AN ANALYSIS OF ETHICS AND GOVERNANCE PRACTICES IN THE PUBLIC SECTOR: UNITED NATIONS AND AFRICAN UNION PERSPECTIVES

BY

EMMANUEL SELEMANI SHINDIKA

201316880

A THESIS SUBMITTED TO THE FACULTY OF MANAGEMENT AND COMMERCE IN FULFILMENT OF THE REQUIREMENTS FOR THE DOCTOR OF ADMINISTRATION DEGREE IN PUBLIC ADMINISTRATION

SUPERVISOR: PROFESSOR D.R. THAKHATHI

2015

ABSTRACT

Recent studies highlight the importance of improving governance and ethics in public entities, especially in Africa. However, doing so requires an understanding on what forms governance and ethics in public institutions, particularly at a national level. Such considerations necessitates that some focus on continental and world institutions, such as, the African Union and the United Nations. These institutions have been in existence for a number of years with mandates of improving member states governance and ethics, as well as, service delivery to the public. As such, this research primarily focuses on understanding the roles played by the AU and the UN in shaping governance and ethics to member states, as well as, of its employees. The focus of this inquiry was to understand individual narratives about how working for public institutions on a daily to day basis influences governance and ethics understanding and application. Therefore, in order to properly analyse the narratives from respondents, the study applied an inductive and qualitative approach in order to explore how the AU and UN systems influence governance and ethics for member s states and employees. Data was collected through semi structured interviews with UN and AU officials, as well as public servants of member states for those organisations. The study made use of a thematic analyses method of interpreting data. A total of six major themes emerged, they are as follows: ethics a part in governance; effectiveness of AU and UN systems; disciplinary role; ethical guidelines and standards influence on public sector; member states adherence to the UN/AU ethical conduct; and implementation gaps in ethical guidelines within member states. Interviews were conducted in four countries namely; South Africa, Tanzania, Mauritius and Botswana. Findings from the study pointed that the AU and UN systems have loopholes in dealing with issues of governance and ethics. Moreover, member states respondents also pointed to the loopholes in those two organisations. The research suggests that member states should tighten their public entities ethical compliance assessments and follow suggestions from the UN and AU. Final recommendations and suggestions for further research are provided.

Keywords: ethics, governance, public sector, public entities, African Union, United Nations, South Africa, Mauritius, Tanzania, Botswana

DECLARATION ON COPYRIGHT

By submitting this dissertation, I declare that the entirety of the work contained therein is my own, original work, that I am the sole author thereof (save to the extent explicitly otherwise stated), that the reproduction and publication thereof by the University of Fort Hare will not infringe any third party rights and that I have not previously in its entirety or part submitted it for obtaining any qualification.

June 2015   Signature...

DECLARATION ON PLAGIARISM

I, Emmanuel Selemani Shindika, the undersigned, student number 201316880, hereby declare that:

i. I understands 'plagiarism' as the wrongful appropriation, stealing and publication of another author's thoughts, ideas, or expressions, discoveries and inventions and so on and representing them as one's original work. This is the practice of taking someone else's work or ideas and passing them off as one's own.

ii. I have duly and appropriately acknowledged all references and conformed to avoiding plagiarism as I define and understand it.

iii. I have made use of the citation and referencing style as suggested by my supervisor.

iv. This thesis work is my own, as it is about my own practice improvement, through action research methodology.

v. I am committed to uphold research and professional integrity in academia as illustrated in chapter three of this thesis.

vi. I am aware of the consequences of engaging in plagiarism as this is explained by the UFH Plagiarism Policy.

…………………………..   ……………………………..

Signature   **Date**

DISTRIBUTION AGREEMENT

In presenting this thesis as a fulfilment of the requirements for Doctor of Administration from the School of Public Administration, University of Fort Hare, I hereby grant the University of Fort Hare and its agents the non-exclusive license to archive, make accessible and display my thesis in whole or in part in all forms of media, now or hereafter known, including display on the world wide web. I understand that I may select some access restrictions as part of the online submission of this thesis.

Name: Emmanuel Selemani Shindika

Date:............/.........../2015

Signature:......................................

ACKNOWLEDGEMENTS

Tanzania, South Africa, Mauritius and Botswana. Others are the family of Prof. Mkeni, Prof. Lyoka, Prof. Sipho Lembe, the office of international affairs, especially the Administrator and her manager, Caroline Kukubo and Mbeko Mnyatheli, just to mention few. To all of them, I thank you and may God bless you abundantly.

DEDICATION

Dedicated to the Almighty God who helped me to do all things through Him who strengthens me.

SIGNATURE PAGE

Supervisor's signature to state that this work has been declared relevant and has been accepted.

Name of supervisor: Professor D.R. Thakhathi

Signature of supervisor:………………………..

Date:……………../…………../ 2015

TABLE OF CONTENTS

INDEX OF TABLES

INDEX OF FIGURES

ABBREVIATIONS

ACDEG	=	African Charter on Democracy, Elections and Governance
APRM	=	African Peer Review Mechanism
AU	=	African Union
BC	=	Before Christ
BAAC	=	Botswana Action Against Corruption
BIS	=	Botswana Intelligence Service
DCEC	=	Directorate on Corruption and Economic Crime
CPCs	=	Corruption Prevention Committees
FIA	=	Financial Intelligence Agency
OECD	=	Organization for Economic cooperation and Development
UN	=	United Nations
WB	=	World Bank
IMF	=	International Monetary Fund
UNDP	=	United Nations Development Programs
UNESCO	=	United Nations Educational, Scientific and Cultural Organization
MDGs	=	Millennium Development Goals
EU	=	European Union
REPOA	=	Research on Poverty Alleviation
BDFID	=	British Department for International Development
DEAU	=	Democracy and Electoral Assistance Unit
GMRDC	=	Govan Mbeki Research and Development Centre
DPSA	=	Department of Public Service and Administration
OGP	=	Open Government partnership
NGOs	=	Non Governmental Organizations
TI	=	Transparency International
GI	=	Global Integrity
CPI	=	Corruption Perception Index
GCR	=	Global Corruption Report
PI	=	Payers Index
GRECO	=	Group of Sates against Corruption
UNECA	=	United Nations Economic Commission for Africa
WHO	=	World Health Organization

USA	=	United States of America
WTO	=	World Trade Organization
UNODC	=	United Nations Office on Drugs and Crime
IAAC	=	Independent Audit Advisory Committee
GPAC	=	Global Programme against Corruption
SADC	=	South African Development Community
OAU	=	Organization of African Unity
NEPAD	=	New Partnership for African Development
TANU	=	Tanganyika African National Union
PCB	=	Prevention of Corruption Bureau
PCCB	=	Prevention and Combating of Corruption Bureau
URT	=	United Republic of Tanzania
ICT	=	Information and Communication Technologies
NACSAP	=	National Anti-corruption Strategy and Action Plan
PSRP	=	Public Service Reform Program
PFMRP	=	Public Finance Management Reform Program
LGRP	=	Local Government Reform Program
LSLP	=	Legal Sector Reform Program
PPRA	=	Public Procurement Regulatory Authority
MDAs	=	Ministries, Departments and Agencies
PER	=	Public Expenditure Review
O&OD	=	Opportunities and Obstacles to Development
CSOs	=	Civil Society Organizations
PETS	=	Public Expenditure Tracking Surveys
PSC	=	Public Service Commission
ACCC	=	Anti- Corruption Coordination Committee
NACF	=	National Anti-Corruption Forum
NAP	=	National-Anti Corruption Programme
UNCAC	=	United Nations Convention against Corruption
OPSG	=	Office of Public Sector Governance
MCSAR	=	Ministry of Civil Service and Administrative Reforms
PMS	=	Performance Management Systems
ICAC	=	Independent Commission Against Corruption
PBB	=	Programme-Based Budgeting

PDFSCs	=	Public and Disciplined Forces Service Commissions
FIU	=	Financial Intelligence Unit
POCA	=	Prevention of Corruption Act

CHAPTER ONE: INTRODUCTION

1.1 INTRODUCTION AND BACKGROUND OF THE STUDY

It is imperative that public servants, upon accepting government mandates or employment, take into consideration that they have a special duty to be impartial, fair and transparent when dealing with the public. The usefulness of a government rests on the conduct of its officials or servants and the perceptions held by its citizens regarding acceptable standards in service delivery.

Ethical standards and governance expectations of public servants are usually enshrined in the code of ethics or conduct which documents the rules and regulations that need to be observed. Any implicit behaviour may constitute an act of misconduct that may unfold in various forms both at individual and institutional level. However, governance can be destabilized by a number of activities happening in the political field mainly at local government level. This may be true, in that local governments are more prone to corruption because of the ease in the interaction between the private and public sector. For instance, nepotism is one form of political corruption that erodes governance structures (PoliticalCorruption.net, 2009).

Corruption causes a lot of people to remain trapped in misery and poverty, breeding social unrests (Lou, 2007). Khan (2008) noted that corruption is detrimental to both social development and economic growth. This is usually the norm in a number of third world countries where most governments are struggling to improve ethical conducts of their public servants as well as, good governance in public sector. According to Transparency International (2010), the Sub-Saharan region has high incidences of corruption, with one in every two people agreeing to have paid bribery to public servants. The effects of corruption are detrimental, especially in Africa where institutional capacity of governments has suffered a lot, as resources for the public are diverted for personal gains. A number of world bodies like the United Nations, World Bank and IMF have noted the problem that corruption creates in eroding ethical standards and governance structures. Poor governance that is linked to corruption is the main reason why a number of countries such as South Africa saw it fit to put a Public Protector in place. Therefore, the challenge faced by most third world countries is to improve their public sector.

Most of the third world countries in Sub-Saharan Africa inclusively have not realized much in public service despite their rich wealth in natural resources, favourable weather conditions and growing populations (UNDP, 2010). This is partly caused by issues ranging from ethics and

governance to service delivery. Studies show the significant role played by ethics and governance in achieving development in various countries (UNESCO, 2003; Kauffman, *et al.,* 1999; Moktan & Nicoll; 2008; Noor, 2008; Ladzik & Eldridge, 2009). Similarly, the United Nations and the African Union have also been working shoulder to shoulder with member states to promote good governance and ethics in public sector. To date, the UN General Assembly introduced the *United National Millennium Declaration to the United Nations Convention* against corruption. This document makes certain provisions on the promotion of public sector accountability and transparency, hence, restraining corruption. Furthermore, a number of meetings, conferences and reports are available in the public domain highlighting the urgency of the matter. A number of regional meetings and gathering are also done throughout by the African Union. The AU endorsed recommendations that came from the 16th Ordinary Session held in January 2011 on governance. The recommendations spelt clear that the duty of the government, among other responsibilities, was to foster an environment where governance is improved and ethics maintained.

This study, therefore, is a response to the increasing public demand for transparency, accountability, ethics and good governance in AU member states. The study focuses on the critical analysis of ethics and governance in the public sector premised on the United Nations and African Union perspectives. As a result, the aim of this study is to build the capacity of citizens towards monitoring their respective public sectors in the governments. It is the expectation of all governments, particularly in Africa, that with transparency, accountability, ethical standards as well as good governance in place, the quality of services provided would improve so as to realize tangible and vibrant development of their public sectors.

1.2 STATEMENT OF THE PROBLEM

The UN and AU strive to create a world where there is transparency and accountability among its member states. This is done by setting goals and mandates for member states to achieve in public sector so as to create an environment where public servants are responsible and accountable to the public. The attainment of goals such as eradicating social problems (poverty, illiteracy, diseases, hunger, inequality, corruption, and other related issues) to realize sustainable social development in the developing nations, like the majority of developed countries, are the norms in the AU and the UN. However, regardless of the efforts that are set by these organisations, AU member states still struggle to improve their governance. (World Bank, 2013).

A number of African countries are faced with high rates of corruption from public servants to such an extent that certain public institutions have failed. In order to address this phenomenon, the UN and the AU have been instrumental in creating a conducive environment for member states to adopt certain declarations and recommendations with regards to ethics and governance in the public sector. The public sector is entrusted with a huge role of guiding public resources and executing decisions on behalf of the electorate plays an indispensable role in the growth and governance of a nation (UN, 2001). As a result, there should be a system that can provide guidance in the promotion of ethics and governance.

The AU and UN, as institutions, are then left with a role of monitoring that member states create public sectors that address the needs of the public. However, recently, the challenges faced by these institutions stem from the role they play in monitoring member states. The fact that the same institutions like the UN and AU cannot violate a member state sovereignty by enforcing certain recommendations/mandates adopted in meetings and summits means their role is limited to an observer. Therefore, it is necessary to first understand how the systems of UN and AU work in order to gauge their effectiveness in monitoring whether/not member states adhere to certain rules and guidelines. Such a distinction will help identify the challenges faced by member states in fostering good governance and ethical standards in their public entities.

This study, therefore, strives to find out the progress made by the UN and AU systems of ethics and governance towards the development of public sectors under their umbrella. Mutahaba (1989) and Maluka *et al*. (2010) indicated that some countries especially from Africa and Asia have introduced several measures and reforms in their public sectors to make sure that ethics and governance are taken aboard in their governance. These measures include the establishment of ethics committees (or Integrity committees), establishments of laws, directives guidelines, orderly and other related means.

The alarming questions that follow are: to what extent are these measures useful in making a difference in service delivery and champion development in relation to UN systems of ethics and governance? Further, the study seeks to address the following questions: To what extent does UN and AU systems of ethics and governance influence the development of public sectors of their member states? How do the UN and AU systems of ethics and governance interact with each other in relation to the development of nations in focus? What are the challenges experienced by the UN's and AU ethics as well as governance in realizing sustainable public sectors implicated? These questions will draw attention to recommendations of the study through critiquing lessons

from developed regions especially Europe and Asia that can be beneficial to other regions in relation to the development of public sectors especially Africa. Based on these questions, it is thus critical to follow-up on the existing gaps.

1.3 OBJECTIVES OF THE STUDY

The objectives of the study are:

1. To explore how the UN and the AU employees understand the role of ethics in governance.

2. To explore how ethical compliance can be a good indicator of governance for the UN and the AU.

3. To assess the effectiveness of the AU and the UN systems in dealing with ethics and governance of the employees as well as their member states.

4. To examine if member states of the UN and the AU adhere to ethical standards and guidelines set by the two organisations.

5. To identify challenges faced by the AU and the UN in fostering good governance and ethics to member states public entities

1.4 SIGNIFICANCE OF THE STUDY

This study is necessary due to the fact that knowing the systems of ethics and governance utilized by the UN and the AU, understanding the interaction of ethics and governance in these organs will be useful in unfolding the hidden factors behind mal-adjustment of public sectors.

The recommendations from the study will be employed in informing key decision makers on the role of ethics and governance utilized by the UN and the AU in the development of public sectors, updating scholars and researchers on the subject and its findings, designing and implementing useful strategies for speeding up development plans of the public sectors, as well as contributing to the literature pertaining to governance and ethics by filling the gaps in knowledge on this subject.

1.5 INTRODUCTION AND CONTEXTUALIZATION

Literature involves systematic identification, location, and analysis of documents containing information related to the research problem being investigated (Mugenda & Mugenda, 1999). On the same note, Adam (2007) added that literature review is a process of identifying, locating, reading, evaluating, summarizing and incorporating in the study documents having materials which are related to the problem under investigation. Consequently, literature review enables the researcher to study different theories related to the identified title of the research and gain clarity of it.

In addition, it also enables the researcher to know the kind of additional data needed in the study. However, a good literature review is critical, organized and analytical in orientation. As a result, literature review has to justify the need for the study and highlights the relationship between past and current studies in the sense that what has been done already in relation to the study should be conceptualised with the present investigation (Kombo & Tromp, 2006).

In this study, the researcher integrated both theories of ethics and governance in relation to his research and framing the research in line with those theories. Furthermore, the researcher reviewed relevant literature starting from the evolution of ethics and governance worldwide so as to identify the divergence and convergence of the existing situation of ethics and governance of these nations interplay.

The development of any nation involves a multi-disciplinary approach engaging and linking numerous stakeholders in different phases. Irrespective of approaches the country is taking, human beings should be at the centre of such development in realization of its well-being socially, economically, politically, environmentally as well as technologically.

Stakeholders, both locally and externally based, are prudential ingredients in realization of these developments. The United Nations (UN) and African Union (AU) are some of the external stakeholders which pay tribute in the development of a nation's world-wide as well as regional contexts. For example, in 2000, the United Nations (UN) set out the Millennium Development Goals (MDGs) to: eradicate extreme poverty and hunger; achieve universal primary education; promote gender, equality and empower women; reduce child mortality rates; improve maternal health; combat HIV/AIDS, malaria, and other diseases; ensure environmental sustainability; and develop a global partnership for development by 2015 (UNDP, 2010). These goals were derived

from earlier international development targets which were being attained in varying rates among different countries, with the poorest ones achieving very little over time (Der Veen, 2004).

Developed countries in Western Europe and North America have been making some constant progress over the past four hundred years compared to Africa, particularly sub-Saharan countries (UNDP, 2013). On the other hand, some Asian nations have, in the past fifty years, picked up and made tangible development strides. Europe's development has greatly been accompanied by the influence of Christian ethics that place emphasis on hard work and social justice. Countries such as Japan, South Korea, China and Singapore have embraced various ethics systems including Christian, Buddhist, Shinto, Taoist and Confucian ethics. All these developed European and Asian countries have strong systems of ethics and governance which highly place emphasis in transparency, participation, accountability, rule of law, respect for human rights, democracy and freedom of media in varying extents (Der Veen, 2004)

The main pillars of these nations have been their focus on reducing poverty and inequality, improving incomes and standards of living, equitable distribution of resources and ensuring access to essential services by all. Der Veen (2004) put forward that since 1990s, there has been numerous efforts and various alternative strategies of development to help African governments to function better, but these enabling strategies seemed to fall on the infertility socio-cultural and historical soil. Contrary to Europe, particularly Western Europe, Asian countries like China showed just simple changes of policy which were sufficient to reach some desirable development while ethics and governance played a pivotal role in gearing such development.

Der Veen (2004) further added that if comparison could be made arbitrary by taking a pair of countries, one from Africa, and one from either Europe or Asia and weigh out the levels of development given the same genesis of the development, countries from Africa would be seen moving in a snail's pace.

> *"Zambia and South Korea: When Zambia became independence in 1964, they were on the average twice as wealthy as South Koreans. By the turnoff the century, the South Koreans were, on average, a full twenty-seven times as rich as the Zambians. Or take Kenya and Singapore, which thirty years ago were just about equally poor. Now Singapore earns an average of about 24,000 euro a year, while the average Kenyan earns about 340 euro a year"*(Der Veen, 2004).

Basing on this paradox, it seems that after taking comparison, Asian countries always come out on top. As a result, this raises thirst for any researcher, including this research, to investigate the reasons for such huge differences in the global context despite being the same in the level of development previously. Maluka, *et al.* (2010) contend that there were numerous changes that have been done in Africa but little progress has been attained in the level of social development compared to western Europe and Asia, and even these little changes seems to appear to be meaningful to personal leaders rather than social development.

For instance, South African leaders (Mandela and Mbeki) propagated the ideal of African renaissance and rejuvenation in the levels of development, yet the mood seems to be low in spite of having different reforms particularly public sectors. This evidences that those who are in power are failing to exercise their power for the benefit of the interest of the public.

Corruption as a sign of poor governance and unethical conduct continue to be the social problem worldwide particularly African continent to the extent of jeopardizing the social survivability. Jain (2005) and Shleifer and Vishny (1993) report that transparency as one of the components of ethics and governance is a problem in developing economies; government policies tend to be endogenous and centralized, and public servants are likely to dominate resource distribution. It is also estimated that over 25% of GDP of African countries are lost because of unethical behaviour, specifically corruption, while 275 million people's per capital income is less than a dollar per day (Atuobi, 2007; Shah, 2007; Tamene, 2008).

There is need to investigate the roots of not adhering to ethical standards and good governance because African countries and other developing countries fail to allocate the scarce resources which, in turn, slows down economic growth and social development. In addition, over 250 million people are reported to have lack of access to clean water and over 200 million people lack adequate health care services which are crucial for human survival (Cohen, 2005; Erubani & Young, 2003; Kaufman, 2007; Kieh, 2007; Onike, 2008). The World Economic Forum's Global Competitiveness Report (2008) and the Global Integrity (2006) identified two forms of corruption that are common in many countries world-wide, namely, bureaucratic and political corruption. The World Economic Forum's Global Competitiveness Report (2008) further reviews that the most affected sectors in many countries are natural resources management, tax administration, public procurement, police and judicial systems. These are the testimonies that there are ethical and governance dilemmas, especially those who are supposed to enforce ethical norms and standards in the society. It also indicates that there is a problem with regards to accountability,

transparency, rule of law, and the general exercising of official powers in the management of country's resources in an effort to increase and utilize such resources for the betterment of the society in the line of public sector management.

Measures which have been taken in combating these ethical dilemmas and mal-adjusted governance include, strengthening of legal framework (Nyangwine *et al.,* 2009). Other measures include formulation and strengthening of institutions that deal with corruption such as: Prevention and Combating of Corruption Bureau, Controller and Auditor General, the Commission for Human Rights and Good Governance, the Ethics Commission, Public Procurement Regulatory Authority, E-governance, Civil Society and the media. Dorasamy (2010) points out that inadequate commitment to ethical practices and governance in the public sectors impacts on the ineffectiveness of regulations and frameworks guiding ethical conducts and governance practices hence, jeopardizing the country's development. However, in order to operate ethically, improve governance and transparency of its member states, there is the executive at the apex of the UN Organisation. (Wynes & Zahran, 2010).

The executive heads are required to recognize their own obligations and take steps to demonstrate a strong personal commitment to the ethics function, providing a "seat at the table" for the head of ethics, holding annual "town hall" meetings with a specific component on ethics, and filing their own financial disclosure statement. Wynes and Zahran (2010) further report that in each organization within UN's system, there is an internal mechanism which sets out the modalities for the ethics office and/or the internal oversight service to investigate or review allegations brought against the executive Head of the organization including reporting the outcome of the investigation or review directly to the legislative body.

Stefiszyn and Heyns (2006) reveal that there are various comprehensive monitoring systems concerning ethics, governance, human rights, and so on, set by the UN and the AU to be implemented by their member states since their inceptions. The UN has the ethics and governance function that help to limit problems and foster a culture and atmosphere of integrity and accountability within its systems. In addition to the implementation of the ethical and governance function, there is also development and dissemination of policies and procedures with respect to the application of minimum acceptable standards of behaviour. The responsibility for providing the benchmark to all United Nations system is the UN's Ethics office. Stefiszyn and Heyns (2006) further argue that the UN and the AU have their principal institutions which are obliged to make sure that human rights, ethics and governance are complained by the member states in gearing

development because the true development of their member states is based on such foundations. The UN's belief is that public sectors of its member states are highly honoured by professional ethics in bringing development of the nations (Wynes & Zahran, 2010).

The AU, under its principle organs of the assembly, the Executive Council, the Permanent Committees, the Court of Justice, the Eco-social and Cultural Council and others have their own objectives such as promoting peace and harmony among the African states in gearing good environment for Africa to participate fully in different economic and social activities in order to eradicate poverty which is still a major problem in continent compared to other continents in the world particularly Europe (Alfredsson & Sano, 2002). The AU establishment was on the same framework with European Union (EU) and their obligations were aligning with those of the UN. For instance, Best (2006) postulates that one of the aims of the UN was to remove the causes of conflict by encouraging economic, social, educational, scientific and cultural progress throughout the world especially in developing countries. The fundamental thirst that follows in this phenomenon, given that there are organs and mechanisms for making sure that the member states under UN and AU perform better, is to establish the extent to which these are meaningful to the public sectors' governance.

1.6 THEORIES OF ETHICS AND GOVERNANCE

Hartman (2005) pointed out that there are two fundamental types of ethical theories that form the basis of other theories. These are teleological perspectives and deontological perspectives. Teleological theories are those which are based on the notion of choosing one's actions so as to maximize the values and consequences of those actions called consequentialism or utilitarianism (from the Greek *telos*, meaning "aim", "purpose" or "end results"). Deontological theories are those which are based on the notion of choosing one's actions according to standards of duty or obligation (looking on the process and means) and not consequences. In other words, a person must think on the nature of actions and the motives in performing it (from the Greek *deon*, meaning that "the necessity of doing the action").

Under teleological theories, Hartman (ibid) added that there is one dominant theory known as utilitarianism or consequentialism and several sub-sequent theories that follow within it, among them are the: Principal Agent theory (Rose-Ackerman, 1978), Institution theory (DiMaggio & Powell-1983), distributive justices (John Rawls-1971) and others. The chief pro-founders of these theories are Jeremy Bentham (1748-1832) and John Stuart Mill (1806-1873) who modified the

argument. The philosophical underpinning of utilitarian theory is that you have to weigh out the costs and benefits of a given decision that you make and follow the judgments which give the maximum overall gains. In other words, a decision is made according to the wishes of the majority.

The Principal-Agent theory is one of the theories which fall under utilitarianism and because of its relevance; the researcher saw this as useful for this study. This theory was propounded by Rose-Ackerman (1978) with an emphasis on the existence of relationships between the general public, public servants, and customers. In this relationship, the public servant is required to serve customers in an ethical manner for the benefit of the public. The theory put forward that any public servants' task is to make the best use of the community profit, hence, Aidt, (2009) and Jain, (2005) conclude that corruption occurs when the public servant choose to capitalize on personal gains than public benefits contrary to the theory.

Principal-Agent theory appeals to the UN and the AU officials to be accountable, diligent and competence. In addition, they must promote fairness, impartiality, integrity and loyalty in governing the organizations in relation to the performance of public sectors of the states under their umbrellas. Otherwise, the UN and the AU will become a symbolic representation of few nations' public sectors and leave others aside.

Another theory which seems to enrich this study under utilitarianism is the Institutional theory which asserts that any association, party or club in most cases is part and parcel of social and cultural systems where by their members struggle and fight for possessions of wealth. The pro-founders of this theory are DiMaggio and Powell (1983). Campos and Pradham, (2007) in Odemba (2010) reported that investigators used this presumption to learn how intercontinental companies make coalition and agreements with some government official leaders and allow those companies to transfer large sums of wealth and riches without paying levies. Odemba (2010) cited Scott's (2008) description of three levels of institutional analysis for studying developing countries. These include:

   i.   Universal configuration;
   ii. Governance configuration; and
   iii. The actors.

The leaders of these worldwide structure organizations are reported to order what is believed and considered likely to be suitable and legitimate within the organizational framework. The remarkable example of an International organization that suits developing nations, as United Nations (2008) suggested, is the World Trade Organization. Leana, Pil and Pint (2008) inferred that individuals in developing nations act in an unethical manner, including corruption in implementing these issues. DiMaggio and Powell (1983) added that each actor hunt for legalizing its dealings within such settings and maintain to implement new business norms which perpetuate corruption as an acceptable basis and grounds within the institutional settings.

Kaufman (2007) paid tribute to the above argument and mentioned that third world countries' levy and tariffs motivations are normally given to investors as a magnetic force for investing in the countries. However, officials of such companies in turn collaborate with unethical government officials of the respective countries and pay very little or even no taxes.

