meerderes. *Politeia*, 21(1):59-83.
- AURIACOMBE, C.J. 2005. Whistle-blowing and the law in South Africa. *Politeia*, 24(2):215-225.
- BANDURA, A. 1977. Social learning theory. New York: General Learning Press.
- BOTES, P.S., BRYNARD, P.A., FOURIE, D.J. & ROUX, N.L. 1996. Public administration and management: a guide to central, regional and municipal administration and management. Cape Town: ABC.
- CLAPPER, V., DE JAGER, J. & FOURIE, L. 2002. The state of public service ethics: an exploratory study. *Politeia*, 21(1):25-36.
- CLOETE, F., WISSINK, H. & DE CONING, C. 2006. Improving public policy: from theory to practice. Pretoria: Van Schaik.
- CLOETE, J.J.N. 1995. Public administration glossary. Pretoria: Van Schaik.
- CLOETE, J.J.N. 1996. Accountable government and administration for the Republic of South Africa. Pretoria: Van Schaik.
- DU PLESSIS, T. 2007. Mbeki se vriende is kroonwild. *Rapport*: 20, 13 Mei.
- FOX, W. & MEYER, I.H. 1995. Public administration dictionary. Cape Town: Creda.
- GINI, A. 1996. Moral leadership and business ethics working papers. http://www.academy.umd.edu/publications/klspdocs/agini_p1.htm Date of access: 24 Nov. 2006.

- GROBLER, E. & JOUBERT, S.J. 2004. Corruption in the public sector: the elusive crime. *Acta criminologica*, 17(1):90-102.
- HANEKOM, S.X., ROWLAND, R.W. & BAIN, E.G., eds. 1995. Key aspects of public administration. Pretoria: Macmillan.
- KING, S.M. 2007. Religion, spirituality, and the workplace: challenges for public administration. *Public administration review*, 67(1):103-114.
- KOHLBERG, L. & KRAMER, R. 1969. Continuities and discontinuities in childhood and adult moral development. *Human development*, 12:93-120.
- KOTZE, H.J. & MASUTHA, J.R. 2002. Tracking elite opinions on political corruption in South Africa. *Politeia*, 21(1):5-24.
- LAWTON, A. & ROSE, A. 1994. Organisation and management in the public sector. Glasgow: Pitman.
- LEON, T. 2007. Office-bearers must take the rap for their misdeeds. *Sunday Times*: 14 Jan. <http://www.sundaytimes.co.za/article.aspx?ID=358439>
Date of access: 31 Jan. 2007.
- MAFUNISA, M.J., ed. 2000. Public service ethics. Kenwyn: Juta.
- MAFUNISA, M.J. 2002. Ethics and accountability in public administration. (In Kuye, J.O., Thornhill, C. & Fourie, D., eds. *Critical perspectives on public administration*. Sandown: Heinemann. p. 192-214.)
- MASLOW, A. 1954. Motivation and personality. New York: Harper & Row.
- ROUX, N., BRYNARD, P., BOTES, P. & FOURIE, D. 1997. Critical issues in public management and administration in South Africa. Cape Town: Colorgraphic.
- SA
see SOUTH AFRICA
- SA-PCAS
see SOUTH AFRICAN POLICY CO-ORDINATION AND ADVISORY SERVICE
- SEKOTO, M. & VAN STRAATEN, F. 1999. Focusing on the customer in the public sector. *Journal of public administration*, 34(2):104-112.
- SING, D. 2000. Promoting ethical behaviour amongst public representatives and public servants in South Africa. *Administratio publica*, 9(1):1-7.
- SKINNER, B.F. 1950. Are theories of learning necessary? *Psychological review*, 57(4):193-216.
- SOUTH AFRICA. 1994. Public Service Act, 1994 (Act 103 of 1994). Pretoria: Government Printer.
- SOUTH AFRICA. 1996. Constitution of the Republic of South Africa, 1996 (Act 108 of 1996). Pretoria: Government Printer.
- SOUTH AFRICA. 1999. Public Finance Management Act, 1999 (Act 1 of 1999). Pretoria: Government Printer.
- SOUTH AFRICA. 2000. Protected Disclosures Act, 2000 (Act 26 of 2000). Pretoria: Government Printer.
- SOUTH AFRICA. 2001. Provincial Tax Regulations Act, 2001 (Act 53 of 2001). Pretoria: Government Printer.
- SOUTH AFRICA. 2004. Public Audit Act, 2004 (Act 25 of 2004). Pretoria: Government Printer.
- SOUTH AFRICA. 2005. Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005). Pretoria: Government Printer.
- SOUTH AFRICA. Department of Public Service and Administration. 1995. White Paper on the Transformation of the Public Service. Pretoria: Government Printer.

- SOUTH AFRICA. Department of Public Service and Administration. 1997. White Paper on Transforming Public Service Delivery. Pretoria: Government Printer.
- SOUTH AFRICA. Department of Public Service and Administration. 1998. Whitepaper on Affirmative Action in the Public Service. Pretoria: Government Printer.
- SOUTH AFRICA. Department of Public Service and Administration. 2006. Batho Pele Home. <http://www.dpsa.gov.za/batho-pele/index.asp> Date of access 24 Oct. 2006.
- SOUTH AFRICAN POLICY CO-ORDINATION AND ADVISORY SERVICE. 2003. Towards a ten-year review: synthesis report on implementation of government programmes: policy coordination and advisory service. Pretoria: The Presidency.
- VAN DER MERWE, A. 2006. The nature and causes of corruption: the perceptions of KZN public service managers and anti-corruption agents. *Journal of public administration*, 41(1):32-45.
- VAN DER MERWE, J.C. 2002. Making ethics work. (In Lategan, L.O.K. & Le Roux, P., eds. Business ethics. Bloemfontein: Tekskor. p.16-23.)
- VAN DER WALDT, G. 2004. Managing performance in the public sector, concepts, considerations and challenges. Lansdowne: Juta.
- VAN TONDER, J. 2007. Staat se gesloer laat ekonomie ver agter raak. *Rapport*: 1, 13 Mei.
- VENTER, A. & LANDSBERG, C., eds. 2006. Government and politics in the new South Africa. Pretoria: Van Schaik.
- VYAS-DOORGAPERSAD, S. & ABABIO, E.P. 2006. Ethical dilemmas and democratic values: how to reposition institutions for good governance and increased service delivery. *Journal of public administration*, 41(2.2):385-396.
- WESSELS, J.S. 2002. Ethics in politics and public administration. *Politeia*, 21(1):3-4.
- WIKIPEDIA, 2006. Wikipedia encyclopaedia. http://en.wikipedia.org/wiki/Main_Page Date of access: 14 Nov. 2006.
- WILKENS, S. 1995. Beyond bumper sticker ethics: an introduction to theories of right & wrong. Illinois: InterVarsity.

Key concepts:

ethical conduct
public service manager
service delivery

Kernbegrippe:

dienslewering
etiese gedrag
staatsdiensbestuurder