The Principal-Agent theory is most applicable to some sub-Saharan countries including Kenya and Tanzania. As reported by Research on Poverty Alleviation (REPOA) (2006), there were serious corruption cases which involved wastage of millions of dollars because of fake procurement deals. In addition to these, in 2007, some Tanzanian government officials were accused of engaging in a number of scandals similar to what the theory and their proposers argue. These scandals included buying an air traffic control (Radar) from a British Company (BAE).

The negotiation could be traced back to 1992 and was completed in 1999 where the Tanzanian Government paid about US $ 40 million which was later reviewed and found to be extremely high. In spite of having so much resistance and opponents from various stakeholders like the World Bank (WB), the International Monetary Fund (IMF), the British Department for International Development (DFID), the British Foreign Office as well as people of Tanzania themselves, the deal was approved by government officials, and BAE was given an export license (Nyangwine, et al, op. cit). Other scandals included the Bank of Tanzania (2008) which was reported to have made payments of 99 billion Tanzanian shillings to 13 companies based on fake and forged documents. This situation forced the current Tanzanian president (Jakaya Mrisho Kikwete) to dismiss the then Governor.

Rawls (1971) argued that ethical judgments are those that lead to an equitable distribution of goods and services, in other words, he meant that ethical justice is calculated and considered by the capability and competence of the decision in particular to enhance support among members of

the given society. The theory also tends to entail social settings and circumstances that justice must be connected to a situation where-in all people and stakeholders in the given society must be provided their interest and concern by providing equality to all. In conjunction with distributive justice theory, Brown (2009) and Harvey (2009) introduced three additional theories: the resource-based attitude, desert-based as well as libertarian theories. The resource-based attitude as per Brown (2009) meant that justice must promote same entrance to essential income to the people in the given society, and failure to promote such justice is no longer a integrity to the society. On the other hand, the desert-based principle and libertarian theories emphasize that distribution of justices must be based on inputs, roles, efforts, involvements as well as adequate returns to every member of the society. The libertarian theory emphasizes the notion of privileges that in issuing the justice in the society, one must make sure that all the targeted audiences are considered first and satisfied. In view of this theory, therefore, it is critical to find out if it is practiced by the member states of the UN and the AU hence, the researcher find it useful in the study.

On the other hand, there is Deontology outlook, the dimension of this theory is centred on rules and principles which govern the decisions (Iqbal ud-Din, 2012). The profounder of this theory is a German philosopher Immanuel Kant (1724-1804). The philosophical underpinning of this theory is that a person must make ethical decisions based on what is right or good regardless of the consequences of the decision. Aristotle argued on the same vein that before one can even begin to acquire into the nature of the good, one must first have received a proper nurturing in moral conduct. That is, before you want to be good, you have to already be good, or in order to learn what goodness consists of, you must have already been taught what it is. There are many major concerns of Kant's (1724-1804) theory, among others. These include:

i.   Nothing is intrinsically good but a good will;
ii. A good will is one that habitually wills rightly; and
iii. The rightness or wrongness of decision depends wholly on its nature or motives, and not on its actual consequences or its intended consequences (except as the expectation of these is part of the motive).

Kant (1724-1804) went further to add that everyone should take action on only those values that she or he, as a normal person, would recommend universal laws to be useful to other people. This came to be known as universalism theory. Universalism advocates that in attainment of judgment, we should think about and reflect on whether it would be suitable if someone, in every

circumstance, made this same situation. To Kant (1724-1804), what is correct for one is correct for all, and each of us can realize that correctness by exercising our normal faculties.

The researcher decided to frame his research on both two approaches; teleological perspectives as well as deontological outlook. The reason for taking those two dimensions is that under teleological perspectives, he assented with utilitarian/consequentialism theory in the sense that it appeals to any authority in resolving dissimilarities and disparities in opinions within a given society. Moreover, utilitarian is also supportive, especially in the contemporary world where democracy is overwhelming worldwide in the sense that it tries to abandon the majority pains and enrich enjoyment. If utilitarian perspectives are utilized by any of the concerned nation, it will help the citizens to satisfy their preferences as much as possible.

The researcher, however, identified some dilemmas of this theory. For instance, the rights and liberties of minorities are disregarded at the expense of the majority, taking into consideration that there are no rights which are superior to others, hence the question follows: who defends the minority?

Another weakness of the utilitarian theory is that it situates more weight and importance on circumstantial returns rather than in their inherent and practical basic environment of actions. In other words, the theory estimates the number and amount of people alone; that means, how many people will agree to the prevailing circumstances and pay no attention to the superiority and excellence of the decisions? This is because you cannot justify the happiness of the majority as more superior and ignore the minority.

These dilemmas posed by utilitarian theory made the researcher to integrate with other theories from deontological perspectives so as to complement the raised weaknesses. The researcher decided to merge with Kant's (1724-1804) theory which suggests that we have to make decisions based on the rightness of moral conduct regardless of the consequences of the decision because a morally wrong may decision has entirely good consequences, and a morally right one can have entirely bad consequences.

Kant's (1724-1804) theory seems to be based on religious perspectives with an exception of universal principles. It is acceptable whether an individual is a Christian, Jewish, Muslim, Buddhist, Hindu, Shinto because faith tends to provide the foundation of moral life which is built on religious perspectives. Furthermore, these faiths are almost utilized worldwide where the

research under the study is expected to gather information, therefore, if at all findings seem to be contrary to these bases, it reveals that such leaders are unethical and found guilty for jeopardizing the expected public sectors' development.

Another limitation of Kantian theory is that if any person who is required to make judgment up on a certain matter based on truthful and honest ethical behaviour does not know the suitable ways to pursue it, he/she can end up making judgment to incorrect and erroneous issues, provided that suits himself/herself; as a result, this might bring about negative consequences to others.

The last comment that the researcher observed from Kantian theory is that if the universalism principle could be taken into consideration, who determines the universal rights given the large number of diversities of norms, customs and conducts of people across the world?
All these merits and shortcomings protruded in both dimensions of teleological and deontological theories and other specific theories that emerge within these two theories laid a sound base for researcher to integrate both in the study.

1.7 EVOLUTION OF ETHICS AND GOVERNANCE

Taylor and Raga (2005) argued that ethics, in most cases, accord with the nature and spirit of an individual, his/her behaviour and moral conduct. Ethics tend to differ from rules and regulations because these entail no prescribed and recognized approval and authority from customs for the reason that it goes further than sheer public and societal rules and principles.

Ethics also differ from religion since it does not create theological statements. Hence, it is mutually a method of investigations and system of behaviour. As a system of behaviour, it is similar to an internal observer that allows the public to observe the correctness or unfairness of their dealings. In this regard, during the 20th century, the determinants were the ruling leaders while in the 21st century, the determinants are genuine discussions between all who will be affected in the consequences of actions taken (Taylor & Raga 2005). During the 20th century, the ethics were taken as a general moral system where conviction was taken in final solutions while in the 21st century, there are continuous administration rules and regulations on the basis of non-stop genuine discussions.

Furthermore, Taylor and Raga (2005) add that during the 20th century, ethics were enforced all the way, while in the 21st century, ethics are guaranteed all the way through compromise and

agreement. In addition, during the 20ᵗʰ century, it was perceived to be colonial ethics and not for colonized ones, while in the 21ˢᵗ century, ethics stand on anthropological and sociological pluralism. Moreover, in the 20ᵗʰ century, the focus was community accountability as opposed to the 21ˢᵗ century where it is personal accountability. Lastly, in the 20ᵗʰ century, public interest was ill-defined and single-minded by governing leaders while in the 21ˢᵗ century, the public well-being and benefits are different.

This being the case, the evolutions of ethics pave an avenue for looking from inductive to deductive or from general to specific. Public sectors need ethical and governance culture that does not only merely support moral conduct, but rather watches them, characterizes and underpins right and wrong conduct as individuals and institutionally.

On the governance side, the concept and usage of Governance has its long history from 400B.C to the Arthashastra in India where pillars of governance (Kaufmann, et al., 2008) where pillars of governance notably anti-autocratic, moral values and fairness were emphasized. While Francois (2009) states that the origins of the concept Governance is traced back to Middle Ages, at that time, it was referred to how feudal power was structured and controlled. The existence of the term reached to the present era where various versions included incorporating several attributes mainly involved in business doctrines (Pastras, 2011). Towards the end of 1980, the concepts of governance and its usage took another course when the so-called "good governance" intertwined and sought its usage, particularly to the developing countries as criteria for success economic development following the structure adjustment programs (Kim, 2010 & Pastras, 2011). Hence, institution reforms were necessary in order to have sound good governance practitioners and justification for obtaining loans to major financial institutions.

Up to the present era, governance the usage of the concept of governance involves practices of many systems that work in synergy co-ordinations beyond the reach of the states. Similarly, the following concepts are fundamental to meaningful governance: democracy, accountability, development, participation, responsibility and transparency (Francois, 2009).

1.8 RESEARCH METHODOLOGY

Research methods are those procedures that should be followed in conducting the study. In other words, they are the techniques of obtaining data whereby such data will be used to test either hypotheses (in quantitative research) or to answer research questions (in qualitative research

(Shende and Upagade, 2012). Therefore, in this study, the researcher employed mostly qualitative techniques in data collection due to the nature of the study, but during data analysis the researcher employed both qualitative and quantitative techniques in supplementing and complementing extraneous variables.

1.8.1 Sample

A sample as a representation of the population from which it is selected if the aggregate characteristics of the sample closely approximate those same aggregate characteristics in the population. (Babbie & Mouton, 2014). The sample for the study comprised 27 public servants from the UN, AU, Botswana, South Africa, Tanzania and Mauritius. The sample was collected using a purposive sampling technique, whereby, participants were first vetted for the suitability of the study and the offices they held. Upon identifying the right qualities from the participants, interviews were arranged in their work places.

1.8.2 Ethical consideration

Although the responsibility for ethical conduct of research rests with the researcher, it has become increasingly common for researchers to gain formal approval from a research ethics committee before they can embark on their research (Babbie & Mouton, 2014; Johnson & Christensen, 2014). Additionally, Research Ethics Committee(s) should receive notice of the completion of the study (Babbie & Mouton, 2014; Creswell, 2014). Since this is an academic research study that was conducted at a university, the researcher sought approval and clearance to carry out research from the Research Ethics Committee of the UFH before proceeding with data collection. The approval was granted by the Govan Mbeki Research and Development Centre (GMRDC – Certificate number: THA061SSH101 – Please see Appendix A). The researcher also received a letter from his supervisor to introduce himself to various entities of the research he undertook (Please see Appendix B). Lastly, the researcher obtained clearance to conduct research from the National Department of Public Service and Administration (DPSA) – (Please see Appendix C). In this study, ethical measure were strictly adhered to in accordance with the following:

1. The 1947 Nuremberg Code (Hessey-Biber & Leavy, 2011);
2. The 1948 Universal Declaration of Human Rights by the United Nations (Neuman, 2014);
3. The 1964 Declaration of Helsinki (Neuman, 2014);
4. The Belmont Report's Ethical Principles (Neuman, 2014);

5. The Helsinki Declaration of 1972 (Maree & Pietersen, 2014);
6. The Singapore Statement on Research Integrity of 24 July 2010 (www.singaporestatement.org);
7. The Policy report on responsible Conduct in the Global Research Enterprise of September 2012 (www.interacademies.net);
8. The University of Fort Hare's Ethics Policy (http://www.ufhgmrdc.ac.za);
9. The Ethical conduct for research involving humans of December 2010;
10. The Guidelines and Recommendations for European Ethics Committees of 1997; and
11. The Guidelines for the Protection of Human Subjects of Research (Neuman, 2014).

In addition to the basic principles of ethics for social research above, the researcher adhered to the three fundamental ethical principles that guide researchers during the research process suggested by Brink, Van der Walt, and Van Rensburg (2014), namely, respect for persons, beneficence and justice. Accordingly, the researcher identified himself to the respondents and assured respondents of their rights to question the research (Neuman, 2014), assured respondents of their anonymity (Babbie & Mouton, 2014), informed respondents that they could terminate their participation in the survey at any time without a penalty (Neuman, 2014), secured informed consent from respondents (Creswell, 2014; Neuman, 2014; Yin, 2014) by getting respondents to sign an informed consent form that is part of UFH's ethical clearance application package, guaranteed the confidentiality of the data and the privacy of respondents by not availing their details to anyone (Babbie & Mouton, 2014; Creswell, 2014; Neuman, 2014; Yin, 2014), avoided humiliation and degradation of respondents (Neuman, 2014) guaranteed respondents that he would guide and oversee their interests in the research study (Neuman, 2014), protected the rights and welfare of all respondents by not exposing their details to anyone (Neuman, 2014; Yin, 2014), guaranteed respondents that the results of this study will be available to them on request (Creswell, 2014; Neuman, 2014), told the truth and never presented the truth in an unbiased manner (Brynard, Hanekom & Brynard, 2014).

Other than the ethical considerations mentioned above, this study avoided plagiarism. While it is not possible to cite all the sources of ideas, the researcher stuck to the fundamental requirement of research by acknowledging explicitly the origins of the ideas and information that has been used in this study as advised by Denscombe (2002).

1.8.3 The scope and limitations of the study

In this study, the researcher was confined to the UN and AU officials who deal with ethics and governance. Moreover, the researcher experienced some difficulties in administering interviews and questionnaires since some of the respondents were always busy because of the nature of their work. However, having such limitations, the researcher introduced himself thoroughly to those officials of the UN and the AU so that they would understand the aim of the research is just for academic purposes. Such explanations were evidenced with introductory letters from the University of Fort Hare to back up such elaborations. In addition, interviews and questionnaires complemented each other.

1.8.4 The conceptual framework

In this study, it is argued that the two organs (the UN and the AU) and six countries have their ideal mechanisms for realizing development ethics and governance inclusive. On the one side, ethics and governance are implemented where there is a rule of law, transparency, accountability, consensus oriented, employees are happy and work relations are good.

The conceptualization thus tells us that currently, these two organizations are far from the ideal track of developing, and thus, there is a need to intervene in changing this. The question that lingers is: how far are the two organs (the UN and the AU) from the ideal path of public sector development of the member states in relation to ethics and governance? How do their systems of ethics and governance influence public sectors' development? What are the challenges encountered by the UN and the AU in implementing ethics and governance? How do they bring back to the path such challenges? It is also argued that in order for these organs to improve their performance to the extent of influencing public sector of member states, there is a need to mount an intervention strategy that would turn around the performance of these public entities.

1.9 ORGANIZATION OF THE STUDY

The thesis is presented in the following format:

Chapter 1: Introduction

Chapter 2: Literature review

Chapter 3: Study Area and Background

Chapter 4: Methodology of the study

Chapter 5: Discussions of Results and Findings

Chapter 6: Conclusions and Recommendations

CHAPTER TWO: LITERATURE REVIEW

2.1 INTRODUCTION

This study's literature review aims to sharpen and deepen the theoretical framework of the research (Bless, Higgson-Smith & Kagee, 2009; Mark, 1995, cited in De Vos *et al.,* 2005). This section will relate to the third step involved in conducting a literature review according to Kumar (2005), namely conducting a literature review to develop a theoretical framework. In this section, literature review will critically discuss the views of other authors on the subject of governance and ethics. The chapter will focus on theories shaping the existence of ethics and governance

Additionally, this chapter examines what has been written on the topic (Mark, 1995, cited in De Vos *et al.,* 2005; Mouton, 2001, cited in De Vos *et al.,* 2005; Rubin & Babbie, 2001, cited in De Vos *et al.,* 2005; Vital & Jansen, 1997) to demonstrate mastery of the literature in the field (Mark, 1995, cited in De Vos *et al.,* 2005) and to discuss the proposed study in relation to the current literature (Mark, 1995, cited in De Vos *et al.,* 2005). The application of ethics and governance in public sectors, challenges faced by the UN and the AU system of governance will be tackled and the gap in literature with regards to ethics and governance in the public sector will be analyzed.

This chapter also places this study in context (Neuman, 2000, cited in De Vos *et al.,* 2005) to study the different theories related to the topic, taking an interdisciplinary perspective where possible (Bless *et al.,* 2009).

The literature review in this chapter is defined by a guiding concept (*e.g*., the research objective, the problem or issue that the researcher is discussing). To ensure that the literature review of this study addresses critical areas, the researcher will relate the literature review directly to research question. The chapter focuses on theories shaping the existence of ethics and governance, application of ethics and governance in public sectors, challenges faced in the UN and AU system of governance, and lastly showing the literature gap with regards to ethics and governance in the public sector. The chapter concludes with summaries on governance in the public sector.

2.2 ETHICS CONCEPTS AND DEFINITIONS

Ethics has been one of the social guidelines that frame the behaviour of people within the societies. Although, etymologically the concept of ethics has its root from Latin or Greek word "*ethike*" or "*ethos*" to mean character (Daniel, 2011), so an ethical person is one who has character (Kimber, Cranston & Ehrich, 2004) but it has been used even during the Stone Age period to mean "meadow" or "grazing land" (Hassim, 2012). In all facets of human history, ethics has been at the centre of consideration where a certain body of accepted norms of conducts in the society is taken into account.

Hanekom (1984) stated that ethics deal with the character and conduct as well as morals of human beings in evaluating good or bad, right or wrong behaviour. However, what constitute character has been subjected to different interpretations in broader perspectives (Kimber, Cranston & Ehrich, 2004) because according to ancient philosophers like Plato, it signified that ethics stand on theoretical knowledge or insight close to one who can carry out good actions and become morally good. Hence, undertaking a good deed one must have a good knowledge and he was named as "episteme" (Edwards, 2007). Edward's (2007) outlook of ethics may be different from Aristotle who contended that ethics must transcend beyond "episteme" by cultivating more practical experience, which he referred to as "*phronesis*" to mean a set of ethical know-how or to mean a logic of what action is most proper in given circumstances (Daniel, 2011; Hartman, 2005). Aristotle went further by arguing that human beings are not inherently good because of selfish nature, hence ethics require teaching and practice in any given society (Singer, 1994) otherwise, and it may not hold meaning in its application and renders such society to be strain in terms of norms of conduct. In other synthesis of the concept of ethics, it is perceived as moral codes of conduct that are established by the people in a given society, organization, individual, group or a particular country to shield their standards (Nzekwe *et al.*, 2014).

In the wing of public sector organization viewpoint, it may be inferred as codes of behaviour that are written down to protect public values such as public interest, accountability, justice, impartiality, neutrality, responsiveness, diligent and/or competence. Such codes of behaviour in the public sectors to some cases are instituted to uphold and promote the public service rules, transparency, accountability, and so forth (Botton, 1997; Pollit, 2003; Cooper, 2006).

Helsinki (2000) went further by not only acknowledging that ethics are rules and principles that regulate the conducts of individuals in the society, but mentions that such rules open rooms for an individual to find a good, right or appropriate action to act in a given environment. Similarly, it is argued that justification of any action requires an individual to weigh out different options and come up with an optimal option (Aijala *et al*, 2000). Hence, in line with Cooper (2006) it may be accepted to say ethics entails the examination and analysis of the logic, values, beliefs and principles that are generally used to justify morality in its various forms. In this context, it may be ideal to say that ethics can be interpreted in different meanings depending on the given framework of the society.

Based on these ideas, it can be concluded that ethics are seen among other factors as influential issues that shape the value of individuals, organisations and more specifically, society since they affect the behaviour of humans. In addition, it can be concluded that ethical conduct is twofold. First, it is taught; and second, it is practiced. Hence, like culture, people are not born with ethics but they learn them when they get introduced to a society. On this note, Hartman (2005) put this on a similar note but different explanation. Hartman (2005) concluded that ethics is a capacity for making systemic, rational judgments about correct and incorrect, and be accountable for such judgments.

Consequently, this study adopted the concept of ethics basing on Hartman (2005) which referred to decisive deeds stemmed from moral values and principles that articulate actions as good or bad, acceptable or unacceptable depending on the societal perspectives. This is because, within such society perspectives there are several sources through which human beings can obtain behaviour like religious codes, rules and regulations, intrinsic moral sense, rational judgments of an individual basing on principles of cost-benefit analysis, and other perspectives like circumstantial situation.

2.3 THEORIES OF ETHICS

Theories on ethics are standard in analysis ethics because they lay platforms for decision-making to take place. All theories on ethics highlight diverse points in relation to decision-making from quality of moral character and circumstantial environment (Disoloane, 2012).

Nevertheless, the efficacy of ethical theory is enshrined in the direction of common set goals because it gives logical summary and abstract clarification and justification on how or why things occur (Cronin, undated). In giving more account on theories of ethics, it is imperative first to define ethics as propounded by Gilman and Gilman (2005, 2012) as a branch of philosophy which attempts to comprehend and set up support fundamental ethical values or rules of behaviour, judgements concerning what is immoral or what is correct. This concept of ethics guides the ongoing debate on theories of ethics in relation to the justification of the chosen theories in this study.

Various theories concerning ethics are available in the academic realm with different levels of satisfaction depending on the angle of inclination one is looking for in relation to the facts available for acceptance or rejection of such theories. In spite of different opinions that different ethics theories may possess therein, the main attempt is to relate things to one another and establish common ground found within its premises (Cronin, undated year). Ethics theory, like other discipline's theories, attempt to give lucidity, logic, universality, consistency, neutrality and totality to ethical consideration.

It is also suggested that two aspects must be considered in order for ethical theory to be justified (Pojman, 1995 in Dilsad, 2006). One is to have four functions which are: upholding the people from disintegration; restructuring or improving from the miserable situations; encouraging advancement to better conditions for human beings and to prevent and combat all kinds of conflicts of interest in any means available through integrity. The second one (Dilsad, 2006) is to have five qualities of moral principles which are: instructions or a recommendation in guiding actions in the daily conduct of people's affairs; universality in the sense of being applied to any similar circumstances (reputation); intervening to precede all other rules; information to the public and lastly, practicality in the sense that it must be easy to be implemented.

In terms of ethical the justification of the study of the theories of ethics, the two kinds of ethical systems are worth noting. These are deontological ethical systems and Teleological ethical systems (Hartman, 2005, Dilsad, 2006). "Deontological ethical systems" are those ethical guidelines that are based on the process of decisions (the methods, means or approaches) principles and standards in guiding action, while, teleological ethical systems

"are those ethical guidelines that based on consequences or results of the decisions (the ends). These ethical systems breed four domains of consideration, namely, character, motives, actions and consequences (Pojman, 1995 in Dilsad, 2006).

In this study, the researcher inclined his research on three strands. Two theories from deontological perspectives and one theory from the teleological perspective are discussed in this study, due to the nature of the study that requires ethical reasons based on means or processes towards decision-making and decision-making based on the wishes of the majority-"analysis of ethics and governance practices in the public sector in relation to United Nations (UN) and African Union (AU) perspectives". Under Deontological, the researcher selected the Theory of Virtue and the Theory of Duty. Under Teological, the researcher selected the Theory of Consequentialism. These theories, including their applicability and refutation to this study are discussed immediately hereunder.

2.3.1 Theory of Virtue (Deontological)

Virtue ethics theory is a proposition that holds that sound judgement is based on good moral fibre, attitude, compassion or understanding and probably, experience. Lewis and Gilman (2012) warn that experience should not be taken for granted. Similarly, individuals with good character normally do well in decision-making with motives of personal sincerity, incremental development, and behaviour guides because responsibilities, rights and rules cannot be key indicators to good ethics practitioners (Lewis & Gilman (2012). Additionally, virtue ethics praise to an individuals who exercise correct in judgement than those who merely apply universal sets of rules. One of the approaches to exercise virtue ethics (theory) is to imagine someone who is appearing to you as having honest character in his or her behaviour in respect to a similar circumstance you are facing, then you act as that person (Hartman, 2005). It is also believed that good nationality in an ordered society is made up of those individuals with appealing character. Plato, Aristotle and Thomas Aquinas all claimed that virtue is acquired or learned, hence any human being with potential for virtue and integrity is the result of inner imperatives to do right and not from moral rules or rewards from probable outcomes (Lewis and Gilman, 2012) because people with virtue characters will always do the right action in any given circumstance. To prove this, they (Aristotle and

Aquinas) suggested doing continuous training in order to instil such character and acquire doctrine of "mean, habituation and adaptability" (Vance & Train, 2008).

In this situation, Aristotle enriched the ideas of encouraging moral character (altitudes, intentions, values or motives) by having kindness, bravery, self-discipline, gentleness, honesty, responsiveness and brilliance and discourages bad habits like dishonesty, cowardice and others like selfishness, cheating, and theft (Disoloane, 2012, Hartman, 2005 and Dilsad, 2006). The intention of virtue ethics is to have a harmonious society which practices four cardinal virtues: temperance, fortitude, justice and prudence. For instance, one may be taught to respect elders from childhood, but this does not change because if he/she does contrary, it irritates him or her. On other hand, difficult arguments are used to justify unethical behaviour; in this respect, one is required to use common sense techniques or character-based approaches.

2.2.1.1 Applicability and refutation of the Theory of Virtue to the study undertaking

The applicability of this theory in the study undertaking is imperative due to the ethical requirement for public servants and officials in the UN and AU organs and public servants and officials of public sector member states (Tanzania, South Africa, Mauritius and Botswana). Both of them are required to have internal motives of voluntarily obeying ethical principles in their work places rather than relying on inspections and external rules in preventing unethical practices. Character is central to our ethical choices and personal due to the fact that it is a reflection of our unique make-up (Vance and train, 2008; Ates et al, 2009). Similarly, it is believed that individuals with moral character are (in this case, UN and AU servants and public sector employees) more trustworthy and reliable than those who simply follow the regulations and fail to look over them. With such virtue doctrine, Aquinas divided it into two religious studies virtues of hope, faith and charity and intellectual virtue of wisdom (fairness, self-control, courage, stamina or determination) as Plato and Aristotle encouraged (Amundsen, 2009).

Furthermore, the theory emphasizes the importance of training in enriching moral conduct to employees and citizens and also evaluating the behaviour of people based on characters possessed by an individual. Moreover, commonsense or character-based ethics works well in daily routines, problems and challenges that public servants face because ethical governance

is more than having rules and regulations on a table for public servants to implement, it is a strength of mind or spirit, and a fulfilling code of conduct. It is also a question of knowing right from wrong and avoiding conflict of interests. It is anticipated that with this theory, once applied properly, may enrich decision-making to both sides (United Nations and African Union systems on one side and public sector servants of the countries implicated, that is Tanzania, South Africa, Mauritius and Botswana).

However, this theory posed some shortcomings which necessitated for adoptions of other theories to fill the gaps raised. For instance, resolving ethical dilemmas using common sense is not an easy task in the contemporary world where the world is full of complex options and relativisms of different actions. It is also difficult because where public servants come from different backgrounds, experience where commonsense or character-based values differ. Therefore, requirements of being sincere, fair, faithful, neutral, and serving community interest can drag the public servants in different directions if there is no other guiding framework for them. In addition, with the dynamic nature of the contemporary world full of ever-changing technologies, it is not easy to get people with the same calibre where the notion of acquiring virtue is easy. That being the case, the researcher adapted another theory, namely, duty ethics to complement this theory.

2.3.2 Duty Theory (Deontological)

Duty theory uses moral rules or moral principles to guide behaviour in the sense that a deed is correct or incorrect because of its characteristics and not because of its consequences (Dilsad, 2006). The key moral concept and the rightness of an act measured by this theory is based on what is intrinsically right regardless of consequences of the decision as extrinsically motivated derived from the Greek word "*deion* from *dei*" to mean "*must*" and "*logos*" (Amundsen, 2009). Duty theory believes in standards (compliance), rules and means to guide actions. For instance, an individual may adhere to some religion in his/her life which must not be compromised because it is a responsibility, for example, strictly not to lying, no matter how costly, this is termed as the principle-based approach (Vance and Train, 2008; Amundsen, 2009) since the correct deeds pursued by the set of laws are not allowed by the set of laws. The most influential person in this theory is Immanuel Kant (1724-1804) who maintained that moral rules transcend adherence with policy because moral rules can be

universalized and bind you to your duty. It also gives an impression to our faithfulness to morals and ignores the outcomes of such actions when deciding to hold ethical values because preferences are more restricted on the grounds of duty (Disoloane, 2012).

Other scholars, including Confucius (551 BCE) made contributions under deontological perspectives (Hartman, 2005), and these are:

i. Be gentle to everybody, but be friendly only with the righteous;
ii. Prosperity and status are what individuals aspire to;
iii. Once you witness someone worthless, check your personal character
iv. Do not desire fast or immediate results, nor look for little advantages, you will certainly not achieve big things
v. What you do not desire done for yourself, do not do to others

The question follows in this kind of argument is that "how does a person of goodwill know what is right?

Kant (1724-1804) believed in *categorical imperatives* as central arguments to mean that an individual lives in a unique position in the world wherein morality can be summed up in one, ultimate directive of the motives, or imperative, from which all responsibilities and compulsions derive (Amundsen, 2009). Kant (1724-1804) further made a distinction of categorical imperatives into two sub-categories, namely, the *categorical* as instruction to act that is not dependent on anything (Rule deontologism) and the *hypothetical* to mean the conditional instruction to act, this implicate that prefer to act in relation to the prevailing situation (Act deontologism).

This idea is also known as "universalism" to mean that in decision-making, individuals should think about whether it would be suitable if every person in every circumstance made this similar decision. Kant acknowledged principles like liberty of speech, liberty of consent and so forth (Hartman, 2005). Universalism corresponds to the golden rule which suggests that we should do to others what we want them to do to us, and examples are to be honest, act fairly, assist others to good values, pleasure, advance others to high calibre, give appreciation, keep away from damaging others and above all, treat others as "ends and not merely as means" (Amundsen, 2009). Other categories of deontology theory are ethical relativism and

agapism which the researcher did not include in the study because they lacked complementarity.

2.3.2.1 Applicability and refutation of the Duty Theory to the study

Duty theory is also applicable to the study due to the fact that UN and AU officials and the public sector of the countries in focus are required to conform to principles of duties enshrined in every office bearer so that the expected outcomes of the organizations can be enhanced and realized. In other words, they are forced to comply with ethics rules. Furthermore, Kant's theory is applicable in all public entities by recognizing universal human rights which public servants are required to observe such as freedom of speech, freedom of consent and other fundamental rights. Duty theory is further beneficial in bringing the society in harmony when all employees from UN and AU and public sector workers can carry their duties and associated rules advocated by the golden rule by being honest, acting fairly, assisting others to have good values, pleasure, assisting others to behave in an acceptable manner, giving appreciation to any service given and lastly, avoiding damaging others. The theory adds value to human dignity at the work place through treating people nicely by acting virtuously at all times and not as a means to attain results. Lastly, the theory cemented more the religious doctrines in stressing on living moral lives regardless of the denomination whether Buddhists, Muslims, Jewish or Christians; they all merge at Golden rules of treating others the same as what one wishes to be treated the same.

However, the theory posed some pitfalls in relation to the study which necessitated adopting other theories to supplement and complement the meaning intended by the researcher and its total justification of the ethical framework. One of the shortcomings is the notion of acting virtuously at all times. The issue arises that it is not easy for people to act virtuously all the time due to the unpredictability of human behaviour as social animals; monitoring of human behaviour becomes complex and probably complicated issues; it is not easy for everyone to make decisions of the same focal lens as one aspires to do. Apparently, even one may decide how they will harmonize when they conflict with universal rules.

Deontology insists on adhering to and compliance with the duty and ethical rules. In actual sense, it is not enough to make ethical workers through external guidelines, rather, workers must be nurtured with integrity from childhood so that they may possess intrinsic ethical

values which will guide them at work places. In addition to that, lack of flexibility in rules and regulations may raise other problems to the current situations where people do not need to be treated as machines in managing work environment. In relation to universalism or universal human rights, it is also questionable when a worker faces dilemmas in executing services. For instance, when freedom of speech conflicts with the right to privacy, a worker does not know the rules to adhere to, that is, which rule will takes lead in decision-making, and who is responsible for monitoring standards for these rights. Such weakness led to adoption of Consequentialism type of theory in order to convey the intention of the study as it was planned.

2.3.3 Consequentialism Theory (Teological)

This is the theory originates from teleological ethical system which holds that the consequence of a particular action shapes the basis for any valid moral judgement about the action (Amundsen, 2009, Daniel, 2011). It is also known as "Results-based theory". The inception of the idea comes from the Greek word "*telos*" to mean "*goal directed*" (Pojman, 1998 cited in Dilsad, 2006) which emphasizes goals, outcomes, consequences to guide actions. In other words, people are required to do whatever to get the best results in order to reach a desirable end and disregard the ways to the end results because the probable outcomes of the decisions is what is required to be attained.

Consequentialism theory has two standpoints of thinking. One is "the ends justifies the means" and "utilitarianism" where both of them put forward the same mindset of considering the end result as a stand for determining the actions, thus stressing more context and flexibility (Lewis & Gilman, 2012).

2.3.3.1 Utilitarianism

This approach embraces the idea of maximizing happiness or enjoyment, and no matter what the rule or the act, it directs individuals to make choices considering the most good to people "*utility*" (Vance & Train, 2008). In other words, in any decision one is making, he/she must target to reduce the problems of the greatest number of people in the society. The chief pioneers of this doctrine are Jeremy Bentham (1748-1832) and John Stuart Mill (1806-1876). Others like John Rawls (1971) prompted the birth of the idea of considering the cost and

benefit of any decisions one is making and skew the decisions that will embrace the general gains as per wishes of the majority "Cost-benefit analysis" (Dilsad, 2006; Disoloane, 2012 and Vance & Train, 2008). This is because human beings are naturally pleasure-seeking or pain-avoiding creatures. Hence, all actions that may affect a greater number of people in the society must be strictly avoided even if few may die for the expense of many.

In clarifying utilitarianism, three points of reference are considered, and these are: Act utilitarianism, rule utilitarianism and general view of utilitarianism.

i.   Act utilitarianism is concerned with looking at the action in terms of instant consequences for the most good, hence it triggers fairness, equity and responsibility (Lewis & Gilman, 2005; 2012). According to Dilsad (2006), it is also known to be "extreme utilitarianism", "direct utilitarianism", or "unmodified utilitarianism". The idea advocated by Bentham is to consider the whole world but not to ignore the affected people when calculating the good and evil, especially quantitative aspects of happiness.

ii. Rule utilitarianism reveals that (Lewis and Gilman, 2012) we have to judge the perfection or incorrectness of the work not by its consequences, but rather by the consequences of its universalization, namely, the outcomes of the implementation of the rule under which acts conducted. In addition, it encourages people to start with the most good with an intention of taking a broad view by developing the laws to balance instant requirements with upcoming requirements (Rainbow, 2002). Alternatively, people have to check the validity of the rule before looking at the utility of the proposed action (Dilsad (2006). To Dilsad (2006), this is known as "restricted utilitarianism", "indirect utilitarianism" or "modified utilitarianism".

2.3.3.2 Good and evil under utilitarianism

The general utilitarianism has a principle of emotional satisfaction which renders the divisions of scholars who perceived satisfactions from different points of analysis (Harwood, 1998 in Dilsad, 2006). In other words, the principle of appealing to greatest happiness or greatest good, in the general life, resulted from decisions that favour such outcomes; these fall under four dimensions known as: Hedonistic, non-hedonistic, eudemonistic and ideal utilitarianisms.

2.3.3.3 Hedonistic utilitarianism

Hedonism comes from the Greek word "*hedon*" to refer to "*pleasure*" and is the belief which provides main concerns to the pursuit of instant individual happiness and attempts to achieve elements of happiness (*hedons)* over elements of pain from every action one is acting (*dolors*)(Amundsen, 2009) because the fundamental human significance is happiness, and the single inherent evil is pain. All of them (Hedons and Dolors) focus on short term happiness and is simpler compared to utilitarianism. It was championed that in order for an individual to attain happiness, he/she must dedicate himself or herself to a certain thing whereby upon success around that thing, dedicated happiness will come (Dilsad, 2006); the suggestion is to do something first in order to be happy and not waiting happiness to come.

2.3.3.4 Non-hedonistic utilitarianism

The ideology of non-hedonistic utilitarianism is separated into two groups: one being pluralists and other is monists. Under the pluralists view, it is argued that there is multiplicity of intrinsic values in every human being such as enjoyment, information and many others like companionship. While in monists, only one intrinsic value exists, which is not pleasure (Dilsad, 2006).

2.3.3.5 Eudaimonistic utilitarianism

From the Greek word, "*audaimonia*" to mean "*happiness"* (De George, 1990 in Dilsad, 2006; Amundsen, 2009), this is an idea that advocates separating qualities of different types of satisfaction by putting forward that some kinds of happiness has extra morals than others. Examples are inspiration, holiness, scholarliness and so forth, whereas those with little morals are like sleeping, sexuality, eating (Pojman, 1998 in Dilsad, 2006).

2.3.3.6 Ideal utilitarianism

Under this point, it is observed that a general outlook of human beings is inherently good than outward happiness and the majority of the utilitarianism take happiness of aspiration, desires or wants to equate to good (De George, 1990 in Dilsad, 2006).

2.3.3.7 The end justify the means

Under this notion, the term "ends" is deployed to substantiate all kinds of means used to reach the end where justifications turn into an authentic motive for resultant interpretations (Vance & Train, 2008). In addition, it seeks to use excellent goals such as the spread of social equality to substantiate choices that are not an important concern of the entire population. In this phenomenon, anything is allowed as a way through even if it may cost lives of people provided the end results are good. This kind of thinking is closely related with ***ethical egoism*** (Vance & Train, 2008). Ethical egoism is a kind of thinking (Amundsen, 2009) whereby an individual once reaches a point of dilemma regarding making a choice between what is good for himself and for the majority. The individual is encouraged to place first his/ her own happiness then interests of others can follow.

2.3.3.8 Applicability of the end justify the means theory to the study

The theory is most applicable to the study due to a number of reasons. It is a liberal type of proposition with a number of options which people prefer than rigid methods in their work. Therefore, much of the human decision-making is articulated by this theory. In addition, results-based reasoning is considered to be inclusive and flexible as one of the pillars of good governance as well as democratic governance. Moreover, the theory encourages fairness, equity, and responsibility for the majority.

However, there are several shortcomings of this theory. For instance, when considerations of majority rule are exercised, it ignores the rights of the minority yet no one is above others no matter how many are in favour towards a certain ideology.

Apart from that, there are several dangers of using "the end justifies the means approach" because several people, particularly vulnerable groups in the society like poor people, children, elders, disabled and women, can be in danger of being abused as a means to justify the end because it is not acceptable and even dangerous to propose to any means provided that the end is good.

2.3.3.9 Convergence of Virtue Theory, Duty Theory and Consequentialism Theory

The current society weighs up the behaviour and gives credit if it keeps on being good intentions through the use of the available means to consequences that are good. If these circumstances are not satisfied, we criticize the deeds or support it with doubts. We rarely support behaviour when the results are wickedness or incorrect. Moreover, the modern egalitarian society is incapable or not eager to resolve the deontological and teleological behaviour or to choose between them, but for rational purposes must accommodate both ideas.

2.3.4 Insight from the literature of ethics

From the literature review under study concerning ethics and governance practices in the public sector, it can be deduced that ethics is dynamic concept that evolves with time. It was revealed that understanding ethics have been confusing people in all facets, and ethics in relative terms depends on circumstances were an individual is situated. What is termed ethical in one place can be unethical to another. Thus, ethics is viewed as moral philosophy or other systems of beliefs. Apart from location, ethics is influenced by complex social spheres that are affected by globalisation, technological improvements, public perceptions and the rule of law. Scholars like Daniel, (2011), Kimber, Cranston and Ehrich (2004), Hassim, (2012), Edwards (2007), Nzekwe *et al,* (2014), Hartman, (2005), Dilsad (2006) and Gildenhuys (2004) interpret ethics in terms of objectivity and subjectivity. Yet, in certain societies, ethics is influenced by religious doctrines, for instance, in countries practising Islam like Iran. Ethical challenges confront public entities global. This has been the case since the ancient times of Athenians. A number of countries deploy a number of means to curb unethical behaviour in public entities, however, with little progress for a number of governments. Most government use a code of conduct to curb unruly behaviour from public servants. The main thrust of the code of conduct is to make it easy to protect public values such as accountability, justice, impartiality, neutrality to name a few.

Among the reasons for implementing a code of conduct is that there is one unit of measuring ethics in these entities due to the different in socio-economic backgrounds of the countries; even within the same country, public servants perceive ethical principles differently because it seems ethics has definitional challenges and inconsistencies. Some of the challenges

encountered are within the UN and AU systems as they lack mechanisms of dealing with unethical conduct from member states. Other inconsistencies in implementing ethics in public entities are rhetoric ideas; confusions in what should be given priority in service delivery; and lack of consensus in implementing guidelines and standards. Equally, different choices of implementing ethical principles bring difficulties to public servants; errors in ethical implementations and selectivity of decision-making which subjects people to different moral backgrounds. Therefore, a number of theories like utilitarianism, virtue and duty try to explain ethics as taking certain steps in doing something correct. For instance, the virtue and duty theories talks about power being the determinate factor in dealing with ethics, yet, the utilitarianism theory dwells much on minority rights at the expense of the majority. Such inconsistencies and divergences in understanding ethics means that public servants cannot be expected to think similarly in doing certain actions.

Raga and Taylor (2005) noted that the ongoing requirements for public sector employees to implement ethics as required, faces several challenges in the 21st century. Such requirements are to exercise ethics by focusing on all people, and other stakeholders in a society who will be affected by the decision made; emphasize on both compliance and integrity basing on non-stop monitoring and evaluation of conducts; managing ethics through various stakeholders and actors like media, public and other actors, and majority interest.

Despite the environmental dynamics and challenges encountered in implementing ethics standards and guidelines, they are some commonalities in understanding the term ethics, and its applicability. Although a number of scholars explain ethics basing on their backgrounds. Within a society perspectives there are several sources through which human beings can obtain behaviour like religious codes, rules and regulations, intrinsic moral sense, rational judgments of an individual basing on principles of cost-benefit analysis and other perspectives like circumstantial situation. Such perspectives have the effect of shaping what ethics may mean in a society, and also cement the perceptions held by a society.

Therefore, divergences and convergences pertaining to the term *ethics* mean that there is a research gap regarding the understanding of ethics as term. Literature has been inconclusive on what is termed ethics, some scholars look at the term on its intrinsic value, yet others view it on extrinsic value. Thus, a study of this magnitude needs to undress the misconceptions

regarding ethics in public entities, and expose the problem with understanding of ethics in public entities in Africa.

2. 4 NATURE AND SOURCES OF ETHICS

Brewer (2009) and Cooper (2006) pronounced that the sources of ethical behaviour in the public sector encompasses regime values, constitutional theory, social equity and so forth. In the observation of Daniel (2011), Hartman (2005) and Dilsad (2006), ethics has its philosophical nature where human conducts rely on it. This is because individual moral conduct normally comes from combination or fusion of different sources. Such sources include genetic inheritance, religion, philosophical systems, cultural experience, legal systems and codes of conduct. In generic inheritance, it means that human being is a product of hereditary of many traits such as cooperation and unselfishness strengthened over time by evolutionary process of which such qualities are associated by ethical conducts things also supported by socio biologists.

Basing on religion perspectives it is demonstrated that spirituality is properly political and that affairs of state ethics inclusive, is properly spiritual and religious in nature and that the secular ethics can all be traced back to original religious ideas (Gildenhuys, 2004). In spite of having many religions world-wide, some of them share the commonality in the fundamental beliefs for instance, Christians, Islam and Judaism. They hold the view that treat people as what you wish them to treat you (Hartman, 2005). In other words, do unto others that you want done to yourself. Similarly, this is exemplified in the Bible (*King James Version) (*Mathew 7:12, Luke 6:31, Leviticus 19:18). In Judaism, it is exemplified in Tobit 4:15; in Buddha, it is in Samyutta Nikaya: 353. Additionally, in Analects (12:2; 5:11 and 15:23) as per Confucius religion all centre on the same philosophy that since all beings seek happiness under the sun, one should never do anything that would not like to be done to him/her.

This familiarity of beliefs of religions particularly those major five ones of the world (Christians, Islam, Judaism, Hinduism and Buddhism) (Gildenhuys, 2004; Hartman, 2005) are mainly based on God's Ten Commandments. Such commandments are primary force in shaping most of our societal ethics because out of five major religions as indicated, three of

them (Christians, Islam, Judaism) believe in one God (Gildenhuys, 2004; Daniel, 2011 & Hartman, 2005).

Additionally, Gildenhuys (2004) points out that given the multiplicity of religions of the world even more than those big five, they all hold the same view about rejecting acts such as theft, robbery, murder, insults, and false witness. All these acts are seen as immoral according to the society. Similarly, acts such as fornication, promiscuity, giving false testimony, backbiting, abusing anybody and converting property of others, are all seen as immoral (Gildenhuys, 2004). Philosophical systems on its premises claim that, a desired behaviour in a society all over the entire cosmopolitan has been propagated by using various instruments such as media so that it may be transmitted from one generation to another (Schubert, 2007). For instance, Stoics and many contemporary Americans and many other countries including the so called "tiger countries" campaigned and promoted the spirit of enthusiasts, hardworking, benevolent, disciplines, and the likes so that such morals become part of people's life (Hartman, 2005).

Cultural experience also poses a foundation of ethics in the society because norms, customs, rules and standards required by the society by any means available in the society is transmitted from generation to generation as frameworks and guidelines for proper behaviour (Dilsad, 2006; Daniel, 2011). Culture is a learned behaviour that is important to human society and identity since it shapes the values of the people. The way people communicate or interact with one another differs with culture since they learn how to behave within their respective societies. It is believed that national culture, due to the pattern of common features found in people within the nation, is a key environmental characteristic that underlies differences in peoples' behaviour. In this regards individual behaviour is subjected to scrutiny as per societal conducts so that it may fit into the wishes of the society. Gildenhuys (2004) added up that all social institutions government inclusive is judged either good or bad by the extent of influencing the achievement of individual goals in the society through offering favourable environment for quality life. Up on offering such premises norms, rules, customs and standards of the people are preserved and kept for societal identification.

On legal systems side, it is also known that the laws and regulations of the country (Gildenhuys, 1991; 2004) resulted from formalized agreement for human interaction and

social life in the respective country bring society's ethical guidelines. This is because within such frameworks, stability and orders of conduct of public affairs are guaranteed if people accept such laws morally (Kang'ethe & Rakhundu, 2010) followed by strong support of legislation. Without tough mechanisms of legislation in protecting the laws and regulations that are morally accepted by the people, violence and barbaric kind of life is inevitable (Gildenhuys, 1991). However, there are different ranges of laws and regulations that serve to educate people about the ethical path in life (Hertman, 2005). Such spectrum emanate from secular values like constitution values and its principles where there are whole body of fundamental rules and regulations designed according to the wish of the people who are governed and through which a particular government operates (Gildenhuys, 2004). Others are political principles, economic principles, social principles as well as public management principles (Ijeoma, Nzewi & Sibanda, 2013).

Codes of Conduct as described by Chapman (1993) are declarations and principles that inform public servants including their officials on how they ought to do or must not do in delivering services. They typically comprise of list of rules, either stated in affirmative or preventions (Gilman, 2005 and Hartman, 2005). Different forms can take place to indicate codes of conduct in the particular organization (Salminen, 2010), one form may be for a particular professional entity to deal with individual behaviour of such organization or they can be the general organizational rules where penalties for transgressions may be identified and systems of compliance and appeal being defined (Chapman, 1993). Sometimes potential conflicts of interests are often described with appropriate rules for guidance (Daniel, 2011).

Disoloane (2012) on his argument points out that, codes of conduct have been an organization discipline and order of the day in mission-driven communities particularly when corporate social responsibility started to be an alarming issue to stakeholders. This is because implementing such discipline (codes of conduct) means that both public servants and politicians can be in line of acceptable behaviour as part of ethics things like accountability, objectivity, openness, honest, impartiality, loyalty in delivering services to the community (Gilman, 2005; Disoloane, 2012). This is because they focus on inspiring, guiding and regulating public servants (Salminen, 2010). Other purposes are to promote ethical behaviour and preventing unethical practices and provision of set of standards as a platform for judging behaviour (Gilman, 2005).

Codes of conduct also are source of ethics due to the fact that they set limits to outside activities that can endanger the independence of public servants in delivering services and cause conflict of interest (Aijala *et al.*, 2000). That is why they are designed to anticipate and prevent certain specific types of behaviour like bribery, self-dealing, conflict of interest and the likes (Gilman, 2005). Given such experiences, codes of conduct as sources of ethics increase the probability of public servants to behave in certain ways, help the public servants to stick on doing the right things for the justifiable reasons based on known standards and assist public servants to be committed to a specific set of moral standards (Chapman, 1993; Disoloane, 2012).

However, it is argued that all social scientists are further divided into two approaches when it comes to understanding the basis of the study of ethics and integrity in the public sector; such approaches are Objectivism and relativism (Salminen, 2009). Objectivists present their arguments of ethics and integrity basing on measurement through testing the existing theories using various standardized research instruments like questionnaires, surveys to justify the tangibility of the world. Their arguments are inclining to the tangible things, hard and substantial structures, having regularities and causal relationships in predictable ways and everything that is done is shaped by our circumstances (Rawson, 2006).

On the other side of Relativists, premises of argument is that the word is made up of names, concepts and labels which deemed to structure the authenticity of the world because human being is a free-will entity capable of doing things based on the prevailing circumstances (Gilman, 2005; Rowson, 2006). Such circumstances are perpetuated by disparities in culture, perception, geographical location, technology, levels of development and the likes (Chapman, 1993) which render relativity of morality (Snare, 1992; Salminen, 2010). In a synopsis hereunder are the two strands of views of ethics under objectivism and subjectivism interpretations.

Table 2.1*: Ethics objectivism and subjectivism*

	As per Objectivism	**As per Relativism**
Ontological meaning of Ethics	Ethics is something factual, tangible self-regulating of individuals and its traditions.	Ethics are shaped by individual judgment in the respective culture in the society.
Epistemological study of Ethics	It is done through gathering fact information about human behaviour, analyzing them using standardized research instruments like questionnaires, surveys.	It is studied through individuals' idiosyncratic backgrounds of culture, perception, geographical location, technology and the levels of development.
The relations of Ethics to a given human nature or circumstances	Any human nature or circumstances tend to define its ethics basing on the prevailing factual situation.	Any given circumstances or human nature depends on individual's interpretations in framing the conducts depending on cultural set-up.
Under Methodological imperative, ethics can be generalized in behaviour.	Basing on factual information presented through reliable instruments of data collection, hence generalization is possible.	It is not easy and even not possible to generalize ethics among societies because the means for data collection is subjective basing on individual's perceptions

Source: Modified by the researcher from Salminen (2010)

2.5 TYPES OF ETHICS

Ethics as pointed out by Aijala *et al.* (2000) refer to the rules and principles that regulate the conducts of individuals in a given society because with such regulations they focus on what is good or bad, acceptable or not acceptable in the bases of right or wrong (Ijeoma, Nzewi & Sibanda,*.,* 2013). Aijala *et al.* (2000) argue that with the help of rules and principles we can find a good, right or best actions based on a given perspectives of school of thought of ethics that an individual centre his/her argument. Brewer (2009) informs that ethics are branch of philosophy that strive to provide direction on how an ethical person is required to behave. Ethics are divided into three branches namely, meta-ethics, normative ethics and applied ethics.

(i) Meta-ethics: Meta-ethics originate from Greek word "*meta"* to mean something beyond (Brewer, 2009 and Daniel, 2011). Therefore meta-ethics literally means beyond ethics, hence, it is the systematic study of the concept of ethics in itself (Weiss, 2003). Meta-ethics focus on analysis and meaning of the terms and language used in ethical discourse and the manner of

reasoning that is used to substantiate ethical statements (Gensler, 2006; Salminen, 2010). It is argued that, it is not easy to find ethical concepts realistic and practical (Weiss, 2003; Daniel, 2011) because the contemporary world where ethics have been liquidated through Globalization and every individual is subjected to observe all human rights, it is hypothetical to find a perfect human being who is just right and perfect happy.

Therefore, meta-ethics speculate, analyse and prescribe the general principles such as good and evil that governs right and wrong human behaviour (Gensler, 2006). Additionally, meta-ethics deal with big questions such as whether moral claims can be verified or not, and if it happens to be verified, what is their reach beyond the present situation (Brewer, 2009 and Rossouw, 2002). Gildenhuys (2004) expound that this branch attempt to determine the meanings of normative terms such as justice, obligations, good, right and the likes in order to establish their correlations basing on their truthiness because the character of these principles tend to be universal in nature (Daniel, 2011). Such universality is justified particularly when you refer to the commonality of all religions of the world for rejecting the major sins of humankind such as theft, harmful language, bearing false witness, being dishonest (Gildenhuys, 2004).

(ii) Normative ethics: Normative ethics is another classification of ethics. To start with, the term "*normative*" refers to theoretical ideals known as *"norms"* (Rossouw, 2002). Rossouw (2002) also illustrates that if the manager tries to find appropriate and applicable rules, values or norms to follow in the organization, it means that he/she wants to apply normative ethics. In addition, Daniel (2011) postulates that "norms" or "standards" are also known as "values" or "codes. In this standpoint (Cooper, 2006) argued that norms tend to set clear guidelines or frameworks for social interactions in any given society hence, normative ethics present principles and guidelines which require commitment to a certain ethical systems in relation to a given societal perspectives. In reference to Hylainen (2010), it is argued that the highest values by which moral judgments are made are often referred to as norms, ideals or principles and the awareness of moral situation pave way to b abide by ethical standards.

Similarly, understanding ethical standards leads people to judge the moral actions whether wrong or right basing on stand points of ethics (genetic inheritance, religion, philosophical systems, cultural experience, legal systems and codes of conduct) in the respective society

(Rossouw, 2002; Cooper, 2006). That is why Disoloane (2012) asserted that Normative ethics provide theories which seek to guide conduct and assist people in evaluating what should be done and how people are ought to live in reference to the society's stand points of acceptable moral values. Such guidance to conducts (Disoloane, 2012) helps to articulate practical moral standards that can be used to determine right from wrong, acceptable from unacceptable and help people to live a morally correct life. Apparently, showing the acceptable habits, duties to follow and weighing out their actions considering its consequences in the society (Hyyrylainen, 2010; Cooper, 2006; Rossouw, 2002) qualify the criteria for being accepted in the society.

Koranteng (2010) presented that normative ethics uses several approaches to explain values for guiding moral judgment while Salminen (2010) points that among those approaches, there are commonly three known strands or lines which are known and widely used namely, duty, virtue and consequentialism. These have helped to get different models for approaching ethics and integrity worldwide. It is in the same veins that Vance and Trani (2008) supported that ethicists and moral philosophers have the same opinions on three branches of normative ethics which he categorized as Rule-based ethics (championed by Kant 1785 as deontology). Others are character-based ethics (propagated by Aristotle 340 BC as Virtue ethics) and lastly Results-based ethics (advocated by Mills 1863 as utilitarianism).

Duty ethics focus purely on the intrinsic rightness of an action without considering its consequence (Savra, 2007). It is sometimes known as deontology as it is derived from Greek words: "*deion*" and "*logos*"; *deion* from *dei* to mean, "*duty*" or "*Must*" and hence, the whole word "deontology" means "account of the musts" (Weiss, 2003; Vance & Trani, 2008). Therefore, duty ethics or deontologists centre their argument that the right action is that allowed by the rules and the wrong is that forbidden by the rules. This is because ethical rules binds an individual to his/ her duty by looking the rightness or wrongness of actions as opposed to the rightness or wrongness of the consequences of those actions (Amundsen, 2009; Rossouw, 2002; Savra, 2007). It is therefore anticipated that people should use the best available means/ methods/ instrument/agency to carry out their purposes without harming anyone.

Deontologists further believe in the absolute necessity of duty regardless of the rewards or punishments that may follow after implementation of action (Amundsen, 2009). This is because deontologists reject to tell lie even if by so doing one might save the lives of many people in a given scenario. The philosophy is to do what it is supposed to be done and how it should be done in a certain situation in view of the fact that true moral acts are not based on self-interest or the greatest utility but on the sense of what is right and fair in a wider perspectives (Savra, 2007; Vance & Trani, 2008). Deontologists further recognize two duties i.e. *absolute duty* (categorical imperatives, which means an instruction to act which is not depend on anything) and examples of categorical imperatives are telling the truth, acting justly, help others in respect to virtue, happiness, give thanks and avoid injury to others or treat others as what you want them to treat you. Other category of duties is *un-absolute*. *Un-absolute* is more like hypothetical not like categorical imperatives. As such duties identified under deontological discourse, three criteria are required to take into consideration when one exercise such duties (absolute duty- categorical imperatives and un-absolute- Hypothetical) (Megone, 2002).

One is to consider the principle of universality (Do in compliance with the truism that you can and that truism can be a universal law at the same time due to your core motive force). Other criterion is the principle of humanity as an end (this is considered that never treat people as means to an end) and lastly the principle of autonomy (means the moral laws that we obey are not imposed on us from the outside, rather they are the laws that we impose on ourselves. In other words, the sense of duty and the reasons that we obey comes from within ourselves) (Amundsen, 2009).

Virtue ethics as propagated by Aristotle (340 BC) on its side, present its argument basing on the reasons for being a good person and not what makes a good action (Vance & Trani, 2008). It is also known as character-based ethics while Salminen (2010) argues that virtue ethics are developed when we practice them and through such practices one becomes his/her character. In this stand, Rainbow (2002) points out that one can be judged basing on his/her character and not by his/her action because judging through action may not be correct since action may deviate from his/her actual behaviour and action can be circumstantial.

Villa and Graycar (2011) has it that in dealing with organizational culture, ethics need to be stressed and reinforced continually while accompanying with clear messages to be communicated concerning what is/ what is not acceptable behaviour. The argument posed by Villa and Graycar (2011) is the need to maintain character-based through practices by using reinforcement, communication and so forth so that employee can become a good person. On the same note, Sullivan (2009) suggests that the best way to shield the ethical culture of an organization particularly the public sector is to actively uphold it, put into practice, keep on constant training in it, keep on revising it and making it authentic and visible to internal and external stakeholders. Gensler (2006) also adds that the quality of doing good action while following its standards is what is known as virtues.

Disoloane (2012) argues that when rating usual and regular behaviour that is considered ethical to a person, character is the centre of discussion. Such virtues in the aspect of state administration are legality, impartiality and expertise (Aijala *et al*, 2000) while Brewer (2009) presents that such virtues in the face of government, and more specifically in administrative ethics (Svara, 1997) are to respect the laws, delivering services basing on public interest, tenacity, courage, and others like prudence. Such values are expected to circulate in interaction ways with structures and policies of the given public administration because trusting the government's business to the public depends on the magnitude of virtue, and virtue forms a tone of confidence to the public when it comes to issues of service delivery to the public (Osifo, 2012).

In other words, self-control, honesty and/or unselfishness is most encouraged in the society worldwide because of its intrinsic nature of rightness since every member of the society would like to be treated in such traits. Similarly, the purpose of virtue is to live in harmony with others in the society with four cardinal virtues namely, prudence, justice, fortitude and temperance since a virtual person is the one who has integrity as suggested by Plato and Aristotle (Amundsen, 2009).

Consequentialism or results-based ethics is the third type of normative ethics that portrays its viewpoints of decision-making by considering no or slightest harm outcomes to the majority who receive the decision made (Osifo, 2012). Since consequences are the results of ethical decision based on value, Petit (1989) points out that people have to do what is having the best

results (consequences) regardless of the means involved in reaching the consequences whether stealing, lying, murdering and so forth. Under Consequentialism, means used to get results doesn't matter but what matters is the results that are desired by the large number of receivers of such decision (Rainbow, 2002) because morally right deeds are ones which produce good outcomes or consequences (Amundsen, 2009).

Under consequentialism, there are three stances which are, utilitarianisms (both act utilitarianism and rule utilitarianism), hedonism and ethical egoism (Gensler, 2006; Vance & Trani, 2008) as they are discussed under theories of ethics. However, there are some controversial opinions on merging "means" and "ends" because society tend to judge certain conducts as "right" if the "means" used are good and it means justice has occurred regardless of the outcomes because every human creature is valuable, none of these creatures have a mandate to subdue others (deontological point of view). At the same time, societies do condemn any actions that yields pains as results. Salminen (2010) summarized the three categories of normative ethics in a conceptual model.

Table 2.2: Ethics conceptual framework

	Consequentialism type of normative ethics	Virtue type of normative ethics	Duty type of normative ethics
The key motives of behavior	End results	Behaviour/ practices/ stable character	Attitudes
Applicable theory for justification	Consequentialism/ teleology (utilitarian, hedonism and ethical egoism)	Virtue theory	Duty theory as advocated by Immanuel Kant (deontology)
The main focal point targeting	Greatest happiness to large number of people versus small number of people as proposed by John Stuart Mill	Focus on character-based or do what is supposed to do and how it should be done as per Aristotle	Intrinsic rightness of an action without considering its consequence
Application in the public sector ethics and development arena	The ends justify the means	Good moral Practice make an individual to have good practical moral character	Good responses, opinions or good attitude
Means to maintain such kind of ethics in the public sector	Lay down targets or objectives that may benefit the majority who will receive the services	Assist the organization to put into practices ethical principles so as to become part and parcel of their	Stress more on ethical rules, standards and regulations

		conducts	
instances of ethics required in the public sector	Ethical training, organizational responsibilities to the society	Ethical reviews and rewards, ethical training	Values statements, codes of conduct, ethical training

Source: Modified by the researcher from Salminen, 2010)

(iii) Applied ethics: Applied ethics are the third type of ethics with main focus on application of ethical issues in relation to human interactions (Rowson, 2006; Snare, 1992). In other words, applied ethics are strictly professional ethics that deal with specific, practical and sometimes controversial issues in which normative ethics and meta-ethics required to be used to prove its viability in application.

Daniel (2011) claimed that applied ethics require a professional application of ethical behaviour. For instance, it is expected that a politician can promise the voters on how he/she will incorporate with the public towards combating corruption up on his/her winning of election, but after his/her winning surprising nothing is going on rather than distance him/herself from the public and what he/she promised. Brewer (2009) further pinpoint that applied ethics tend to relate ethical theory to specific issues that require an individual to make a practical stances such as abortion, human rights, death penalty, sanctity of life, stealing and other necessary lying.

2.5.1 Evolution of Ethics in the public sector

The society has collectively formed rules and regulations used to govern their members based on the guidance of their own traditions of ethos (Daniel, 2011: 3). Kimberling (2008) also pose a revelation that the question of what is ethical and what is not ethical has been debated since the time of Aristotle, but such debates have been calmed down with the presence of policies, regulations, standards, systems of ethics and the prevailing state of affairs. These regimes (policies, regulations, standards, systems of ethics and the prevailing state of affairs) guided the judgments concerning what is right or wrong, acceptable or not acceptable.

Ethics have been acting as lubricant in regulating and guiding behaviour of people in a particular society given the level of development and the impact of changing societal conditions (Menzel, 2012: 50). The adherence to acceptable moral standards of behaviour started long time (Ekhator, 2012) because society demanded high standards of political and

administrative performance even before the Greek and Roman era. It is also reported that in every era since the time of immemorial there have been few words that symbolize and typify its occurrence.

Moilanen and Demmke (2011) proclaimed that during antic time the caption words of ethics was "Virtues" such as Justice and Courage while during the middle ages "religious ethics" were sported as key words of the time, things like faith, grace and God. During eighteenth century, there were advents of "logical theories" like character, nature, reason, rights while from 19th Century to the contemporary era there have been several furnishing ethical words such as efficiency and effectiveness, accountability, transparency, flexibility, governance and good governance and other related terms (Kimberling, 2008; Moilanen & Demmke, 2011).

Ethics have been reported to be a controversial field of study since the time of immemorial, particularly to the fields of philosophy, theology, laws, professions and politics (Amundsen, 2009). Its controversial can be attributed by views from being relativism or objectivism that made different views of regarding ethics. In this regards, literatures about ethics is very old to support the discussion that ethics have been there since then hence, one may start counting from the days before, during and after Plato's period "Gorgias"; while to Aristotle interpreted as "Nichomachean ethics"; to Epictetus was known as "Discourses".

In addition, to Hobbes was "Leviathan", Bentham was identified himself as the propagator of principles of Morals and legislation, Immanuel Kant "moral reasoning" and many others (Dilsad, 2006). It is believed that the process of human evolution specifically having ability to think logically is one of the greatest steps. Having the power of self-reflection and thinking ethics has been the centre of movement considering their role of carrying the societal values from generation to generation across the world (Menzel, 2012). Daniel (2011) who asserts that the laws of the country are based on the customs or ethical systems of its society evidences this and societal behaviours have developed and evolved along with evolution of society.

As the 20th century approached to an end, ethics in the public sector were returning to the agenda of reformation following the terrible irrationalities which occurred in the world which included world wars (I) and (II) atom bombs, genocide and others disasters (Cohen, 1998;

Osifo, 2012). It is argued that of all the various periods in public administration from politics-administration dichotomy (from 1880s-1920) to reinvention and reformation (1990s up to the present) the focus has been on improving the administration morals. Such improvement went hand-in-hand with the necessity of having honest public officials who can be trusted to demonstrate responsibilities because of their personal sense of right, wrong, and personal moral conventions in the public sectors to get public trust (Osifo, 2012; Eimicke and Cohen, 1998).

Bilhim and Neves (2005) points out that in the beginning of the 21st Century, comparative public administration has focused more on dealing with unethical practices as the key problems especially preventing and combating corruption. This is because public administrations have so many complex phenomena and wide range of generic administrative activities (Pevkur, 2006, Pelizzo & Stapenhurst, 2004) including sub-culture known as administrative ethics which have association with fighting against corruption, enhancing professionalism, trust, codes of ethics and conduct, constitutionalism, public policy, values and many others like ethical education, obedience and integrity. Hence, discussion about administrative accountability in public agency to a large extent can be managed through administrative ethics (Eimicke & Cohen, 1998; Pevkur, 2006). The philosophical behind administrative ethics centres on the foundation of democracy which treats people as citizens and accountable to citizen followed by rules and regulations emanating from the constitution to guide the conducts of office bearers (Pevkur, 2006).

In view of these two centuries (20th and 21st), Woller (1998) and Dilsad (2006) contend that two different paradigms of ethos are dominating in public administration, these are bureaucratic and democratic ones as mentioned earlier. Bureaucratic ethos on one side originated from growth of political movement, scientific management movement and others like social science movement during 19th and 20th centuries focusing their sentiments on expertise, loyalty, obedience to the office bearers, efficacy in delivering of services and the likes (Bilhim & Neves, 2005). Such opinions of thought according to them (speculators) persuaded through approaches like scientific management (advocated by Taylor), bureaucracy (advocated by Weber) and others like political-administration dichotomy (advocated by Wilson) (Dilsad, 2006).

Democratic ethos on other hand emerged during 1960's with New Public Administration (NPA) movements pressurizing on higher order ethical values like compassion, honesty, impartiality, inclusiveness, responsiveness and snubs the doctrine of bureaucracy that stressed more on having space in which administrators or bureaucrats can work (Pevkur, 2006).

Hence, there are five known distinct periods of ethics evolution in both two centuries (20th and 21st) which are: the reform period (1883-1971) where the attempts were to detach political affairs from administration and institutionalizing of professionalized public service and it was known as the birth of social responsibility movement (Hartman, 2005). The second period was the new public administration period (1971-1987) where in there were great social, political and cultural changes that began in 1960's and inspire the establishment of the so called New public management (Bilhim & Neves, 2005; Pevkur, 2006). Similarly, in this period, Hartman (2005) adds that compliance with laws highlighted and values movement began to move ethics from compliance orientation to being values centred where by even the individual responsibility by career public servant was strong emphasized.

The reconstruction period (1987-1992) was the third period where efforts devoted were to make the standard principles of progressive public administration following the occurrence of predicament of maintaining a positive view of government in an anti-government epoch because transparency issues aroused, saving and loan scandals started to escalate. The fourth period was reinvention (1992-present) (Hartman, 2005; Bilhim & Neves, 2005; Pevkur, 2006). In this period, the global expansion brought new ethical challenges like bribes and others including environmental issues, fraud and financial mismanagement.

The last period is spiritualism period (1997-present) (Eimicke & Cohen, 1998). In this period of time, which seems to be a new ethical consensus taking place, there has been mushrooming of various anti-corruption crusades like Organization of Economic Cooperation and Development (OECD) convention on bribery (1997-2000) as well as shifting to emphasizing cooperate social responsibilities and integrity management (OECD, 2000). In this regard, it may be stated that moving from chains of command type of public service systems to more open and modern organization of public administrations has posed more challenges regarding the common standards and ethical demands as what Pevkur (2006) put forward. This is because in the present day, the question of ethics in government is emerging burning issue especially when other pressing issues like E-government and Open

Government partnership are taking place. However, Burke and Richter (2007) concur with measures of carrying out and accepting that it is more appealing to administrative ethics to develop functional, convenient and appropriate ideas and tools, dexterities and capability to deal with the rapid changes in the world, mainly the ones concerning to growing ethical dilemma in both public and private life.

2.5.2 CONVERGENCE AND SYNTHESIS OF EVOLUTION OF ETHICS

To date, the revival of ethics in the public domains is the main agenda towards the desired expectations of encouraging ethical practitioners to exercise moral practices in the public organizations hence, the world entered into new period of ethics where performance and morality are equally accorded (Brady, 2003). Brady (2003) emphasized the existence of so many watch-dogs to public sector ethics for instance, the media, NGOs and the private sectors so as to ensure that parties will stop neglecting any aspect of ethics in the public sector. It is evident that these watch-dogs have made public sector to become more complex and wide-range compared to the previous systems hence, any single aspect of ethics must be included to cater for the emerging challenges in the public sectors.

Literature shows that there are three roads that are considered more important following the intellectual roots and practical experiences of its evolution (Hilliard and Ferreira, 2001; Pevkur, 2006). These are "Low Road" of compliance, "High Road" of integrity, and lastly, "Fusion road". More importantly, the "Low Road" of compliance is an approach to ethics that is intended to encourage obedience to lowest standards and legal prevention (Hilliard and Ferreira, 2001). Low road is enforced by oversight and control mechanisms like formal rules and administrative procedures, legal sanctions in order to attain minimal risks in ensuring accountability, responsiveness and so forth. This is because the compliance technique in low road path put more emphasize on external control in refraining and shaping the behaviour of the public servant (Pevkur, 2006). This system is important since it lays out basic foundation for all ethical principles to be obeyed.

This approach has however been challenged by scholars such as Eimicke and Cohen (1998) and Pelizzo and Stapenhurst (2004) due to the fact that putting more emphasis on policing and catching wrong doings cannot stop the offenders from violating ethics, especially in an

environment where corruption germinated its roots. Furthermore, compliance in ethics in most cases do not work well because meaningful ethics are intrinsic (internal) and they are easily learnt in an up-bringing environment and become part of the life. Hence, these ethics cannot be enforced by any external bodies like government or any special appendage to deal with ethics in the society or organization and gain endless life in the society (Hilliard & Ferreira, 2001).

On the other hand, the "High road" of integrity is a path which emphasizes moral character through reflecting, deciding and acting up on a situation (OECD, 2000). *High road,* as postulated by Hilliard and Ferreira (2001), stresses more on training either from an early age or at any given point in life so that an individual can acquire cognitive and affection values intrinsically and make them become part of their personalities. OECD (2000) also put emphasis on social equity and building integrity in the society where public servants emanate. In this sense, the government can provide a trustworthy and effective plan for social, economic and political life of its people because through integrity values demonstrated by government employees in one way or another, good governance is taken aboard. Salminen (2006) agrees that integrity values as "high road" breed incorruptible behaviour and adhere to moral principles that public domain appeal for it.

However, some challenges emerge regarding to High road compliance (Pevkur, 2006). These challenges reveal that, since the integrity route is non-institutional by its nature, even though the organization plays a part in shaping the individual's behaviour, it neglects the decision-making milieu and focuses exclusively on self-governing morals and individualism to the extent of putting aside organization and other influences that jeopardize one's behaviour. Therefore, "High road" integrity sometimes cannot work all the times given such scenario (Menzel, 2012; Pevkur, 2006). These challenges made possible the "fusion" road.

The outlook of "fusion" road centres at merging the two roads (low road and high road) by joining together the weakness posed by both two routes and trying to adjust to constant changing milieu of public sectors. This is mainly because neither of the two roads accomplishes the way ethics are supposed to be in the public sector (Hartman, 2005). It is more convincing and interesting for the public to be served by the type of government that has foundation of both compliance and integrity perspectives in a fusion way. Pevkur (2006)

and Hartman (2005) express the view that fusion of the two approaches is the path of moderation, adaptation, compromise and refer to it as "*a go but go slow attitude*" towards ethics in the work place. Ritcher (1989) adds that positive ethics means concentrating on a little less on what we must prevent, and a little more on what we want to accomplish.

This "compliance-integrity" approach encourages intrinsic and extrinsic nature of guidance of ethics to the public servants because ethics demand informed reflection and individual judgments, commitment and involvement that may help any office bearer to make sober decisions (Hartman, 2005) in order to enhance our lives and our relationships both inside and outside the organization. Development of integrity framework and specific type of leadership and behaviour is more required in building high integrity public sectors. In reference to these three roads as to be used in the contemporary public sectors, Table 2.3 gives a summary of what ethics was in the 20th century and what it is required to be in 21st century.

Table 2.3: Ethics evolution

20th century Ethics	21st century Ethics
The focus was to the selected few leaders/ rulers.	The focus is for all people and other stakeholders in the society who will be affected by the decision made.
Final solution in moral system is regarded as a point of commonality and team spirit.	Emphasize under this century is both compliance and integrity basing on non-stop monitoring and evaluation.
The management of ethics were maintained by the help of force and penalties to enforce the rules and bureaucratic doctrines where span of control was effectual means.	Managing of ethics is done through various stakeholders like media, publics, government entities and the likes.
Justice was done for law-breakers for example, example reprimand, rewarding, and so forth.	Justice is still implemented just the same like 20th century to non-compliance or non-concomitant to integrity.
It was perceived as western doctrine type of customs (objective).	It is pervasive to all human civilization and deemed too subjective as per given context.
It was regarded as a shared responsibility for any outcomes resulted from decision made.	Here individual responsibility is more counted basing on decision made.
The ruling aristocracy were the determinant of ethical values.	Majority interest are the frameworks on how ethics are supposed to be basing on the context of the environment.

Source: Raga and Taylor (2005)

Given the above premises of the 21st Century ethics as they evolved from the previous century, their operation seems not to exist practically in the operation of public sectors. Povkur (2006) supports the argument that it is possible to follow sorely the common tendency

of doing things as they occur in the actual environment of each government basing on the path defined by a particular government rather than using an identified ethical management frameworks or models. Hence, Povkur (2006) points out that socio-cultural and historical background can play a pivotal role in ethics management systems in any particular government.

Such premises cannot refute the presence of guiding structures that guide proper ethical conduct and what has to be done such as. The guiding principles include policies, regulations, standards, systems of ethics and prevailing state of affairs (Kimberling, 2008). This notion is mainly because socio-cultural and historical background cannot cure the magnitude, dimensions and other complexities of ethics due to ever-changing environment and hence theories, models, organisational culture, pressure and demands from stakeholders, historical experiences, economic issues as well as internal and external facets add more different synergies in determining ethical reasoning in life (Kimberling, 2008).

2.6 ETHICS SYSTEMS

Lewis and Gilman (2012) refer ethics systems as institutions, course of actions, work procedures and set of laws that enhance compliance and integrity in the organization which are linked together in their functions. In these domains of inter-linkage (institutions, work procedures, course of actions and set of laws that enhance compliance and integrity), there are two types of ethics systems that operate within namely; integrity systems and anti-corruption systems.

2.6.1 Integrity systems

Integrity systems of ethics are methods that rely on anticipating the problems ahead and planning ways to avoid being trapped in and designing prevention mechanisms (Lewis & Gilman, 2012). Integrity methods put more pressure on moral character through reflecting, deciding and acting up on a situation basing on virtue or high merit (OECD, 2000). These moral characters in most cases created and fashioned from the early ages or at a given point of life. For instance, during recruitment and selection of new entrants, the public servants acquire cognitively, psychomotor and affection values related to the organization. Integrity systems rely on building public servants behaviour basing on intrinsic values where effective

guidance and clear set of values are encouraged (Lewis and Gilman, 2012). Thus, the values of integrity can be instilled through providing relevant information, education, and training in order to promote ethical reasoning behaviour (SAS Institute, 2007).

2.6.2 Anticorruption systems

This kind of ethics systems points its fingers on control mechanisms like formal rules and administrative procedures and/or legal sanctions in re-shaping the public servants (Hilliard & Ferreira, 2001; Pevkur, 2006). As a result, these ethics tend to reflect more on external controls like prosecutions, inspections, investigations and other means of controlling human behaviour assuming that unethical conduct in the public sector is caused by corrupt behaviour (Lewis & Gilman, 2012).

Within these two types of ethics (integrity and anticorruption), Gilman (2005) ascertains that there are about eight elements of ethics systems that accompany them. These elements are transparency, whistle-blower hotlines, counselling, communication approaches, education training, enforcement mechanisms, and independency in decision making. Gilman (2005) postulates that there are three things involved in transparency namely, simplification of work procedures in all administration systems, removal of unnecessary secrecy as well as asset declaration or financial disclosures. Included in the enforcement mechanisms is the criminal code, existence of media to help in reporting events to the community, Non-Governmental Organisation, audit general, post-employment code as well as conflict of interest code.

However, these elements cannot be sustainable if there is no administration system to make them effective. Hence, they are accompanied by other criteria such as published codes of ethics/ practices/ conduct; if at all these codes are satisfactory then implementation efforts are required to be in place accompanied by monitoring and evaluation (Hartman, 2005).

2.7 TYPES OF PUBLIC SECTOR ETHICS

Kernaghan (1996) considered public sector ethics in three major categories namely, personal or individual ethics, organizational ethics and policy ethics. Each one of these categories pretends that challenges in the management of ethics in the public sector have an impact in service delivery to the entire community.

2.7.1 Individual ethics

Individual ethics or personal ethics refers to the moral standards that public office bearer bring into his/her decisions-making and make recommendation basing on personal values of ethics. Since the public servant (public office bearer) has decisive role in either policy process or policy implementation (Kernaghan, 1996) for instance, access to what is required to be done including the distribution of funds, individual moral standards play a vital role of doing right things in a right way.. Regardless of the existence of rules and regulations, individual ethics are required at this juncture because they help to have a sense of right and wrong in decision-making of the public sector.

2.7.2 Organizational ethics

In addition to individual ethics, there is an existence of organisational ethics. Kernaghan (1996) opined that these are the ethics that public servants are required to perform their duties as per job responsibilities given by their organisations. However, upon delivering services based on the job responsibilities, Kinicki and Kreitner (2005) postulate that public servants end up caught in the middle of individual and organisational value conflicts. This occurs when the organisational values which are supposed to be performed by the public servant for the benefit of the public face ambiguity in their implementation because of personal values of public servant that differs with that of the organization. In order to remedy such conflicts, there is need to use well-dedicated leader(s) as well as providing clear value statement.

2.7.3 Policy ethics

Policy ethics refer to the moral implications concerning the available guiding principles useful in making rational judgments (Kernaghan, 1996). When this situation happens, it brings more dilemmas to the public servant especially when the policy is touching sensitive issues to be implemented or any policy that may claim the lives of people. Examples of such situations are, Approach-Approach, Approach-Avoidance and Avoidance-Avoidance situations.

2.8 THE ROLE OF PUBLIC SECTOR IN RELATION TO ETHICS

Public sector ethics, also called administrative ethics are set of frameworks or principles that direct the public sector in its legal in any given society (Ekhator, 2012). To add to the above definition, Ekhator (2012) asserted that public sector ethics include full range public servants' inter-relationship (with both inside and outside of their working premises) that shape behaviour. This outlook of public sector ethics converges with Disloane (2012) who viewed public sector ethics in the angle of public office bearer doing actions based on "right", "proper" and "just" and their relationships to the impact they pose to the public. OECD (2000) is of the view that public sector ethics are prerequisite to and key stone to good governance. Amundsen (2009) states that public sector in any country is very vital due to its coverage in delivering services that are in the interest of public domain as opposed to private domain.

The focus of public sector is to create good quality life for every citizen. Such quality life as postulated by Gildenhuys (2004) require sound milieu that enable every citizen to reach his/her full potentials. Such pivotal role fall into two discretionary powers of the public sector namely, public servants (policy implementers) and politicians (policy formulator) whose decisions affect the citizens and entire nation. Some decisions are made without regard to consequences they have to the general public as long the ethics and integrity manner is appealed to them so that unity and harmony can prevail among societies in the country (Amundsen, 2009; Moilanen & Demmke, 2011; Pelizzo & Stapenhurst, 2004).

In addition to the above, it is known that high moral standards are required in the public sector so as to combat and probably mitigate unethical behaviours, like corruption, since it paralyses service delivery and impacts the entire community (Ekhator, 2012). For an example, provision of water sanitation, collection of bins from each household in the community, provision of electricity and so forth require dedicated leaders with sound base of ethics so that people may live in a clean and safe environment.

In delivering services to the public, Fox, Harina and Howard (2002) identified four key roles namely, mandating, facilitating, collaborating and endorsing. On the mandating side, the public sector role is to set minimum values and setting goals that are required to be delivered, instituting of mechanisms for making such values and goals function and helping citizens to

55

gain access to and understand legal actions. On the facilitation end, the public sector is required to issue tax incentives and penalties, ensure access to information and ensuring that the civil societies in the country are fulfilling their mandates (Fox *et al.,* 2002). The partnering or collaborating role is required to work with other sectors like civil societies, informal sectors and other multilateral companies in delivering services to the country, while endorsement can be issued through different ways like policy documents and other directives to the society through other means (Fox *et al.,* 2002).

The society at large expect policy formulators (politicians) and policy implementers (public servants) to do their level best to handle the above mentioned four roles in the spirit of public interest as opposed to narrow minded conduct that focus on either personal or private interests (Amundsen, 2009). Such spirit of public interest is identified by Kinchin (2007) as based on five underlying qualities properly delivered to inspire public trust (OECD, 2000). These are; free from conflict of interest, transparency, fairness, efficiency and effectiveness as well as responsibility. These qualities according to UNDP (2007) need effective controls, recurring orientation and sound leadership skills with the help of dedicated political leadership; active civil society; legislation that allow independent investigation and prosecution; codes of behaviour and involvement of public views and supervision of them in guiding the desirable behaviour. Others elements necessary to assist effective controls, recurring orientation and sound leadership skills are effective mechanisms of responsibility and accountability; well-coordinated and workable ethical infrastructure and effective human resources policies (Kinchin, 2007; UNDP, 2007).

2. 9 PUBLIC SECTOR ETHICS AND ITS CHALLENGES

Public sector or sometimes known as the state is perceived as the government with its appendages like ministries; departments; institutions; parastatal businesses; administrations whether local, provincial or central and other agencies and organs attached to the government (Amundsen, 2009).

Such conglomerates of organs have two important levels of delivering service to the public namely, administrative level and political level. Political level on its wing is not only responsible for major decisions of the state but also formulating policies and other visions and missions of the state. On the other hand, the administrative level is responsible for

implementing and putting into practice the operations of such policies, visions and missions of the state. Similarly, it is where administering of public sector is done (Amundsen, 2009). The public sector level where implementation of policies is done i.e. administrative level is referred by other scholars as the civil service, state administration or bureaucracy as it was introduced by Max Weber (Pelizzo & Stapenhurst, 2004; Salminen, 2010). The mandate of implementing policies and other functions of the state ranges from issuing services like infrastructures; health services; urban systems, planning and management; social security and the likes (Amundsen, 2009).

Within this ambit of Public sector where citizens have invested their trust, they expect clear decisions that hold their wishes in transforming their challenges of life to better podium of living. Among of the mechanisms that carry such hopes is transparency in the spirit of public service (Salminen, 2010). One of the key components of values that make meaningful transformation that speaks together with transparency is public sector ethics as emphasized by Cooper (2006) because for any decision made its impact echoes to the public. Public sector ethics encompass all values that hold the trust of the majority in the society of which its implementations brings cohesion among themselves. Public sector ethics in the eyes of citizens is to deliver services in integrity, fairness, equality, consistency and in honest ways (Salminen, 2010).

As a result of this, Ashour (2004) highlights that matters concerning ethical conduct for public servants in any country particularly sub-Saharan inclusive, have been of interest to various stakeholders ranging from international, regional and national organizations. Citizens expecting quality public services in most cases do assess ways and the extent of meeting their aspirations of getting services as per their interests (Eimicke & Cohen, 1998) and public entity are forced more to meet public demands in an efficacy manner. The quality public services (Cooper, 2006) cannot be done if ethical judgments accompanied by standards of behaviour in a responsible manner will not be taking aboard.

Pelizzo & Stapenhurst (2004) propound that publics have raised awareness and more receptive to those who violate public ethics where their interests rest and the reactions has been responding in different ways including party and political protests due to lowering the levels of trust as well as dissatisfactions with the existing democracy in the respective county.

In addition, scandals involving public officials have captured public attention because there have been several campaigns of preventing unethical behaviour in the governments particularly public sector (Bertucci, 2000). These campaigns go hand in hand with raising critical question concerning the outcomes of unethical practices in the public sector and in public life generally (Ashour, 2004).

It is also argued that the pressure for enforcing standards and guiding public servant behaviours comes from different tributaries like globalization, democratization, financial crisis, technological advancement that make these governments worldwide to respond to these traumas (Amundsen, 2009). Hence, such upsets leads to handing over some of government responsibilities within the public sectors thereby forcing governments to open public scrutiny through various instruments such as media (Bertucci, 2000). As a results, such fluctuations have changed or modified the traditional functions of states worldwide (Bertucci, 2000) and accelerate the fall of the public standards because trusts and confidence of the public towards public sectors and their institutions declined following such exposure that was not exposed before. Apparently, such scenario renders public servant's ethics influenced by greater number and diversified conflicting values (Moilanen & Demmke, 2011).

However, with the advent of new period of public sector ethics, integrity and recitals are all weighed equally. The public sector reforms worldwide, as mentioned earlier, are geared to reinforce accountability, transparency, diligence and competence, and try to prevent and combat unethical practices in the public sector (Eimicke & Cohen, 1998; Ashour, 2004). This is because unethical practices and lack of answerability among public servants and other officials put rule of law, human rights and democracy in jeopardy situation (Bertucci, 2000). In this regard, citizens are calling governments to increase competence in delivering public services through democratic and efficacy ways and spending public funds (UNDP, 2007) ethically while appealing to accountability and transparency at national and international arena by taking into consideration compliance-based and integrity-based ethics management.

2.10 VALUES IN THE PUBLIC SECTOR

With the changing dogma of public administration ethics since the 1970s to present day, values in the public sector has also been undergoing changes to suit the prevailing milieu of public sector because they never expire, rather they change (Moline & Dammed, 2011). In other words, the required ethics in the public sector cannot flourish if the necessary values do not complement one another in this era of moral relativism and moral tolerance.

In his view, MacCarthaigh (2008) gave the concept of values as permanent beliefs that control the choices that people make among the available alternative decisions. OECD (1996), on its concern of unethical practices in the public sector, expressed values as personal doctrines or standards that steer someone's decision about what action or decision is good or bad, acceptable or not acceptable. Based on Hertman's (2005) view, values are set of beliefs; in other words they refer to how an individual, organizational or society defines what is right, fair and good. In addition, scholars such as Gildenhuys (1991) reveal that values are responsible for how we experience, accept or reject things, defend or change reality. Values are doctrines that steer decision making about wrong and right deeds and hence lay a foundation for any deeds towards covert and overt behaviour. Values are developed through acquiring norms which are then transferred to behaviour and from behaviour to attitudes which finally leads to certain values (Hertman, 2005; MacCarthaigh, 2008).

This study adopted the concept posed by Nzekwe *et al.* (2014). According to Nzekwe *et al.* (2014) values are enduring beliefs concerning what seem to be the important things in a given range of situations. Since values differ among individuals, societies and nations this leads to different values such as, individual values, societal values and national values. Conclusively, values are those inner driving forces of an individual, organization or country that drive to attain or to fulfil certain goals or targets.

Examples of values that public office bearer demonstrates depending on the prevailing situation of any given environment adopted in which public servants operate, as proposed by MacCarthaigh (2008) are: Ethical values (fairness, impartiality, sincerity, answerability, transparency and so forth). In contrast, unethical values include unfairness, favouritism, greed, deceitful, insincerity and so forth) while non-ethical values include wellbeing of an

individual, personal independence, gladness and so forth. Given such examples of values, this indicates that if values are like beliefs, it means that beliefs differ from one person to another, from society to another society, and they are neither associated with ethical behaviour nor unethical or non-ethical. Consequently, some parties are principled and reflective while others are non-reflective and non-principled (Moilanen & Demmke, 2011).

Given the arrival of global values where forces from modern cosmopolitan require the public servants to work under the so-called "agreed global values", local values are forced to merge with cosmopolitan values, and conflicts on ethical performing of duties occasionally seems to occur (MacCarthaigh, 2008). The difficulty is raised on how to prioritize or promote particular values over others given the various motivations of employees who are connected in the global village and be attracted with shared values. In addition, Savoie (2003) and Frey and Osterloh (2004) also state that due to the current forces in the modern public sectors to perform multi-tasks in order to suit the new global ethos, application of different values to public services in order to go with multiple requirements are also inevitable. Hence, MacCarthaigh (2008) deduced that maintaining confidentiality, avoiding conflict of interests, guaranteeing transparency and accountability, and acting in the interests of public domain are now in conformity form rather than jeopardy situation.

In spite of different environment where public servants apply their values, there are common values that are applicable across nations taking into consideration that new global ethos demands positive values (Daniel, 2011; Savoie, 2003; OECD, 2000). Such positive values of Global ethos seem to be common to the extent of being applied by public servants; apparently, it is argued that new world order will not be effectual if such ethos will not be implemented in each country because of its essentiality than enacting laws. Examples of that ethos are; universality of humanity, values of equality, material and spiritual freedom as well as human rights (Daniel, 2011).

However, the most common values that public sector are incline to, are honest and integrity, accountability, free from conflict of interests, diligent and competence, fairness, impartiality and integrity. Others are loyalty, responsiveness, confidentiality, neutrality, efficiency, effectiveness, and respect for the laws (Bertucci, 2000; MacCarthaigh, 2008; Moilanen & Demmke, 2011). It is suggested that such values cannot come into effect if there are no

leaderships for keeping them valid, education and training and many others like functional codes of conduct.

MacCarthaigh (2008) categorized four values, while the Canadian Office of Public Service Values (2004) calls it four families of public sector values that where some values cut across to other categories and perhaps can cause value conflicts when same values are required to be used in different scenario while others remain intact to its side. This is shown in Table 2.4 below.

Table 2.3: Values in public sector

Ethical	Democratic	Professional	People
Accountability	Accountability	Service	Tolerance
Integrity	Rule of laws	Effectiveness	Caring
Fairness	Neutrality	Efficiency	Fairness
Probity	Legality	Creativity	Humanity
Honesty	Representativeness	Quality	Benevolence
Respect	Responsiveness	Innovation	Courage
Excellence	Openness	Excellence	Compassion
Loyalty	Loyalty	Leadership	Courtesy

Source: Lewis and Gilman (2012) and MacCarthaigh (2008)

2.11 VALUES OF ETHICS, DEMOCRACY, AND PROFESSIONALISM

Considering delivering services to the public, the position of the public servants are considered ethically neutral if meaningful services are taken into consideration. The question that arises is how public servants are ethically good, bad, and wrong or right (Nastase, 2012). The answer to this question will be based on the quality of values and inform if an individual can solve the societal problems or not. However, the anticipated answers centre on ethics, democracy and professionalism and with the combination of all upholds integrity in the public sector (Nzekwe *et al*, 2014).

Democracy as one of the values is a form of ruling system where people hold power and determine the type of leaders to lead the majority through free election (Amundsen, 2009). The value preserved in democracy is the will of the majority. This similarly applies to the public sector where the services focus on the will of the public. Democracy and good

governance have always been an integral part for public sector services (Maseremule, 2012), and among the democratic values and standards are public integrity, fairness, impartiality, rule of law, justice and equality. Other standards are transparency, human dignity and political accountability (Amundsen, 2009). The justification of considering democracy in public sector service delivery is the fact that the ground structure and framework of public sector is preserved in the public domain (Huberts *et al,* 2003).

Professionalism on its side is a commitment to standards when performing any work (Ashour, 2004). It is a form of objectivity where by commitment to excellence and improvement is a focal point for decision-making. In the view of Bertucci (2000) professionalism in the public sector is all values that guide the delivering of services in agreed standards. These among others include impartiality, diligence and competence, reliability, objectivity and faithfulness. One of the crucial factors for instilling professionalism in the public sector is to have sound public management system. Nastase (2012) and Bertucci (2000) accept that culture of professionalism is raised in the environment where good work is encouraged and poor performance is always rectified. Hence, professionalism requires values of excellent, competence and quality.

Caiden (2000) argued that public sector professionalism requirement is to meet the public norm of conducts and behaviour, interests, ensuring public expectations, being a role model, uplifting professionalism and promoting democracy. It is also known that where there are weak political and administration values that are based on impracticable ethical principles, professionalism are also in jeopardy situation; and where there is an integrity-based ethics regime professionalism is uplifted (Ashour, 2004; Amundsen, 2009).

Huberts *et al.* (2003) opined that ethics are set of standards which guide action and decision-making; it is the basis and lays foundation for integrity. It is the ability to make logical judgments concerning right or wrong and take appropriate decision. Huberts *et al.* (2003) further added that ethics is a kind of deeds that stem from the moral values expressing wrong action from right, or vice-versa depending on the foundation of values of an individual. In the case of public sector ethics, the following values are important; compassion, integrity, fidelity, justice and impartiality (Caiden, 2000). In the observation of Organization for Economic Cooperation and Development (OECD, 2000), if public servant perform duties in a

right way, and performs duties right it will fit automatically to the public expectations; hence the following formula in Table 2.5 illustrates this.

Table 2.5: Ethics formulae

DEMOCRACY	Fairness, Objectivity, Freedom, Fair play, Participation, Awareness and Transparency	+
ETHICS	Responsibility, Duties, values, Principles and Standards	+
PROFESSIONALISM	Self-awareness, Accountability, Self-understanding, Independence, Hard-working, Competence and Quality	+
INTEGRITY	Together, Sense of being whole, Bona fide, Honest and Genuine.	=

Source: Lewis and Gilman (2012)

The table above shows that integrity can be seen as receiver of Public trust after all combination of democratic principles, ethical principles and professionalism. The relationship of all these values is where Public expectations can be attained.

2.12 IMPORTANCE OF VALUES IN THE PUBLIC SECTOR

Values are very vital to the public sector because delivering services to the public is centred on values enshrined in them. Therefore, values provide a direction and frameworks towards meeting public expectations. In addition, values help decision makers to be stable and consistent in delivering services to the public, otherwise with the prevailing periods of constant changes of societies that also lead to changes in its values one may end up with value conflicts. In the religious perspectives Gildehnhuys (1991; 2004) has it that all human being were created in the image of God and hence they are equal in self-respect, but the social circumstances that occur in the society and tends to pull apart their respect. It makes justifications for inclusion as a way of complementing each other. In this outlook, participation, inclusion and togetherness become a guiding framework.

Bozeman and Beck (2007) and Gildenhuys (1991) emphasized that values in the public sector determine, guide and inform the behaviour of the employees and are among factors of organizational culture. Bozeman and Beck insist more by arguing that there is nothing important to discuss in the field of public administration than values when discussion about ethics is underway because all public sector activities are value-based, hence, delivering services within line of public values brings public trust.

2.12.1 Relation of Values and Ethics in the Public Sector

In the public sector, values and ethics are normally used interchangeably particularly, when the focus is fighting against unethical practices like corruption (MacCarthaigh, 2008). There are thin layers between the two creeds (OECD, 1996) which make it impractical to separate them. However, in this study the line of separation centre on the argument that value are reflections of ethics which put ethical rules into practice by demonstrating behaviour either good or bad; values reflective frame of minds, while ethics themselves are decoding of values into existence. Kakabads *et al* (2003), in their analysis, present that ethics determine what actions are acceptable or not acceptable, wrong or right, good or bad of which such options of actions are informed by values which an individual possesses towards decision-making. Therefore, the premise for evaluating individual behaviour in the system of values and survival of democracy in any society depends much on sound ethical values and integrity (Balakrishnan, 2012).

2.12.2 Values and Ethics in the Public Sector

Public servants deliver services in mainly two values in the changing environments where applications of ethics are required; these are organizational and social environment (Bozeman and Beck, 2007).

2.12.2.1 Organization environment

In a public sector organization, public servants are required to instil values while signifying accountability, transparency and integrity as covert and overt behaviour. In addition, public servants are required to demonstrate authenticity, exchange of ideas and fairness when it comes to relationships between their working environment with the public (Bozeman and Beck, 2007). Last, public servants are obliged to convey self-development, outputs, inventions and showing strength when it comes to demonstrate values within the organization.

2.12.2.2 Social environment

On the other hand, in social environments, public servants are enshrined to remain politically faithful due to the fact that politicians are key people in formulating policies that are required for administration (Demmke, 2004). In addition, public servants are required to demonstrate advocacy, sincerity and show competitiveness while interacting with the prevailing environment. Besides that, Bozeman and Beck (2007) further added that public servants are required to uplift democracy, work with the wills of the majority without interrupting the rights of minority when they want to fulfil the visions and missions of wider society expectations. Last, they are obliged to focus on sustainability, show unselfishness and focus on common good when they want to attain full societal potentials.

2.13 CHALLENGES OF MAINTAINNG ETHICAL VALUES IN THE PUBLIC SECTOR

The world is experiencing high anticipation of ethics to be demonstrated by public servants to merge with citizens' trust and expectations towards service delivery (Demmke, 2004) because currently public sectors are showing intolerance to those who infringe ethics. The main reasons is that the world is experiencing new forms of lifestyles, new political philosophies and preferences while previous homogeneity of traditional society is no longer meaningful (Salminen, 2010).

The current societies demonstrate vast diverse, public centred values, flexibility as opposed to bureaucratic doctrines because under autocratic and bureaucratic regime it is easy to manage using clear values such as standardization, obedience, rationality, formalism and hierarchical order (Savoie, 2003; Moilanen & Demmke, 2011). Demmke (2004) on his outlook presents that public policy are required to deliver services in the hands of multifaceted networks, joint ventures of Government, professionalism, Non-governmental Organization as well as decentralized governance structure. Any policy currently is subjected to work under the context of decentralization of the work environment, agencies, politicizations, market oriented and more specific new styles of governance (MacCarthaigh, 2008). As a result, tensions to public servants concerning adapting new circumstances of meeting public trust, expectations and stakeholders at the same time are required to preserve to the existing values.

Given this scenario of dilemmas, interpersonal, intrapersonal and individual-organization value conflicts are order of the day (Moilanen & Demmke, 2004).

However, Social capital is now gaining impetus because it is one of the characteristics of social organization because of its intrinsic value of using shared trusts, norms, networks towards improving efficacy of the globalized world through bringing together actions that may help to bring changes in life (Moilanen & Demmke, 2011). Such shared values are made possible through global ethos like rule of laws, freedom of expression where more rights are keys to these changes for instance, the right to protest. In addition, such transitions go along with changes in basic value systems to support the community. The only problem that may occur is that some ethical dilemmas emerge while others get resolved. For an example, the introduction of performance management systems were individual output is more valued than before (Frey & Osterloh, 2004).

Hence public values, like honesty and integrity, accountability, free from conflict of interests, diligent and competence, fairness, impartiality, integrity and many others still are re-defined and having more weight when it comes to current public interests; and some of them are added to them like sustainability, flexibility and diversity where different value systems are required to be handled (Gildenhuys, 1991).

2.13.1 Codes of Ethics and Conduct in the Public Sector

A code is perceived as a combination of legal frameworks that describe how an organization sticks to core values to reach the desirable target with the help of the existing rules (Nagiah, 2012). In other words, this guideline informs the public servant on his/her magnitude and dimension of obligations required to perform under the stipulated laws in the organization and the expected values to be demonstrated. Codes in most cases aim to capture a vision of quality assurance of the intended objectives of any organization (Gilman, 2005) because they direct how servants are required to work in a morally right behaviour and faithfulness in performing their duties (Hassim, 2012). Gilman (2005) also underlines that when codes apply to a certain cluster of people like teachers, doctors or any private or public servants, they become terms of reference.

Literature shows that there are ranges of objectives of codes of which some intend to meet minimal standards of behaviour of public servants while others aim to high standards of behaviour (Hassim, 2012; Nagiah, 2012; Schwartz, 2004; Pelizzo & Stapenhurst, 2004; Hartman, 2005; Zikhali, 2005). However, Zimmerman (1982) analysed and revealed that there are three practical objectives which lead to different models. The objectives either aim to help in decision-making, support high standards of conduct or increase public trust and beliefs. However, regardless of the number of objectives, effective codes operate in two levels; one is at institutional level where the expected behaviour of employees are stipulated in a known boundaries while the second level is a symbolic in the sense that it seeks reputation and be able to be seen by others in an appealing model (Gilman, 2005).

These legal framework known as "codes", has been posing confusions to differentiate their different types due to either overlapping functions of different codes or performing the same roles with other codes (Schwartz, 2004; Pelizzo & Stapenhurst, 2004). As a result, there are thin layers to distinguish them. The confusions arise in relation to various codes like Codes of Ethics, Codes of Practice, Codes of Conducts, mission statements or value statement, and so forth (Hartman, 2005; Nagiah, 2012). That is why some public entities use one or a combination of any two and sometimes all of them (Nagiah, 2012). In this study, the focus was on Codes of Ethics and Codes of Conducts although it was ideal to distinguish at least three that are commonly used in the organization (Codes of Ethics, Codes of Conduct and Codes of Practices) in order to set up a fundamental typology of understanding. Nevertheless, at the conclusion only two (Codes of ethic and Codes of Conducts) have been discussed in order to reduce verbiage from the focus of the study.

2.13.1.1 Codes of Practice

Codes of Practice are codes that tend to construe and demonstrate the collaborative values and principles of the organization and they normally refer to the worker as a decision-maker (Hartman, 2005). Hartman (2005) went further to state that Codes of Practice attempt to nature the expression of workers in their practices by relying on rules and guidelines in their decision-making (Hartman, 2005). An example of a statement that exemplifies codes of practice is "*In our organization, this is how activities or things are conducted*" (Hartman, 2005).

2.13.1.2 Codes of Ethics

Codes of ethics are set of rules and regulations that are designed to promote the desirable behaviour to employees in the organization (Zikhali, 2005). Hartman (2005) sees them as the declaration of principles and standards that describe the aims and objectives of the organization. They make clear the responsibilities for each worker as guiding principles, other cluster of stakeholders attached to the organization and such values and standards are interpreted independently in different work scenario focusing on upholding desired moral standards in such organization and seek public trust (Salminen, 2010). Sullivan (2009) indicates that codes of ethics can also be used synonymously with other expressions like declaration of business principles, standards of conduct and codes of business standards. In attaining high moral standards, such standards are also expected to be high like honesty, accountability, integrity, responsibility, political neutrality and impartiality (Whitton, 2001).

In this context, it is deduced that, codes of ethics can make any organization to reach their targets if efficiency and effectiveness is to be attained (Gwanzura, 2012) because the codes of ethics are established with the intention is to create a foundation for good work environment and high ethical standards for employees (Sullivan, 2009). In addition, the codes of ethics guide employees' behaviour through the known set of standards, and above all it is fertile ground for ethics infrastructure in the organization.

Consequently, organization whether private, Non-governmental Organizations (NGO's), intercontinental agencies and/or dealings have codes of ethics which help their employees to maintain strong moral principles though most organizations are based on Weberian principles of authority, meritocracy and rationality (Amundsen, 2009; Bertucci, 2000). In an effort to maintain ethical behaviour, African countries are not behind considering that codes of ethics function as driving forces to responsibility, accountability and transparency in bringing desirable outcomes (Sullivan, 2009). Similarly, Whitton (2001) points out that in most western Civil Service Systems, the most known codes of ethics in the public services are serving the public interest, efficiency and effectiveness, responsiveness, integrity, transparency, legitimacy and fairness. Example of statement that exemplifies codes of ethics is *"In our organization, this is who we are and this is what we stand for in doing our things.*

Codes of Ethics anticipate that employees will act in a certain desirable behaviour; provide a rationale for justifying their behaviour; prepare a ground for cognitive and emotional values in the sense that it binds an individual towards a specific set of ethical principles (Gilman, 2005 and Sullivan, 2009). Therefore, in the present contemporary world, codes of ethics address a number of problems not only work settings but also issues of gender, communication, reporting, financial matters etc and they get more meaning when they are able to affect behaviour of public servants (Sullivan, 2009). Besides that, the introduction of codes of ethics in the public sector (Bovens *et al*, 2007) is also a good start for other functions to start which are also valuable to the organization for example, training and ethical committees must be available to reinforce the desired behaviour. This study adopted the concept concerning codes of ethics from Hassim (2012) who explicitly recognised the role of reasoning and acting in order to demonstrate certain behaviour. He explained codes of ethics as the cognitive, affective and behavioural demonstration of an ethical character in relation to a positive ethical organization. The figure that follows shows the examples of Codes of ethics developed by the Committee on Standards in Public Life in Great Britain and OECD to signify other codes of ethics that exist in other public sector worldwide or countywide.

Table 2.6: Principles of Public Life

Seven Principles Of Public Life As Developed By Committee On Standards In Public Life In Great Britain To Be Applied To All Public Life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public offices should make choices on merit

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honest

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Source: Menzel, 2005; Aijala, 2000)

Another example of codes of ethics is that which was developed by OECD as follows:

Table 2.7: OECD Principles of Ethics

OECD Published Principles for Managing Ethics in the Public Service
1. Ethical standards for public service should be clear. Public servants need to know the basic principles and standards they are expected to apply to their work and where the boundaries of acceptable behaviour lie.
2. Ethical standards should be reflected in the legal framework. The legal framework is the basis for communicating the minimum obligatory standards and principles of behaviour for every public servant.
3. Ethical guidance should be available to public servants. Guidance and internal consultation mechanisms should be made available to help public servants apply basic ethical standards in the workplace.
4. Public servants should know their rights and obligations when exposing wrongdoing. Public servants also need to know what protection will be available to them in cases of exposing wrongdoing.
5. Political commitment to ethics should reinforce the ethical conduct of public servants. Political

leaders are responsible for maintaining a high standard of propriety in the discharge of their official duties.

5. The decision-making process should be transparent and open to scrutiny. The public has a right to know how public institutions apply the power and resources entrusted to them.

7. There should be clear guidelines for interaction between the public and private sectors. Clear rules defining ethical standards should guide the behaviour of public servants in dealing with the private sector, for example regarding public procurement, outsourcing or public employment conditions.

8. Managers should demonstrate and promote ethical conduct. An organizational environment where high standards of conduct are encouraged by providing appropriate incentives for ethical behaviour has a direct impact on the daily practice of public service values and ethical standards.

9. Management policies, procedures and practices should promote ethical conduct. Government policy should not only delineate the minimal standards below which a government official's actions will not be tolerated, but also clearly articulate a set of public service values that employees should aspire to.

10. Public service conditions and management of human resources should promote ethical conduct. Public service employment conditions, such as career prospects, personal development, adequate remuneration and human resource management policies should create an environment conducive to ethical behaviour.

11. Adequate accountability mechanisms should be in place within the public service. Accountability should focus both on compliance with rules and ethical principles and on achievement of results.

12. Appropriate procedures and sanctions should exist to deal with misconduct. Mechanisms for the detection and independent investigation of wrongdoing such as corruption are a necessary part of an ethics infrastructure.

Source: (Menzel, 2005)

2.13.2 Challenges encountered with Codes of Ethics

There are numerous challenges that are encountered against the existence of codes of ethics in the organization, among them are those identified by Bovens *et al* (2007) that in spite of many countries that have codes of ethics which obviously look good in the eyes of public servants, there is no correlation between codes of ethics and its application. This means that people do not take codes of ethics to heart because they do not impose severe penalties since they normally remain on paper. He further argued that the problems escalate to the

implementation ground where normally there is poor enforcement process resulting from absence of suggestive measure to ethical violators. Codes of ethics can only be practical in their implementation and impact when they are clearly designed, having synergy efforts from management and employees with the same standards of beliefs, and active application in the daily conducts (Raga & Taylor, 2005). Mismatch of such efforts renders mal-functioning of the codes because servants can ignore to follow what codes require them to do and work according to their wishes.

Codes of ethics request expect public servants to demonstrate certain behaviours but they do not punish wrongdoers and they keep away from setting declarations of making sanction against violators of ethics (Nagiah, 2012). For instance, the study of Codes of Conduct for Public servants in Eastern and Central European Countries reveals that some countries namely, Latvia, Estonian, Polish, Bulgarian, Czech and Macedonian do not have an established institution for steering codes of ethics, and more surprisingly, there is no mechanisms for punishing the wrongdoers who violate the codes (MacCarthaigh, 2008; Whitton, 2001).

Moreover, codes of ethics sometimes are used as a defensive mechanisms versus various condemnations whether inside or outside of the organization (Zikhali, 2005). This happens when people want quality assurance and standards in service delivery of the organization but codes of ethics tend to be used to cover hidden reality of the organization. Codes of ethics, in addition, are also limited to the environment of trust (Bovens *et al*, 2007). Such argument hold water due the fact that democratic governance in the organization require workable codes of ethics since the implementation of any rules, regulations and procedures bring results in trust. Otherwise, codes of ethics may remain as appealing principles that have good sound slogans collected together while its implementation is nothing because there are no genuine management tactics to make it meaningful. Hence, instead of improving maladministration, codes of ethics can turn up to be weapons for fighting enemies (Gilman, 2005), because there is no means to interpret them, enforce them and evaluate its workability in the daily life. However, a few nations such as New South Wales, Canada, New Zealand, Hong Kong and Korea are known to have such workable management of watching the workability of codes of ethics in the public sector.

2.14 CODES OF CONDUCTS

Codes of Conduct are rules that are listed in a declaration form of prevention of certain behaviour or confirming certain actions to be taken against ethics violators (Hartman, 2005). They are sometimes identified as codes of behaviour. Their aim is to prevent particular behaviours that drag behind and tarnish the image of the organization (Gilman, 2005). Examples of such behaviours are bribery, nepotism, conflict of interest and /or self-dealing. According to Amundsen (2009), codes of conduct refers to set of rules prescribing the required tasks that every employee is required to perform. He further put clear that Codes of conducts are standards and set of laws and regulations of actions for servants in their daily work procedures and to their decision-making for the betterment outputs of the organization. Such rules explicitly direct workers what should be done and what should not be done (SAS Institute, 2007) so that if there are misconducts management can take measures against violators while guaranteeing accountability frameworks.

In instilling ethics infrastructure and establishing accountability and transparency platforms, Codes of Conducts is among the key elements that are taken into consideration (Zikhali, 2005). On this note, western Countries notably, have been in the same line of considering Codes of Conducts in their democratic practices when they target improvement of accountability in their public sector (SAS Institute, 2007). The major reason is that Codes of Conduct normally aim at identifying particular standards of behaviour anticipated in a given realistic situation (Whitton, 2001). The statement of rules for Codes of Conducts as proposed by Hartman (2005) is *"in our organization this is what one must do or must not do."* The aim is to give emphasis to the desired standards of behaviour and enforce honesty as well as efficiency and demonstrating competence-based performance (Gilman and Lewis, 2005). Table below exemplifies codes of conducts.

Table 2.8: Code of Conduct

Duties to public officials
1. Every clerk will be in his room, ready to commence business, at nine o'clock a.m., and will apply himself with diligence to the public service until three o'clock p.m. 2. Every clerk will hold himself in readiness to discharge any duty which may be required of him in office hours or out, in no case where by labouring a short time after office hours an account can be

closed or a citizen released from attendance at this city, must he refrain from continuing his labours after three o'clock.

3. Newspapers or books must not be read in the office unless connected directly with the business in hand, nor must conversation be held with visitors or loungers Except upon business which they may have with the office.

4. Gambling, drunkenness, and irregular and immoral habits will subject any clerk to instant removal.

5. The acceptance of any present or gratuity by any clerk from any person who has business with the office, or suffering such acceptance by any member of his family, will subject any clerk to instant removal.

6. The disclosure to any person out of the office of any investigation going on, or any facts ascertained in the office, affecting the reputation of any citizen, is strictly prohibited without leave of the Auditor.

7. No person will be employed as a clerk in this office who is engaged in other business. Except the attention which the families of clerks require, it is expected that all their time, thoughts, and energies will be devoted to the public service.

8. Strict economy will be required in the use of the public stationery or other property. No clerk will take paper, quills, or anything else belonging to the government from the office for use of himself, family, or friends.

Source: (Gilman, 2005)

2.14.1 Challenges Posed By Codes of Conducts in the Public Sector

SAS Institute (2007) observed that in most cases codes of conduct tend to deal with the problems at the outward premises of human actions because they are partly confusing due to their details which sometimes bring puzzling in making people to behave as what is required to be. This comes from the fact that they are compliance-based type of approaches that monitor the problems basing on symptoms as opposed to integrity-based approaches that deal with the problems at its root causes (Hartman and SAS Institute, 2007). Moreover, some of the Codes of Conduct are not crafted from a rich experiential base and they are not clear to the people who are supposed to demonstrate the desirable behaviour on the ground (Gilman & Lewis, 2005).

In addition, some Codes of Conduct seem to appear as orders or instructions from the top management pulling down to the lower carder hence, create a dichotomy of implementations

between top and low levels within the organization (Gilman & Lewis, 2005). When such attitude develops, some public servants feel burden as they are asked to do something outside their responsibilities and everyday work life. Hence, Hartman (2005) calls up on the public sector to develop viable codes of conducts in collaborative programs with all stakeholders concerned in rooting out the causatives of unethical behaviour and other unsatisfactory work condition.

2.14.2 Criteria for effective codes of conducts to be used in the public sector

Considering such challenges encountered in implementing Codes of Conducts, Lewis and Gilman (2012) proposed five criteria for practical and helpful Codes of Conducts as follows,

1. One of those criteria is to build on five essential components known as Confirmatory standards that help to direct deeds in the organization; a known clusters of sanctions that are meaningful that can be put into practices. Other components are well known work procedures and lastly consistent and reliable principles that indicate clearly what should be done and what should not be done.

2. The second Component for workable codes of Conducts is to have Common procedures and explicit Mechanisms which are effective in implementation (Lewis and Gilman (2012). Under this Component, four standards are required; these are, evocative sanctions and punishments, which sometimes require administrative involvement and be able to impose penalties when there are ethics violators; to have office procedures that can be easily enforced and revealing wrong doers, having a sound investigation audits as well as independent and unbiased commission. Apart from that, there must be an implementation body for orienting codes of conducts, educating and training, monitoring and evaluation as well as having self-autonomous. The last standard is to have security and safety in the ranges of matters like complaints and other injustice, help lines and hotlines as well as protecting the whistle-blowers (Gilman, 2005).

3. The third Component is to include most important categories that may seem to affect the functions of the organization. Such categories may be basic actions that are like taboos in the organization, for example; matters concerning conflict of interest, unaccountability, unfairness etc. Other categories include assets declaration, double

standards in doing works, having objective advisory and investigation body. Additionally, there must be addition restrictions on the income outside the formal and known ones, imposition of punishments and other sanctions to criminals. Last category is to protect the employees and other complaints so that they may feel part of the organization (Lewis and Gilman, 2012).

4. The fourth Component is to speak to the public sector employees both top manager and subordinates so that they understand the agreed standards, remember the standards, the meaning enshrined in the standards as per job responsibilities and the involvements of all employees from creation to in its implementation (Gilman, 2005).

5. The last Component of effective Codes of Conducts is to have supportive and Functional Management. In this regards (Kimberling, 2008) put forward that the appeals management, especially the top leaders, make the conducts meaningful by demonstrating behaviours according to the required standards. In addition, Lewis and Gilman (2012) also adds that functional management require to show ethical values while uplifting the vision and mission of the organization, avoiding sub-standards in executing duties and lastly explicitly make known the standards to all stakeholders within and outside the organization with the help of either media, clients or other means of advocacy.

2.15 DIFFERENCES BETWEEN CODES OF ETHICS AND CODES OF CONDUCTS

Various disparities seem to emerge in these two codes (Codes of ethics and Codes of Conducts). Nagiah (2012) informed that most public sector employers in western countries have been get puzzles to take disciplinary actions for those who act unethically basing whether breaching codes of ethics or Codes of Conducts. Such confusions raised thirst for the researcher to make some clarification between the two sets of guidelines.

There are numerous of findings from researchers who investigated and came up with several confirmations that Codes of ethics differ from Codes of Conducts. In this stand, it is confirmed that some functions of Codes of ethics do overlap with Codes of Conducts and vice-versa and they are sometimes used interchangeably (Brammer & Millington, 2005; Bruce, 1996; Brien, 1998; Disoloane, 2012; Gwanzura, 2012; Nagiah, 2012; Stapenhurst & Pelizzo, 2004; Wood & Rimmer, 200). Given such findings, conducts are more tangible and

concrete than codes of ethics because codes of conducts pose sanctions and other means of enforcement in precipitating desirable behaviour than Codes of ethics. Moreover, Codes of Conducts have rosters of desirable moral conducts needed in the organization and demonstrated based on the set standards and circumstances. With this point of view Stapenhurst & Pelizzo (2004) conclude that Codes of Conduct are intended to guard government employees and the entire public.

2.15.1 Intrinsic Nature of Codes of Ethics and Codes of Conducts in the Public Sector

Given the fact that Codes of ethics and Codes of Conducts have disparities, such differences cannot refute the intrinsic nature of complementation between the two because one of the great users of Codes of ethics and Codes of Conducts is the government where public sector activities are taking place (Gilman, 2005). Most of government entities as well as international anticorruption squads and crusades use and encourage both Codes of ethics and Codes of Conducts in any meaningful measures against corruption prevention to show how both are prime instruments for providing guidance to ethical behaviour. When combined with values, they are regarded as glues for holding government systems together. Additionally, both show three taxonomies of psychological functions of which upon signifying such taxonomies, professionalism and faithfulness to the government is enhanced (Lewis & Gilman, 2012).

2.15.2 Codes in the Public Sector

On one side of failure for Codes of Ethics and Conducts Stapenhurst and Pelizzo (2004) observes that some of the countries do register and initiate Codes of ethics and Conducts as a fashion so that they may appear as modern practitioners in the eyes of International Community and probably to please the stakeholders to get loans. Such Countries according to Gilman (2005) seemingly do function as "Window shopping" for attracting to funders while their commitment to reality contained therein are little or no significant. Such scenario indicates that Codes will not bring any impacts to the desirable behaviour, notwithstanding that even the emotional supports from the management is limited. Apart from that, Codes fail because they normally promise unworkable and impractical prospects to the people of which up on such failure, the intended outcomes become meaningless (Gwanzura, 2012). Other

scholars argue that, there is too much emphasize to manage assuming that such coverage of control will bring success while the results normally become the opposite (Disoloane, 2012).

Other hindrances to effective Codes are shifting of political commitment as a result of either democratic election where every bunch of political regime comes with priority or policy agenda where commitment to Codes of Ethics and Conducts may be in jeopardy situation if such regimes are not in favour of such codes (Nagiah, 2012). Lack of patriotic and professionalism is considered as threat to Codes because adherence and implementation to Codes is normally done in sluggish because there is no spirit of serving the country hence no serious consistence to meaningful behaviour. Lastly, Changes in a certain timeframe renders Codes to be out of tones (Lewis & Gilman, 2012). Such changes necessitates changing of the tones of operations of which technology, legal structures, global conducts alter the operation systems and therefore, codes get no options than to change.

On the other side of success of Codes of Ethics and Conducts, literature reveals that the fertile ground for effective Codes is to match the synergy between political objectives where politicians and executive members must be included; organizational objectives as well as clear behaviour objectives. The main target is to meet and support the philosophy of the respective country cascading to organization and end up on individual behaviour with the help of all stakeholders (Gilman, 2005). Other supportive grounds is to state clear and focus on the reputation of the organization in the sense that the kind of status that an organization need must be bolded so that every member of the organization must be taken into consideration. Lastly, Codes of Conduct focus on manageable objectives based on Systematic target; Measurable terms; Attainable promises; Realistic targets and prescribed time bound in order to avoid empty declaration (Gilman, 2005). In designing such targets, promises must be controllable in their implementation.

2.16 ETHICS MANAGEMENT IN PUBLIC SECTOR

2.16.1 Concept of ethics

It is clear that there are no universal acceptability of concept ethics due to the ongoing debate concerning objectivity and subjectivity of ethics (Ermongkonchai, 2010; Salminen, 2010). The arguments put forward that different ways of acting according to circumstances prompt

different reason capacity. Drawing conclusions from various environments have contrasted moral standards from time immemorial to the current situation (Salminen, 2012). Such disparity in agreement gave rooms for conceptualizing and defining ethics basing on the opinions and facts of two doctrines of subjectivity and objectivity.

Generally, ethics is considered as systems of values of actions that promote moral values in society settings (Lewis & Gilman, 2012). In other words, Lewis & Gilman (2012) interpreted ethics as personality or customs, having positive minds on conducts, morals and altitudes towards treating other people; standards of behaviour that enhance moral values. Ethical actions require reflections through relying on passion, contemplation and motives. It also requires standards with the help of acceptable values and requires standard decision-making. Lewis and Gilman (2012) mentioned that it is positive thinking about morality and behaviours and acts objectively under the circumstances of dilemmas.

As far as Public Sector is concerned, the researcher adopted the concept of ethics advocated by Nastase (2012) who asserts that ethics in the public sector is concerning with moral performance of public duties and roles as "role morality" because such ethics are perceived as circumstantial or situational since they cover only public work environment.

2.16.2 Unethical behaviour and ethical dilemmas in the context of public sector

In the contemporary world, there are more challenges that shake the stability of the public sector world-wide to the extent that reactive measures to unethical practices like prosecution, inspections, investigation and other anti-corruption crusades are not suffice the magnitudes of the problems (Daniel, 2011; Hartman, 2005). Several government scandals weakened the public trust that call up on multi-disciplinary approaches to different types of unethical behaviours (Collins, 2012; Kimberling, 2008). Unethical behaviours had been mushrooming and drawing attention for intervention of legal and regulatory endorsement, whistle-blowing, independent watchdogs and many others.

The term Unethical behaviour has been regarded as a confusing term given the disparities in interpretation of ethics itself because of objectivity-subjectivity debates. Such confusion is noted by Maesschalck (2004) who indicate that rooms for biasness have been created in contemplating unethical behaviour. Nastase (2012) gives out his concept of unethical

behaviour as deviation of behaviour from the acceptable norms of conducts. In the views of Mafunisa (2000) unethical behaviours are either intentional or careless deeds, that upon demonstration by individuals, they seem to breach the norms and conducts or rules and regulations in a particular social set up.

In the public sector situation, unethical behaviour indicates the moralities that are no longer taking their course and as a result, their symptoms like corruption, conflict of interests as well as dishonesty in service delivery emerge. Scandals in the public sectors are currently escalating to unexpected losses to public servants, organization and the national-wide in general (Kimberling, 2008). Unethical behaviour has no friendly relationships with public resources because personal gains from public goods is intrinsic values that motivates an individual with such spirit to the extent of diverting the resources, deliberate twisting the required policy and plans from the area of implementations (Osifo, 2012).

The causes of ethical behaviour in the public sector are many, but they all stem from either internal (weak administration and others) or external premises (management reforms and many others) of working environment (Mafunisa, 2000) which lead to reduction of public confidence and trust among other reasons. Besides that, unethical behaviour has different ranges of effects starting from small scale corrupt behaviour to large scales of tarnishing the organization's reputation (Langford & Kernaghan, 1990; Ermongkonchai, 2010)

2.16.3 Ethical dilemmas and its types

Ethical dilemmas, in the views of Ehrich *et al* (2004) cited in Gwanzura (2012), mean challenging sets of principles in the domain of responsibilities which put public office bearers at the crossroads of decision-making. It is a situation where every feasible alternative need the decider to opt the best alternative among the conflicting values (Daniel, 2011). Such circumstance seems that there is a great chance for harming one side of the situation in favour of other side for the reason that one option tends to be attractive and draw attention for justification of selection than other. In the view of Ehrich (2004) it is known that it is not practical to separate right option and wrong option or not easy to distinguish illegal action from legal action in the complex situation because dilemma can blur the moral choice.

Among of the cited examples of ethical dilemmas is Conflict of interest (Menyah, 2010) which normally place public servants into difficult situations of inspection by watchdogs.

In the Public Sector frameworks, public servants normally face various options of ethical dilemmas that render them to be in anxiety of choosing one of either public interest or private interests (Menyah, 2010). For instance, a decision that needs an individual to make options between certain laws, regulations or policy; a decision where rules and regulations are not expressed explicitly; personal values and government directives; and many others. In this multifaceted state of affairs, dilemmas are inevitable. Hence, an individual who makes ethical options in these circumstances is termed *moral agent* (Menyah, 2010).

Scholars including McDougle (2007) argue that some ethical dilemmas in the public sector are common. Once arises, he identified five ethical principles to take into consideration for guidance among many others. These are; focus on the public interest when making judgments; push back bounds on rationality so that deliberation may take its course; honesty and faithfulness in delivering official duties; following the known work procedures and to be objective in accomplishing mission and vision of the organization. In these principles, only honesty spirit, diplomacy and individual responsibilities may serve the public interests with the help of integrity and virtue character (McDougle, 2007).

2.16.4 Common Ethical dilemmas faced by Public Servants in the public sector

Menyah (2010) contend that Public Servants are normally vulnerable to the following common ethical dilemmas; administrative discretion in the sense of how to make ethical judgments under the power they have; nepotism, in the sense that preferential actions of a certain individual over the other in the absence of considering the quality and merit of an individual; information leakages that take place in the situation of announcing s organization's information to the public before its due time since it may end up in chaotic situations or any misconducts because everything must be done at the right time (Gudu, 2010). Corruption may end up contributing to growth of problems when reaction favours personal gains at the expense of public interest. Public accountability emerges in the context that public officials normally take advantages of loopholes of having the discretionary power of implementing policies. In this circumstance, problems emerge when they use such power to hide the prescribed procedure that is beneficial to them (McDougle, 2007). Policy dilemma

on its stake occurs on implementation of policy matters to the community because public servants may face dilemmas on objective treating the policy when superior-society perspectives are in dissimilar. The last dilemma is administrative secrecy where any information is treated as secret even if it is not such. Sometimes such tendency is used to cover unethical practices including corruption that resemble in its values enshrined therein (Menyah, 2010).

2.16.5 Types of ethical dilemmas and rules of thumb to ethical behaviour

As a result of different interpretations of the term ethics, many things can mean ethical dilemmas (Nastase, 2012). Some scholars classify the types of ethical dilemmas in the context of four known paradigms namely, individual versus community, short-term versus long-term, justice versus mercy and truth versus loyalty (Kidder, Wark, Krebs, cited in Nastase, 2012). While other researchers classify ethical dilemmas based on the relationships they apply, Kaptein and Van Reenen (cited in Nastase, 2012) illustrate that "entangled hands dilemmas" refer to relationships between employees and the organization, "Many hands dilemmas" mean associations between workers or internal units in the organization; and lastly "dirty hands dilemmas" signify the relationships that exist between an organization and its stakeholders.

2.16.5.1 Entangled hands dilemmas

Entangled hand dilemma according to Kaptein and Van Reenen (2001) as cited by Nastase seems to be more appealing argument because their classification hold the meaning related to magnitudes and dimensions of ethical dilemmas in the public sector. Starting with entangled hands dilemmas, they occur when an employee faces some personal interest that conflict with those of organization where he/she is working. For example, using public property like office telephones, part-time working outside the organization and others for personal gains represent entangled dilemmas.

2.16.5.2 Many hands dilemma

The second type of ethical dilemma is many hands dilemma that highlights the relationships between employees and the organization (Gudu, 2010). In this situation, it is stated that the official duties within the organization raise dilemmas when institution interests override

individual responsibilities. An example of such dilemma is to report misconduct at the working environment such as discrimination against or favouritism in promotion, firing or hiring, sexual harassment and many others of this type.

2.16.5.3 Relationships between the organization, employees and stakeholders

The last ethical dilemma is relationships between the organization, employees and the other stakeholders particularly outside actors (Nastase, 2012). In this interface of relationships, the issues arise in how to handle such interactions especially sensitive information, showing hospitality to them and the general relations with such trinity of interface since there is organization's stakeholders, the community and the press which each side demands special treatment.

Such types of ethical dilemmas merge together as highlighted by Gudu (2010) that the same ethical dilemmas in the name of Personal Cost Ethical Dilemmas to mean; Right-versus-Right Ethical Dilemmas and Joint Ethical Dilemmas. Following these identified types of ethical dilemmas, Eimike (1995) identified five rules of thumb for the ethical behaviour. These includes: (1) obeying the laws of the given jurisdiction of work environment; (2) serving the interest of the public; (3) striving not to cause harm to third parties in decision-making; (4)taking personal responsibility for any actions, process and bear consequences for any decisions made and (5) counting incompetence as one of the factors for abuse of public office.

2.17   ETHICS INFRASTRUCTURES REQUIRED IN THE PUBLIC SECTOR

Also known as ethics regimes, integrity systems (Amundsen, 2009), ethical infrastructures or ethical framework (Pevkur, 2007) mean intricate of instruments and systems that intend to deal with unwanted behaviour and promote moral behaviour in the organization. Amundsen (2009) took this further and added that the considerations of ethical infrastructures are in the combination of institutional reforms, legal regulations and ethical standard settings.

These infrastructures help to guide, manage and control according to their categories and they can perform more than one role depending on their arrangements in the respective country (Äijälä, 2000). Meaningful commitment from the political supervision helps to guide these infrastructures and helps to put them more workable; also in the course of co-ordination

through a particular entity and management of certain guidelines and processes helps to manage infrastructures properly. Similarly, the interplay of effective answerability and control systems, openness, public participation and inspection, as well as legal frameworks that facilitate scrutiny and prosecution assist more to control these infrastructures.

These elements as suggested by OECD (1996) and supported by Zemanovičová *et al*. (2007) are as follows:

1. Political commitment: every success of programs can succeed more if the political leaders can dedicate to it because political leaders have an influence towards functioning or paralysing the public sectors through their power and authority (Zemanovičová *et al*., 2007);

2. Practicable codes of conducts and codes of ethics: these codes helps to put forwards the anticipated moral conducts that required to be demonstrated by public servants (OECD, 1996);

3. Professional socialization mechanisms which include also training: this means that there must be a continuous and ongoing training to all employees so that the desirable behaviour can be sustained and helps to discourage ethical dilemmas (Äijälä, 2000);

4. Ethics co-ordination body (OECD, 1996); this body serves a range of roles including encouraging practices of ethics in the public sector, advisor or counsellor and acting as oversight body or watchdog for monitoring compliance with ethics standards in the concerned entities;

5. Supportive public service settings: encouraging work environments precipitate the expression and uplift of ethical behaviour and vice-versa is encouragement of unethical behaviour (Zemanovičová *et al*.). These conditions include fair payments, job security, having opportunity for fair promotion and many others of such kinds;

6. Effective legal frameworks: this entails the law enforcing bodies which helps to guide, scrutiny and make prosecution for those who try to cross the boarders of the prescribed ethical principles and general requirements of public service delivery; it is sometimes referred as "teeth of the overall ethics infrastructure" (Gerxhi and Musarj, un dated);

7. Well-organized accountability mechanisms: these are the systems that promote moral behaviour in many ways incorporating audits and performance management systems,

whistle blowing, external watchdogs like international organizations and many others like organizational procedures (Äijälä, 2000); and

8. Active civil society: in the sphere of governance, stakeholders and actors are more encouraging in service delivery. However, the involvement of these stakeholders (Menzel, 2012) cannot be significant or paramount if there is a dormant civil society. Hence, it required active civil societies which can breeds active media and freedom of information that can make awareness to the public and enable them (citizens) to watch the conducts of public servants.

Such infrastructure is presented in Table 2.9 below.

Table 2.9: Infrastructure in public sector

Functions	Elements	Survey issues
Guidance (prevention)	• Commitment from political leadership • Statements of values and legal standards • Training	• Communication campaigns • Code of conduct exercises • Conflict-of-interest disclosures • Post-employment restrictions • Induction/ongoing training
Management (oversight)	• Co-ordination by special body or central management agency • Public sector work conditions • administrative policies and practices	• Independent ethics or anticorruption agencies or administrative units • Pay levels, career structures, and other incentives • Safeguards in contracting and procurement, etc
Control (enforcement)	• Legal enforcement framework • Effective accountability framework • Public involvement	• Laws enabling independent • Investigations and prosecutions (criminal codes, anti-corruption • Civil service, and ethics • Reporting requirements and performance contracts and evaluations • Private sector codes of conduct, civil society watchdogs, professional associations and trade unions

Source: (UNDP, 2001)

Gerxhi and Musarj (undated) warned that the stipulated ethical infrastructure can work properly if behaviour of public employees will replicate the interests of the citizens; public

85

servants must perform their duties within the limit of organization and legal frameworks. Employees must be conscious of their rights so that upon making decisions, they stay safe and gain confidence. Other prerequisites are decision-making processes which are supposed to be open to enable inspection and other investigation. Guidelines like policies and its applicability must demonstrate moral conducts. Performance management assessment systems must be accepted by the citizens and they are supposed to be clear; lastly, regulations and guidelines must be thoroughly followed when there is a need for correcting undesirable behaviours to employees, and the focus must be to the "*evils*" and not a "*person*".

2.18 CORRUPTION AS A CONSEQUENCE OF ETHICAL FAILURE IN THE PUBLIC SECTOR

The term *corruption* has been defined in a wide range of arrays both broadly and narrowly because it is a concept that it is rooted since time immemorial of ancient period to the present where it is more sophisticated than before (Kanyane, 2014). All such explanations give implications that the ultimate beneficiaries of that conducts are individuals as opposed to the majority. Due to the complexity from where corruption takes place, its explanations have been also complex, hence Gildenhuys (2004) gave a comprehensive concept of corruption as practices of doing wrong to those who have the position of trust. Other international bodies like OECD (1996) defined corruption as the use of public office for personal gains.

Rosenbloom (1989) cited in Kanyane (2014) defined it as disloyalty of public expectation for motivation of personal interest. Nzimakwe (2005) explains the concept of corruption as illegal or immoral use of power and authority in order to gain personal or group advantages. Hence, the researcher is of the same mind with Kanyane (2014) who states corruption as encouragement of egotistic interests at the costs of public interests, not in favour of the overall aims of the society, by anyone who is in charge and accountable within the area of the employment. Gildenhuys (2004) puts forward that some of the features of corruption is exploitation of public expectation and responsibilities as well as sacrifice public profits at the expenses of personal gain.

2.18.1 Types of corruption

Cloete (2013), Cakata (2011), and Gildenhuys (2004) claim that there are four types of corruption, and these are criminal corruption, administrative corruption, political corruption, and religious corruption.

i.   **Criminal corruption:** these vices that conducted in the society with the aim of giving some benefits contradictory with authorized responsibility and the right of other people (Cakata, 2011). Categories of these kinds of corruptions are bribery; extortion, kickbacks, falsification, fraud, forgery, embezzlement, graft, ghosting and diversion of public resources.

ii. **Administrative corruption:** in this kind of corruption which sometimes is termed as "malpractices or maladministration" involves unethical actions that contravene and disobey the laws as result of failure to perform duty that required to be done by the virtue of the law (Cakata, 2011). Others are those deeds that transcend the vetted authority in a wrong ways to contravene the laws and all deeds that disobey the law for irrational judgment. For instance, failure to review rules once they are outdated to be used in the prevailing circumstances, delaying to make judgments, negligence in delivering services, neglecting to gather information for effective decision-making, misleading the public and many others of these nature like using the public resources for personal benefits.

iii. **Political corruption:** this is political misbehaving which tend to put aside the trusts enshrined by the voters who elected them to serve their interests. This type of corruption is very destructive and most hateful since it holds the critical directions of the society or a country (Cloete (2013). The current bad part of politicians comes from mistrust from the public who perceive politicians as liars with no integrity, having double standards decisions, opportunistic and many evils. Examples of this type of corruption are all actions that contravene with constitution, disregarding the society's systems of governance like democratic principles, election deceptions, rejections of being accountable to the public, political favouritism, official violent behaviour, alien intrusion, domestic spying like monitoring personal phone calls and so forth.

iv.   **Religious corruption:** this is the form of corruption that involves an individual to deny the almighty God as creator and ruler of the universe. This kind of corruption is biased towards those religions that believe in one almighty God notable Christianity, Islam and Judaism. Example of this corruption is to reject the divine Ten Commandments, changing the biblical principles to mislead people, to have the spirit of antichrist any many others (Cakata, 2011; Cloete, 2013).

Corruption is a symptom that integrity is no longer on the same page with moral authority and the reasons for corruption due to socio-political and economic reasons as advocated by Gildenhuys (2004) below.

2.18.2 Socio-political reasons for corruption

- Use of public office for personal gain by public servants and political leaders;
- Weak governance of a country;
- Historical background of an individuals in terms of behavior and general personality;
- Dysfunctional budgets of the government;
- Having political systems that are not open to the public scrutiny;
- Procuring of international equipment for national projects;
- Disagreement between the formal and informal set of laws and regulations for guiding public sector's conduct;
- Poor accountability mechanisms;
- Nature of the work one is performing;
- Poor working environment including remunerations for employees; and
- Poor legislative controls and other watchdogs for ethics and governance practices.

2.18.3 Economic reasons for corruption

The following represent some of the socio-political reasons for corruption.

- Tax restrictions leads to evasions through bribing some officials;
- Poor payments to public servants;
- Poverty; and

- The presence of several exchange rate processes and foreign exchange allocation schemes which leads to tempt government officials to get favorable rates.

2.19 CONTRIBUTION OF INTERNATIONAL ORGANIZATIONS ON COUNTRY'S PUBLIC SECTOR ETHICS

The ongoing changes of governance in the public sector, several attributes are involving in making sure that there is quality service delivery to the country that meet both national and international standards. In this regard, international organizations and legal instruments have been playing tributes to make sure that countries worldwide are in line with acceptable global governance qualities. Among these International organizations, apart from UN and AU, are Transparency International; Global Integrity; the Utstein faction (Norway, Sweden, Netherlands, Germany and England); the Organization for Economic Co-operation and Development (OECD), Ibrahim Index of African Governance and many others (Menzel, 2012).

These bodies are devoted to issue several guidelines towards exposing unethical practices and building and strengthen integrity systems in many countries. For instance, Transparency International, as an international organization, is dedicated to fighting for unethical practices in respective countries particularly disappointing corruption and promoting integrity in governance by through providing information and education (Äijälä, 2000). Some of their publications are Corruption Perception Index (CPI), Global Corruption Report and Payers Index. These efforts help, to a great extent, for countries to rectify themselves from malpractices and focus on acceptable ethics and governance practices.

Global Integrity, on its side, helps to educate the nations and streamline them to the line of integrity. They normally advocate that corruption is not only enshrined to low income countries, rather, it is pervasive to all nations across the world. Similarly, within the country, it is also persisting in both local and central government because corruption involves political and economic dimensions.

Organization for Economic and Co-operation and Development (OECD) has been also on forefront to encourage ethics and governance practices to its member states. Some of the principles promulgated are: Anti-bribery Convention as a first international tool for waging

war against corruption in cross boarder business deals (1997), principles for managing ethics in the public sector (ethics infrastructures) which involves commitment and supports from political sides, effective functioning of legislative framework, having effective systems of accountability mechanisms, having workable codes of ethics and conducts, having professional mechanisms of socialization including training, having conducive environments for service delivery, availability of ethics coordination body and having active civil society, including probing media in order to strengthen transparencies in the governance practices. Other organizations are European Union, World Bank, World Trade Organization, International Monetary Fund and many others like International Chamber of Commerce.

On other side of legal frameworks that contributed to ethical and governance practices in the public sector are: The Group of Sates against Corruption (GRECO); Foreign Corrupt Practices Act; Inter-American Convention; Criminal law Convention on Corruption; Civil Law Convention on Corruption and others like The OECD Anti-Bribery Convention.

2.20 ANALYSIS OF ETHICS MANAGEMENT IN THE PUBLIC SECTOR

Management of ethics in the public sector has been focusing on three strands of focus that are integrity-based, compliance-based and fusion path (Hartman, 2005; Pevkur, 2006).

2.20.1 Integrity-based Management

Integrity-based management defend its stand based on moral character by appealing to public servants to make a reflection first for any action, and then they can decide to act based on reflected information. The fertile milieu of which integrity-based is supposed to be enhanced is where individuals have intrinsic ethical judgments capacity and control. In this type of judgement, servants are required to be proactive in decision-making and to have qualities of being proactive (Pevkur, 2006). This means he/she must be nurtured from childhood in a continuous process together with the work environment so that such an individual can possess the required qualities (Maesschalck, 2004). This kind of approach is real meaningful to management of ethics in the public sector because it stresses more on virtue character of individuals.

2.20.2 Shortcomings of Integrity-based Management

Hartman (2005) realized that there are some challenges encountered when relying on integrity-based management only. When the organization decides to encourage this kind of management, they must include the following:

1. Develop ethical framework, which is the context in which a given institution, rules and procedures for promoting integrity is understood by both internal and external stakeholders;

2. Align principles with practice; in other words, workers must practice what they advocate for in the context of service delivery. Sometimes this may be impractical to the organization which is still relying on bureaucratic doctrines for top management not to be affected by ethics violation;

3. To realize that human nature is selfish, plan mechanism to overcome such pessimistic or negative attitude. Negativity or dishonesty normally occur, especially when someone cannot sense the reality in a given situation, and hence such attitudes act as self-defence towards acting morally;

4. To resolve moral conflict, there are four components of acting morally (Rest and Narvaes, 1995). Such components are said to be psychological and must occur for moral action to take stand. These are moral sensitivity, moral judgment, moral motivation and implementation. It is argued that in demonstrating ethical conduct, an individual must have ability and refraining nature in case of obstacles during moral action (Rest & Narvaes, 1995). However, these arguments have been subjected to some criticism.

2.20.3 Compliance-based management

Given these shortcomings of integrity-based management, then compliance-based management come in to fill the gaps raised by the former. The argument under compliance-based management (Lewis and Gilman, 2012) is that unethical behaviour can be discouraged and prevented through formal rules and regulations where there is possibility of sanctions and punishments for ethics violators (Hartman, 2005). It is known as external controls of behaviour where various means can be designed to rectify unethical behaviour including

Codes of Ethics and Conduct. The assumption of this approach is that most people prefer to service delivery in minimal standards of Codes of Conduct because of inherent nature of selfishness hence, rules and regulations solve the problems and shape the behaviour (Pevkur, 2006).

2.20.4 Shortcomings of Compliance-based Management

However, there are several challenges encountered in this approach as pointed by Hartman (2005) and Lewis and Gilman (2005). These are:

1. In the global expansion era of different culture and socio-economic issues, competitions of service delivery, technological advancements and also demands of public perception and the laws, public expectations change in terms of viewing things. Hence relying on compliance mechanisms cannot rectify complexities of issues at stake (Gwanzura, 2012). This is because the current public sector is facing new practices of which laws cannot be more helpful if an individual is not having virtue character.

2. Currently, there are several realizations of human rights where people prefer fair and just treatment basing on circumstantial scenario of behaving in a certain ways. Such premises cannot be answered by Compliance-based mechanisms.

3. Compliance-based management is contrary to empowerment of people towards having self-moral decision rather it sticks to prevent the overt behaviour. In this situation, employee lack self-discretion and authority towards good decision.

4. Systems of laws and regulations meant to set a limit of certain standards of behaviour and not for inner inspiration of human behaviour and its excellence. In that regard, laws lack inner motives for employees to demonstrate and any loop-holes once happen for evading laws people take it as option.

In general, both Integrity and Compliance based management have four philosophical angles of departure which make them separate (Daniel, 2011). These are; Ethos in setting limits and principles in guiding the conducts; objectives while compliance appeal to rules and laws the integrity rely on depending virtue values and characters; methods to guide actions, compliance based set standards of conducts through penalties to enforce rules while integrity based leave the moral character to take its course. Lastly, the behaviour assumption of

compliance is enshrined in deterrence presumption while integrity based believes intrinsic motivation presumptions.

2.20.5 Combination of Integrity-based and Compliance-based in managing ethics

This kind of approach put its premises in combining both two strands through accommodating those loopholes appeared between the aforementioned approaches. The bases of this technique is to compromise the critical incidences posed by the two approaches, moderate to become friendly used and adjust according to the prevailing situation (Lewis & Gilman, 2005). The focus is to create conducive environment for demonstrating a competence ethical behaviour through encouraging the little less ethics of which management can be able to monitor and prevent them, while encouraging little more on what organization want to achieve (Lewis & Gilman, 2005; Ritcher, 1989). This is because action-based approach, sometimes known as process-oriented technique, on one side, and well prescribed rules as compliance, on the other side, cannot suffice to implement values and ethical standards in the Public sector; rather a combination of the two may help (Menzel, 2005).

2.21 ETHICAL DECISION MAKING

Having in mind that Ethical decision-making has its philosophical foundations from various sources (Gildenhuys, 2004) where an individual can have justifiable decisions. Some of these foundations are professional codes of ethics and conduct, bills of human right, good governance, religious attributes, and others like constitutional principles in a respective country. Lewis and Gilman (2012) put forward that four factors are considered in decision-making, these are ethical, legal and pragmatic considerations; motive; consideration of the significance of the ethical issues and lastly price tag in the sense of considering costs, convenience, ability, dedication and loyalty as well as bravery. Ethical decision-making starts with contemplation that given issues contain ethical feeling, choices follows then reasoning or judgment intervene and end up with demonstration of behaviour.

2.21.1 Components of moral reasoning

Rest and Narvaez (1995) states that there are four internal psychological components for moral actions to occur, these are:

i.   Moral sensitivity that encompasses the approachability of the sensory awareness coordination to the outward situation in terms of possibilities of doing certain action and what actions are possible to be done and possible effects of such action and the likely outcomes of the actions to others.

ii. Moral Judgment that entails making decision is judged basing on the choices that are most proper and in such situation; the concept of cost-benefit analysis comes in to guide moral action.

iii. Moral motivation is the third component that involves prioritizing on doing actions basing on motives of moral values.

iv. The last is implementation; this stage implies the combination of ego strength with those of psychological and social ability in handling the actions chosen.

2.21.2 Influential aspects for ethical decision-making

With such psychological components of moral actions, Nastase (2012) gives two clusters of attributes that control decision-making as far as public sector is concerned. These are Environmental attributes which include organization policy, rewards, culture and Individual attributes which include Sex, age, education background, physical/biological factors and the likes.

2.21.2.1 Individual level aspects

Various literatures reveal that individual factors entail personality and psychological characters and as far as field of ethics is concerned, acknowledgements to this level have been placed to moral psychology. Kohlberg (1969) and Rest (1986) cited in (Nastase, 2012) holds that the ability to reasons and act morally do increase an individual is matured. This is because as an individual grows, he/she acquires so many complexity issues which strength the intellectual capability of reasoning. Hence, the capacity to tolerate ambiguity, uncertainty and solving ethical dilemmas increases with maturity of an individual (Lewis and Gilman, 2005). In relation to public sector decision-making, the relationships rely on the fact that ethics are vital component for meaningful service delivery to the public and solid sense of self, maturity and receptive frameworks of mentality and mind set (Lewis and Gilman, 2012) back up such meaningful. That is why during the ancient time personal virtues were more encouraged like wisdom, courage, moderation and justice. With regard to sex component, it

is believed that (Richardson, 1994; Collins, 2000; Loe *et al.,* 2000; Butterfiels, 2005) (cited in Nastase, 2012) women are more ethical than men because they are close to nature of handling children from early childhood stages. Through that process, women are automatically forced and deemed to become teachers, primary doctors, police and judges for handling complexities of their children. Such nurturing activities covertly make them to acquire naturalistic values of being ethical compared to men. Education and experience also add values to decision making in the fact that they both provide knowledge, skills, altitudes and competence based ability towards handling ethical issues (Hartman and Daniel).

2.21.2.2 Organizational level aspects

In view of the fact that ethics rely on voluntary moral judgment, an individual remain as an active player in choosing and accepting responsibility in the organizational and many hands are involved in decision-making (Gildenhuys, 2004). Such hands come from different people in the organizations ranging from top management, middle class; Lower class and other supporting staff make a mixture of culture and breed psychological contract. The combination of interaction of all these together with policy, rules, implicit norms, pressure for obedience and faithfulness as well as regulations and guidelines influence a meaningful behaviour whether heroic or wicked control decision-making (Lewis and Gilman, 2012).

However, leaderships are more regarded as prime influential factor because, they are the ones who are supposed to set tones towards attaining vision of the organization through various mechanisms including motivation (both positive and negative) (Maesschalck, 2004; Nastase, 2012). Hence, the total cultures of the organization influence the ethical conducts and decision-making in the organization resulted by one of the argents of cultures is socialization process where personal values and moral standards of behaviour possibly get compromised (Lewis and Gilman, 2012).

2.22 MEANING AND DISTINCTIVE FEATURES OF GOVERNANCE

In essence, governance seems to be explained in different perspectives due to the fact that there is no single concept which fit all the requirements of what governance entails as it is well known that Public Sector is now no longer uniform as it was before (Bertucci, 2007). This being the case, governance is too broad a concept to refer to any deed or style of ruling

and managing (Bahagel, 2012). In the view of Uddin (2010), it becomes clear that Governance is a non-aligned concept which covers complex systems, procedures and practices, associations, interactions and where the society can express their concerns, rights, commitment and finally mitigate their diversities. In other words he expanded that governance is a command and control which is implemented for realization of social and economic wellbeing of the given country.

Fukuyama (2013) on his side explained governance as the capacity of the state to create the laws and put them in practice, provide services to the society by using any form of ruling style, either democratic or non-democratic. In most cases, the meaning of governance has been explained in the scope of democratic governance where participation in implementing policies is conducted in synergy systems and captures the minds of scholars as an acceptable meaning. This is because this term has been used soon after the advent of third party government or "Hollow-state" following the shift from bureaucratic doctrines (UN, 2007). With such notion, the administrative state is now liquidated in the sense that it is less hierarchical than the previous; so many actors are taken aboard.

For instance, World Bank (2000) explained the meaning of governance under democratic scope as an ability of public entities to deliver services required by the public in an efficacy way, openness, impartial and in responsible conduct while taking into consideration the limitation of resources but efficiency and effectiveness is an end result. This concept implies democratic governance since it focuses on formal and informal actors engaging in decision making and it is a type of coordination where the results comes from different forms of interactions (Maseremule, 2011).

UN (2008) on their side gave the meaning of Governance as the practice through which public entities exercise their affairs, handle public goods, and observe fundamental human rights. With the addition of adjective to governance it becomes "Good Governance" (Uddin, 2010; Mseremule, 2011; Bahagel, 2012) and hence, the normative term of Governance is Good Governance (Bahagel, 2012). To carry out the functions of Governance with the consideration of rule of law and combating corruption, attention must focus on "good governance" in order to meet the degree of human rights acceptance, such as civil, social,

political cultural and economic rights. This argument is supported by Uddin (2010) who claims that governance is good when it is able to achieve its imaginary goals.

It is also observed that with all meanings of governance provided under democratic sphere, there are common elements that protrude in holding the concept (Auriacombe, 1999). These include the underlining of a set of laws and values of the systems and collaboration of different stakeholders in realization of certain goals as Du Toit *et al.* cited in Nzimakwe (2005) says that Governance as acquaintances as well as connections of different levels of the public where services such as local, provincial and national wide are rendered. In the view of UNDP, as cited in Nzimakwe (2005) from the policy paper, the meaning of governance is the application of economic, political and managerial power in handling the affairs of the state at all levels of government entities.

However, there are two scholars who provided the meaning of Governance basing on two stands namely, societal perspectives (Jon, 2000) and state perspectives (Jon and Peters, 2000). In the societal stand, Jon contends that Governance involves endless organization and harmonization of various stake holders in the public domain with different functions and goals; such stakeholders are like civil society, Non-governmental organization, institutions as well as political actors. While Jon and Peters express their views on governance in the outlook of the state as the course of actions whereby the state provides the vision of the country to the public, prioritize what and how to do in attaining such vision.

In a wider standpoint of the meaning of Governance is claimed to be provided by Sing (1999) as quoted in Nzimakwe (2005) that Governance is the ability of the state to provide representations to its civilians in wide choices of decision-making. In this regards, the credit is given more to the improvement of pathetic sectors or marginalize areas of the society in such a way that upon improving such areas they will be able to contribute positively in all socio-economic matters upsetting them and be able to fulfil their essential needs, justness and fairness.

In a narrow term of organizational context, it refers to how an organization handles decisions in the sense of how organization is directed, managed and held to account (The Institute of Internal Auditors, 2012). The standpoint of the Asian Development Bank (ADB) (cited in Uddin, 2010) refers to governance as different things to different people. Additionally,

OECD mentions that governance involves establishment of relationships between state and society in managing public affairs (as cited in Uddin, 2010). Governance is also viewed as an application of legitimated power like political authority and uses them in the society with the aim of handling its affairs for the sake of attaining development of all facets of life. Hence, all these outlooks of Governance concur with Thiel (2009) who explained that governance is the multifaceted art of guiding several activities, agencies, associations, organizations and other entities which are independent in their functions from one another though joined together by arrangement, but with their own modes of operations and management.

In this research, the researcher adopted the concept of Governance in line with UN (2007) which states that governance refers to official and unofficial planning that determine how the decisions of the public are handled and how the needs of the public are carried out towards uplifting the constitutional principles of the country. In this meaning it is clear that constitution is the framework and terms of reference in attaining the society's expectations. To add on to the above, it may be inferred from various ranges of concepts that governance entails with the management of all components that make meaningful to the development of the people with an involvement of different sectors and actors like private, NGO's, civil societies under a certain frameworks of conducting business such as rules, regulations, and so forth. It is also imperative to note that such different outlooks of scholars insist that any effective governance in a country or even in a global society involves collaboration or joint ventures of various stakeholders. Economic and Social Council (2006), adds more meaning of governance by introducing the term *"Engaged Governance"* to mean the government tactics that involve the public in decision-making practices more directly so that public policies and its associated programmes may get more positive impacts in relation to social, economic and political spheres of their life.

2.22.1 Three prominent emerging concepts of governance

In various literatures that exist, there are three main concepts of Governance that tend to hold the meaning of governance (Nongola-Ntalaja, 2003 cited in Economic and Social Council, 2006). These are economic governance, social governance and political governance which are mutually supporting one another in a public domain. Political governance on its side regulate the society by making it unified and interconnected, Economic governance play part

of providing material basis while social governance offer ethical guidelines. Political governance involves the way people manage their matters; the holder of authority in managing such matters is the government or the state (Kraan & Manning, 2006 cited in Bertucci, 2007). Economic governance is the obligatory production and distribution of goods and services to the society resulted from organizational systems, policies and practices. The authority of these functions comes from private sectors. Social governance entails the relationships between citizens and Non- Governmental Organizations, civil societies and other actors which are non-profits making in relation to the systems of ethics and values that guide social conducts and its impacts to public decisions-making.

2.23 FORMS OF GOVERNANCE

Five forms of governance have been identified in literature as focal points that determine the way in which decisions are made and implemented in the public sector. These different forms of governance which are implemented in the fields of economic development, international institutions and regimes, corporate governance, new public management as well as networks, partnership and deliberative forums are discussed and evaluated in the context of this study (Hist, 2000; Botha, 2004; Nzimakwe, 2005).

2.23.1 Economic Governance

Economic governance was advocated by the World Bank strategy on the matters concerning reforming Public Institutions and Strengthening Governance (Botha, 2005). On its essence was championed by global development organizations particularly the western states in reference to basic factors for economic transformation to better conditions. Economic transformation to better conditions was the focus of the World Bank that accompanied with ranges of conditionality for those countries that needed loans from World Bank. The campaign was known as "*Good Governance*" through building state capacity particularly developing nations. The campaign for good governance according to World Bank (2007) were associated with laying a platform for political structure which supports rule of law, strong civil society organization which are autonomous, efficiency and effective government and having fertile environment for private actors to operate in economy of the country Pierre 2000 (cited in Botha, 2005).

2.23.2 Economic Development

It is by no doubt that at the apex of every economy, there is need for economic governance that has a positive effect on effective economic modernisation. Researchers in the field of public relations, public relations practitioners, businesses and other policy makers are so much interested in governance that promotes economic development. Such governance is referred to as 'good governance'. Hist (2000) identifies good governance as one that creates an effective political framework that allows private economic actions, stable regimes, the rule of law, efficient state administration adapted to the roles that governments can actually perform and strong civil society independent of the state.

From the definition given above, it can be concluded that in order to create good governance, there is need for democracy, free and fair elections, and multi-party competition as opposed to one-party political system, corruption-free environment as well as other supporting structures that support economic development. With these political settings, it becomes possible for nations to increase opportunities not only for mere political parties, but for the stakeholders to freely create free markets, promoting investments and implementing the right policies. However, in order to me*et al*l these benefits, there is need for well-established liberal rules that guide political parties in their operations, particularly in Africa.

On the spotlight for global economic development is the African continent. Africa, because of its potential nature to become a more developed continent in the next few years, is being encouraged by various international development agencies to create good governance in the form of conducive atmosphere that promotes economic development (Fosu, Bates & Hoeffler, 2006). As noted by Mzikwane (2005), this notion is also backed by various international development agencies, western governments, the World Bank and the United Nations among other economic development ambassadors. The World Bank, for instance, has been advocating in the promotion of good governance by connecting its various compliance conditions to its loans.

On the same note, it is by no doubt that there is need for rules that regulate the activities of the governments. This is because without rules, there is bound to be poor governance particularly in the African governments. As highlighted by Botha (2004: 4), 'many African nations, and others elsewhere in the developing world, are poorly governed. This is the

reason why these countries are lagging behind the rest of the world in economic growth, in medical and educational achievements, in social and political improvements and in freedom from internal conflict. This is also seconded by Pearsons and Robinson in an article entitled 'State Formation and Governance in Botswana' that poor governance in Africa is at the core of many economic problems in the region and has experiences low economic growth, especially since the mid-1970s (Acemoglu, Johnson & Robinson, 2003).

Therefore, to sum up this form of governance in Africa, regardless of many factors such as hunger, poverty, HIV/AIDS that are believed to be hindering development, there is need for transparent rules in terms of implementing democracy, anti-corruption environment and other necessities that promote good governance.

2.23.3 International Institutions and Regimes

In addition to economic development, governance is also used in the field of international institutions and regimes. In the field of public relations and international relations, the study of international regimes has been of more importance over the past three decades. Initially, there was the study of the formal international organisations before a shift to a study of international regimes in the 1980s. Early studies on international regimes led to the publication of a special issue of the journal of international organisation in 1982. In this issue, many definitions of the term regime have been given but the most fascinating was given by Krasner (1983) who stated that international regimes are implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations. On this notion, Krasner (1983) propounded that that regimes are forms of specialized arrangements that relate to well-defined processes, geographical boundaries and often involve only some subset of the members of international society.

The International Institutions and Regimes were also among of the entities to use Governance considering that some national problems cannot be solved at jurisdiction of national only rather the solution may require transcending beyond national boarders (Pierre 2000 in Botha, 2005). The cited examples are environmental hazards like Global warming, depletion of endangered species of oceans and biomass. Such problems and others with the same nature opened ways for rethinking Governance without interference of government by recognizing

the agreements between nations, international agencies and others in designing appropriate techniques of mitigating problems, hence governance was an options (Strange, 1996 in Botha, 2005).

On the same note, Hirst (2000) put this idea in more simpler terms by stating that international regimes explain how and why governments corporate with one another. For this reason, it is well-known, without any doubt, that no country is self-sufficient but depends on other nations. Nonetheless, there are some global issues that cannot be dealt with by a single nation on its own for example, climate change, global warming, and outbreak of diseases, regulation of economic systems and a variety of other issues.

Therefore, based on these two points of view concerning international regimes, one can conclude that governance in the field of international institutes and regimes is more of globalized governance. This is made possible by the present day digital world where social media has bridged the communication gap between the nations. The implication is that, global governance is not only important for economic development, effective administration or achievement of set objectives but also allows international regimes, private sector, public sector and/or civil organisations to socialise and share ideas on various subjects.

2.23.4 Corporate Governance

The third main form of governance is implemented in corporate governance. Many definitions of corporate governance are given in literature. It has been defined by the Organisation for Economic Co-operation and Development (2003) as a system that consist of formal and informal private and public organisations that collectively govern the relationship between the managers of the organisations (also called the corporate insiders) and all their stakeholders.

Hendrikse and Hendrikse (2004) also gave a different definition but similar opinions. They have it that corporate governance refers to a system that maintains the balance of rights, relationships, roles and responsibilities of shareholders, directors and management in the direction, conduct, conformance and control of the sustainable performance of the enterprise, with honesty and integrity in the best long-term interests of the company, shareholders, and business and community stakeholders.

Based on these definitions it can be concluded that, corporate governance refers to the accepted ways in which businesses and other institutions must be managed, directed and controlled so as to promote and maintain an honesty relationship between the people who manage the corporations and other affected investors in the long run. In corporate governance there must be specific rules which are laid out. The World Bank (2000) document describes them as the "rules of the game" that exist due to formal laws, informal norms and practices, and organisational structures within a fixed setting (Botha, 2004)

Corporate Governance is the technique borrowed from field of business where it indicates how business is conducted considering various shareholders as major beneficiaries of the company. Under networks of various shareholders transparency and accountability of conducts of management is meaningful since several watchdogs are involved in protecting the values of the company for sustainable development (Chabuka, 2008). In this kind of governance of co-operations, chances for growth and expansions of the company are great considering the interactions of actors who can see the faults and rectify these quickly for the benefit of every shareholder.

However, there are some shortcomings emerged on marginalizing some of shareholders in some companies (Rose & Marrs, 2004 in Botha, 2005) which gave rise to stakeholders activists, it is currently anticipated the inclusion and recognition of stakeholders than merely shareholders of which chances for some shareholders to be marginalized is great. That being the case, every public sector needs achievements and co-operate governance principles ideal to the public sector for effective outcomes where business techniques of managing public sector are adopted (Chabuka, 2008). Hence, public sector is forced to adopt new ways of governing by allowing more actors and stakeholders than the tradition culture of delivering services.

For instance, in South Africa the public sector CIPA (1994) and the King II Report (IODSA 2002) adopted the principles of corporate governance in order to improve governance of the public sector. Based on these principles, all public sector departments were expected to act in a way that exercise extra vigilance and care so as to create sound corporate governance in workplaces. To date, corporate governance is aimed at protecting the interest of all the stakeholders as well as shareholders of an organisation. Both the private and public sector

have it as a policy that in order to manage their corporations based on good accountability and transparency, there is need for corporate governance since it guides all the operations in an ethical way. Corporate governance helps policy makers in all forms of businesses to improve control of their organisations without fundamentally altering the basic structure of firms in which indifferent shareholders are the principal beneficiaries of the company (Nzimakwe, 2005; Botha 2004).

Most importantly, corporate governance has three main purposes as identified by the Organisation for Economic Co-operation and Developed (2003) and the then Executive Secretary of the United Nations Economic Commission for Africa (UNECA, 2002), as listed below (Fosu *et al.,* 2006):

i.   They facilitate and stimulate an organisation's performance by establishing, controlling and maintaining incentives that motivate managers of organisations to maximise efficiency, returns and growth of companies in the long run;

ii. They limit the abuse of power over corporate resources by managers of corporations;

iii. They provide the means to monitor the behaviour of corporate insiders and leaders in order to ensure corporate accountability and to provide for reasonable cost effective protection of the interests of investors and society vis-a-vis corporate insiders and managers;

iv. They enable the demonstration of transparent and participatory economic policymaking and execution, as well as an open flow of information available to all stakeholders;

v.   They signal the adherence to standards of institutions functioning free of corruption;

vi. They represent a source of competitive advantage; and

vii. They attract private domestic and foreign investment.

2.23.5 New Public Management

This form of governance came to rise in the early 1980s. Among many issues, new public management is mostly important in two strands of public policy namely, public administration and the public sector generally (Nzimakwe, 2005). Drechsler 2005 as cited in Maseremule (2011) explains New Public Management as the shift of commercial, market ideologies, and its administrative approaches from the private sector to public sector with new-liberal ways of dealing with the economy. The concept started to enter in the minds of

people and became influential notion since 1980's and lose speed during 1990's due to the increase of challenges of governance and other complex issues (Maseremule, 2011). Its emergence stimulated performance, productivity, responsibility, accountability and governments forced to be flexible in delivering services rather than using solely rigid mechanisms of governing state affairs due to multiplicity of functions in the government (Denhard, 2008 in Maseremule, 2011). It was encouraged to do more governance than to do more on Government. New Public Management considered as remedy to moral bankruptcy in the former public management through believing in the following dogmas: open standards and measures of performance and focus more on control the outputs in the sense that it was result oriented. Others include uplift professionalism in the public sector, optimal utilization of resources and having a stingy spirit in resources use, adopting private sector approaches in managing public affairs, adopt competition character in public service delivery and lastly (Zimakwe, 2005; Maseremule, 2011). In this observation, New Public Management was governance in its nature since it focused on steering that is governance in its own.

Firstly, public administration is mainly concerned about management of privatised public industries and/or other public services. The way the private sector operates differs from the public sector. As a result of privatisation, there is need of regulation of some sort. In order to do so, public administration is guided by hierarchical control and they are directly answerable to elected officials. The main aim of public administration is to regulate service providers so as to comply with set out contractual terms and accountability as well as to ensure that quality of goods and service provided is maintained or improved (Nzimakwe, 2005; Botha, 2004).

The second issue, public sector, mainly focuses on the management system and commercial practices introduced in the public sector as a result the introduction of corporate management. In corporate management, there is transformation of the public institutions into service agencies that are self-managing within overall policy guidelines and service targets. Consequently, there is creation of new model of public service which is different from the one under public administration since there are no hierarchical channels. Most importantly, corporate management means that there is less government and more governance (Osborne & Gaebler, 1992).

2.24 PUBLIC SECTOR GOVERNANCE

In order to have better performance and output from public entities, there is need for effective governance. Considering the public sector environment, governance arrangements need to put in place public institutions to achieve the set objectives for the government. At the same time, they need to focus and administer each public sector entity on its performance to encompass the efficient and effective delivery of its responsibilities in a sustainable manner. This calls for public sector governance.

Public sector governance refers to any arrangements and practices set in place by the government or policy makers to enable the public sector corporations to set their course of action or direction and manage the operations that help them achieve the set outcomes or objectives as well as discharging their accountability obligations (Better Practice Guide, 2014). On this notion, public sector governance includes leadership, direction, control and accountability, and helps a public sector entity to achieve its goals characterised by confidence in that particular organisation, its decisions as well as its actions. When there is good public sector governance, right things are done using the best practices available, and the best results are delivered on a sustainable basis (World Health Organisation, 2008; Better Practice Guide, 2014).

Two broad categories of public governance can be distinguished. The first one pertains to the institution of governance of public administration and public services connected. More specifically, there is need for sound management of resources in the field of public sector services such as health, education, finance and other development sectors which lead to efficient delivery of and equitable access to public goods and services, involvement of citizens in governance, transparency, accountability and responsiveness (World Health Organisation, 2008).

The second category of governance deals with democratic issues, common law and the rule of law. It looks at equality issues among parties before the law, including judicial independence and stakeholders' participation in the conduct of public matters. In addition, it is also concerned with other issues such as gender equality as well as fair participation of youths and other marginalized groups of people which were previously disadvantaged. Without regard to other issues such as freedom of expression, political plurality and

independence of media (which of course is considered as a readily available media to freely access public information), integral to effective implementation is an informed and empowered citizenry engaged in transparent and accountable governance processes. (UNESCO, 2008).

Nonetheless, for an effective public sector governance, there is need to develop and maintain appropriate and accepted government structures and frameworks. In addition to this, there is need for best choices in terms of application of government policies and a committed team that makes such governance work. Therefore, based on these views, there is need for strong leadership that have hunger for success, that can make appropriate planning, organising, leading and controlling so as to meet set objectives. Consequently, a public sector entity which has these key characteristics and applies the suitable key considerations at the right place and time is well positioned to achieve strong performance where each individual understands and accepts their personal responsibilities in relation to good governance (Better Practice Guide, 2014). Two forms of governance namely, traditional and modern sector governance are identified in literature.

2.24.1 Traditional and modern public sector governance

Francois (2009) states that the origins of the concept Governance is traced back to Middle Ages at that time it was referred to how feudal power was structured and controlled. The existence of the term reached the presence time where various versions included incorporating several attributes, mainly involvement of business doctrines (Pastras, 2011). Towards the end of 1980, the concept of governance and its usage took a different course when the so-called "good governance" intertwined and sought its usage particularly to the developing countries as criteria for successful economic development following the structure adjustment programs (Kim, 2010; Pastras, 2011). Hence, institution reforms were necessary in order to have sound good governance practitioners and justification for obtaining loans to major financial institutions.

Literatures on governance can be traced into three strands of schools of thought notably, *interests, intermediately and governance itself* (Pastras, 2011). Under interests' school of thought, the argument put forwards is to treat governance as new mode of governing and

neither markets nor chain of commands type of disciplines can be the same. Hence, participations and policy networks can be the centre of convergence with state and non-state actors, such doctrine can be traced back to USA and British literatures. Intermediate as it originates from German literatures, perceives governance as map reading or steering through policy set of connections and networks. The convergences of two schools of thoughts are where the beginning of governance is said to start (Kim, 2010). However, Cajvaneanu (2011) concurs with Kaufmann and Kraay (2008) that the origins of governance are not as recent as during 1980's, but the point of divergence with Kaufmann and Kraay (2008) is that he (Cajvaneanu) starts to trace back to 1940's regarding where the concepts originated and became more popular with the complexity of social orders and demanded more synergy systems of solving such complexities up to 1990's.

Up to the present, governance the usage of the concept of governance involves the practices of many systems that work in synergy co-ordinations beyond the reach of the states. Similarly, the following concepts are fundamentals to the meaningful governance: democracy, accountability, development, participation, responsibility and transparency (Francois, 2009).

Traditional public sector governance used to be practiced before modern public governance. In traditional public sector governance, the government multi-tasks and takes on various roles in order to allocate a number of resources to the people. In this form of governance, only the government is responsible for the provision of public goods and services. There is more emphasis upon politics as well as distinctness of public sector management in relation to the private sector management (Public Sector Governance, 2014).

Lane (2000) identifies certain characteristics of traditional governance. He has it that traditional public sector governance: (i) Underlines the role of politics in directing the public sector (ii) Employs - almost exclusively - public law to direct its employees (iii) Makes a sharp separation between the public and the private sector and (iv) Separates the tasks of government in allocation from its tasks in regulation.

In addition to the above, Peters (2002) postulate that the traditional model of governance put more emphasis on accomplishing the mission and accountability of roles. Although each business sector has this goal among its objectives, Peters (2002) identifies that its major

characteristics of 1) an apolitical civil service; 2) hierarchy and rules; 3) permanence and stability; 4) an institutional civil service; 5) internal regulation; 6) equality (internally and externally to the organization) made this form of governance so rigid. However, although traditional public sector administration was not flexible, it aided in the development of modern economies, and as argued by Weber, it was the most efficient mode of organisation possible.

Nonetheless, as a result of global changes, traditional public sector governance is now of little relevance. Although it is still used by some public sectors in various countries, international institutions such as the European Union (EU) and the World Trade Organisation (WTO) push for the introduction of modern public sector governance. Lane (2000) has it that modern public sector governance is the governance by means of contracting, which requires a complicated web of different kinds of contracts. Unlike traditional public governance where the government takes on several roles on allocation of public resources, modern public sector governance separates these roles from each other, based upon a much more refined analysis of how government can fulfil a variety of roles in the economy (Public Sector Governance, 2014). More differences between the traditional and modern public governance are illustrated in Table 2.10 below.

Table 2.10: *Traditional and Modern Public Governance*

Traditional public governance	Modern public governance
Emphasis upon politics	Emphasis upon getting the job done
Use of public law mechanisms: bureau and/or public enterprise	Use of private law instruments: the contract and/or tendering/bidding
Separation between public and private players	Leveling the playing field
Separation between allocation and regulation	Integration of allocation and regulation

Source: Lane (2000)

Based on the above explanation as well as table 1, the modern public sector governance is of the opinion that one stakeholder, i.e. the government cannot provide the society with a number of goods and services on its own since it involves a lot of tasks. Consequently, modern public sector governance has many alternatives that are implemented in the provision of public goods and services. The government in this type of governance rarely acts in public management but it relies on agents who handle the public sector management. In Lane's

view, modern public sector governance has four major players namely, the government, the CEOs, the players in the economy as well as the citizens or the population. These four parties interact in a heavily institutionalised environment where there are rules and regulations about levelling of the playing field, procedures for tendering or bidding, how auctions and tournaments are arranged, and all these are contained in constitutional law (Lane, 2000; Public Sector Governance, 2014).

Take for instance, in contracting, one party wishes to: (1) get the job done; (2) use private law; (3) level the playing field; and (4) integrate allocation and integration. For this to be done, modern public government conceives of government contracting with managers, CEOs and regulators, as well as managers contracting with players - public or private. Thus, the government acts as the principal in modern public sector governance whilst the bureau chiefs or CEOs are the agents and there is use of the principal-agent theory. This type of governance, i.e. modern public sector governance then calls for participation of citizens.

2.24.2 The participation of citizens in governance

Since the 1970s, the concept 'participation' has been used widely in the conversation about development but it referred more specifically to socialization. With the global changes to date, this term is now used on terms of the rights of citizens as well as democratic governance. Participation is defined by Nzimakwe (2005) as an active process in which participants take the initiative and action stimulated by their own thinking and deliberation and over which they can exert effective control. In citizen participation, there is an involvement of citizens in decision-making, or other administrative roles, or policy-making activities. According to Fox and Meyer (1996), the government gives citizens a chance to participate in policy-making activities which include determining levels of service, budgeting, evaluation of physical construction projects, and other projects so as to get used to government programmes towards the needs of the community, encourage a sense of belongingness and cohesiveness as well as building public support.

In this form of governance, negotiation type of social governance and co-ordination of activities is a prime interest (Nzimakwe, 2005). In this kind of governance allows private and public sectors and other actors to interact harmoniously in institutional set-ups informally structured but in a permanent and rule-managed kind of relationships. The consented

guidelines and rules help to enhance communication, trust and having horizontal accountability among stakeholders and reduce doubts in governance activities (Botha, 2005). Such kind of networks, partnerships signify the liquidation of central government roles to other spheres of service delivery beyond its premises.

2.25 CONCEPTS OF PARTICIPATION

There are basically two strands of participation identified in literature namely, community or social participation and tradition of political participation where citizens participate using various participatory methods.

2.25.1 Political Participation

In this form of participation, there is interaction of the private individuals or private sector with the state. Many definitions of political participation have been given (Nie & Verba, 1972). A broader definition of this term was given by Parry, Mosley and Day (1992) who defines political participation as 'taking part in the process of formulation, passage and implementation of public policies'. In this form of participation, there is more of representation of the public by certain parties concerning the decisions made by public administrators and other officials. This is done through voting, campaigning, contacting, group action and protest with the purpose of influencing the public representatives (Parry *et al.,* 1992).

2.25.2 Social and Project Participation

This type of participation was more dominant in the community or social factors. Initially, social participation was defined as 'the organised efforts to increase control over resources and regulative institutions in given social situations, on the part of groups and movements hitherto excluded from such control' (Stiefel & Wolfe: 1994:5). However, the World Bank (1995) adopted this definition and put it more into development projects and programmes so as to concretise their relevance, quality and sustainability. They defined it as 'a process through which stakeholders influence and share control over development initiatives, decisions and resources which affect them' (World Bank, 1995). Based on this definition, one can conclude that social participation is mainly concerned about decision in all phases of projects lifecycles. The difference between social participation and political participation is

that there is direct participation by stakeholders as opposed to indirect participation through the elected representative committee.

The citizens have a great role to play in exacting accountability. As discussed earlier and also discussed later, all the parties involved in participation and governance are expected to provide explanations to justify any positive or negative outcomes in their day to day activities. The citizens, consequently, play the surveillance role of ensuring that the public entities are acting in accordance to the mandate granted to them. For an effective and efficient citizens' participation in governance, Kroukamp (2002) has it that there is need for a well-organised structure. In an endeavour to establish sound relationships between participants in governance, there must be rules laid out for the process of participation. The following six guidelines are identified when participation takes place (Kroukamp, 2002).

i.   Participation of citizens must begin at the lowest level within the community. By so doing, people at lower ranks must be aware of the opportunities to participate and what is takes in the participation process and the possible benefits they gain from the process;

ii. Participation of citizens has to take place at all stages of a particular project that is from the time the idea is generated, to the development plans, up to the final stages of implementation;

iii. Participation requires from the concerned community members to 'get right into the middle of the fight', to care about matters of concern and not to allow others to take all the decisions;

iv. The participation process has to deal with the allocation of resources and control of goods and services needed to achieve particular roles;

v.   Participation must deal with existing loyalties. It should not focus exclusively on the strengthening of leadership; and

vi. The participants must be informed about the possibilities of conflicts in some form.

It is important to note that the guidelines given above are not conclusive, but more can be applied depending on the nature of participation. Once the rules have been put in place, there is need for the development of a plan of action so as to ensure an efficient process of participation. Kroukamp (2002) identifies six steps to an effective and efficient participation process:

i.   Identify people involved in the participation process: these parties are treated as valuable participants. Planning is then formed to prepare the rest of the action plan;

ii.   Get to know the targeted community in terms of its size, economics, organisations within the community, their challenges, resources available and other major issues;

iii.   Choose initial activities or programmes that have a large appeal and a reasonable chance of success;

iv.   Develop a plan of action using goals that are SMART (Specific, measurable, attainable, realistic and traceable);

v.   Implement the plan of action. First, identify problems during implementation and adjust or create strategies to correct them. Publicise successes as soon and as much as possible. Acknowledge and thank volunteers frequently; and

vi.   Evaluate the process on a continuous basis.

Considering these steps and other mentioned earlier, it is also important that citizens be sensitised about many factors that affect the efficiency of government activities. The citizens must understand such factors and they must be used as guiding principles that ensure the success of citizens' participation in governance.

2.25.3 Benefits of Citizens' participation in Governance

An important question can be asked as to why citizens participate in governance. Van Wyk (1999) identified various reasons for citizens to participate in public sector governance:

i.   It is practiced worldwide and it tries to deal with the problems of centralisation;

ii.   It provides more information for citizens, i.e., transparency;

    It improves the public-policy process and supplements public-sector work;

iii.   it refocuses political power and community dynamics;

iv.   It refines the societal context in which policies are formulated; and

v.   It increases but cannot guarantee, the chances that programmes and projects will receive acceptability.

2.26 THEORIES OF GOVERNANCE

Within the conceptual understanding of the term *governance* and theories associated with it, there is a clear cut between Government and governance. Governance is perceived as new techniques of decision-making with the aim of solving shared problems in given social settings (Carrington et al, 2008) while government, as cumulative machinery (rules, procedures, policies, systems, organizational procedures and others like personnel), is financed by the state in charge of management of people's affairs.

There are two theoretical paradigms within all governance theories which are interconnected, and these are: governance as a socio-cybernetics systems and governance as self-organizing networks (DeBuse & Lee; Carrington, 2008 in Maseremule, 2011). These paradigms appeared during 1990's where due to the inadequacy of different countries and the marketplace situation to deal with such difficult challenges as the general public experience (Schmidt, 2008 in Maseremule, 2011). The emphasis of these theories is to make joint ventures with civil society organizations, co-innovation and civic management collective thoughts in handling public dealings in the current world of multifaceted governance challenges.

As a form of sharing of authority for harmonization with non-state actors in a minimal state fashion (Governance), two theories are depicted to mainstream with the aim of this study, namely, "analysis of ethics and governance practices in the public sector in relation to United Nations and African Union perspectives". These are Subsidiarity theory and Governance as networks and systems outside government theory (Maseremule, 2011; Carrington et al, 2008).

2.26.1 Subsidiarity theory of Governance

This theory centres its premises on the connections between international organizations and their member states (example United Nations and African Union on one side and Tanzania, South Africa, Mauritius and Botswana on other side). The theory centres its elaborations that an international organization has some power and influence over an independence state once such states join the organization and submit some of its control among the conditions (Carrington et al, 2008). The theory believe that member states may advance and improve its

home affairs by letting such organizations (international organization) to play a role over the shaping of domestic policies for the purpose of strengthening the authenticity, adequacy, competence and success of the state.

Two elements are involved in understanding Subsidiarity theory, vertical and horizontal ones. Vertical subsidiarity concerning with the practices of assigning matters from top to the lowest rank capable of dealing with such matters (Carrington et al, 2008). In relation to the theory's argument, the international organizations which referred as a known power above than the power of the member states is normally regarded as inversely power from the bottom level having ability of solving the problems and idea portrays a state's handling over of policymaking to players located above and below it (Maseremule, 2011). In such interplay of association, the country may depend on international organization and other global regulations and principles that it forms to make obligatory those regulations and observe the reliability of its economy. The theory get acceptance to some extent due to the fact that counties sometimes cannot create policies that suffice domestic use without leaning to international organizations who can be good in observing the compliance of the set standards (Carrington et al, 2008).

Horizontal subsidiary on other side deal with notion of states entrusting policy making issues to non-state actors like private sectors (Non-governmental Organizations, foundations, labour groups, and others like business groups) where these groups has no limited powers of boundaries in policy making of the state while in vertical dimension the power is handing over to the public actors (Carrington et al, 2008). Due to the its vast coverage of international organization, credit for creating good policy is given more to international organizations than the state because of high chance for international organization of having more knowledge and information.

This theory is relevant to the study undertaking due to its connection from international organizations (for that case United Nations and African Union on one side and Member states on other side-Tanzania, South Africa, Mauritius and Botswana). United Nations (UN) and African union (AU) have its role to play to its member states soon after member state join the organization, they normally accept the obligations of the UN charter, and International treaty that sets out basic principles of international relations where UN and AU operates (UN, 2000, AU, 2002). UN and AU devoted to perform many functions such as international conflict and

formulate policies on matters affecting every member states (UN, 2009(g), 1995). Such matters includes commitments on ethics and governance to its member states of which member states also are required to adhere to UN and AU directives and to some international organizations like Organization for Economic Co-operation and Development (OECD) they do pose sanctions or penalties to member states who do not abide with conditions as per agreements of some matters.

Upon implementations of declarations from UN and AU, member states are required to implement the policies by involving the public and non-state actors through various approaches. Example Universal declaration of Human Rights, Implementing Good Governance Principles, Prevention and Combating of Corruption and many others of the same nature.

2.26.2 Theory of Governance as networks and Systems outside Government

The practices of governance in the new system of involving non-state actors has two sub theories; these are governance as a socio-cybernetics and governance as self-organizing networks and to some extent, they perpetuate the notion of governance as minimal state (Pastras & Maseremule, 2011).

i. Under socio-cybernetics standpoint: governance involves unofficial and non-governmental approaches of arranging actors that are responsible to a government in some issues. In this way of governance, there is no need for autonomous or supreme authority as it brings together various actors from the state to non-governmental organizations up to intercontinental associations because all of them gain from the system of synergy in solving the common problems and take other actions to handle the common concerns (Pastras, 2011). The standpoint of this theory is on actors for policymaking, in particular, part of policy require each other because there is no single actor who can be able to tackle problems without help from others (Maseremule, 2011). For instance, many international organizations can merge together to formulate a certain policy like the "Wild life protection policy" which can be more successful to deal with the problems than a single organization. Hence, this theory encourages the interactions of different socio-political factions and alliances under government arrangements.

116

ii. Governance as self-organizing networks: this kind of governance involves power arrangements that grow from coordination between all stakeholders in a web that is not answerable to a government entity. When a given government experiences challenges in acting on the international arena, this theory holds more meaning since on international grounds, it is more ideal because of the degree of autonomy compared to cybernetics (Carrington et al., 2008). There are some distinguished features under these two theories (socio-cybernetics standpoint and Governance as self-organizing networks) and these are: mutual associations between associations and non-state actors. Others are constant communication among members of the international associations based on their willingness to share resources and consider the shared aspirations and enhancing interactions while trust and rules of international organizations is at the centre of the game (Pastras, 2011).

These theories (socio-cybernetics standpoint and Governance as self-organizing networks) encourage private standards of governance propagated by private actors and implementation of state affairs.

These theories also are relevant to the study due to the encouragement of co-operations among stakeholders and other actors within government in solving societal challenges. This is because ongoing complexities of functions in the society require multi-level synergies and efforts in addressing problems. Hence, socio-cybernetics standpoint and Governance, as self-organizing networks, fits more in relation to the study undertaking.

2.26.3 Insight from Literatures of Governance

Governance as a concept has evolved throughout the years since 400 B.C as noted by Kaufmann and Kraay (2008). During the period of 400 B.C, governance was a way of safeguarding the prosperities of the state and its belongings. However, to date the term governance has received difference meanings in literature. This is evidenced by the presence of various definitions and concepts of governance of which most of them appear to convey the same messages while others diverge; others are too broad like those offered by the Ijeoma *et al.* (2013), while others are too narrow.

On a global perspectives outlook, the term governance and its usage still poses challenges. Thus, a number of organisations have resorted to differentiate type of governance. The World Bank (2007) notes that there is economic governance whereas authors like Botha (2005), Chibuka (2008), Nzimakwe (2005), Maseremule (2011) and Damaki (2013) identified cooperate governance, new public management, partnerships forums and public governance. Thus, governance is defined according to its relevance to a situation or scenario. Carrington et al (2008) concluded that they is no consensus and simple responses to what and how governance is, an alternative to it, the elaborations from theories and other definitions depends on the frameworks and current state of affairs. Similarly, it may also be said what governance is supposed to be in countries is uneven when one considers the differences in democratic maturity to these countries differs.

On the hand, theories of governance highlight some hardships in doing it practical. Theories of governance make distinction between the ongoing meanings of governance and the old style of governance, though both of them are aimed to influence behavior within institutions. These theories include global governance, subsidiary and governance as minimal state, Accountability theory, the new public management and Governance as Networks and Systems outside Government. In view of the selected theories there are several shortcomings that countries may encounter. For instance, the Subsidiary or Multi-level governance theory emphasizes on power relations between two organs (International organizations and their member states) particularly the member states are supposed to surrender some of the powers upon joining the international organization. The underlying philosophy of giving up such powers to international organizations is to improve some domestic affairs of member states.

It is anticipated that such relationships could improve ethics and governance practices of member states. Contrary the member states of UN and AU join voluntarily, thus, the UN and AU has no stiff sanctions or penalties for those who violet the agreements signed. This is because both UN and AU have issued several declarations on the matters of ethics and governance which member states commit to implement them (UN, 2000; 2001; 2003; 2004; UNODC, 2004; 2012; 2013).

On theory of governance as a networks and systems outside government where systems of socio-cybernetic systems and self-organizing networks are encouraged, they are pitfalls. For

instance, the idea of encouraging numerous actors from governments, non-governmental organizations and international organizations in solving shared problems still poses dilemmas in implementation. The dilemmas arise to the governments because they seem to be reluctant on agreements to share problems with non-state actors even if the governance requirements bind them to adhere to such agreements. They is no doubt that non-state actors and stakeholders help the government to solve maladministration, but outwardly it is not easy to break the chains of Weber's bureaucratic behavior persisted in the minds of administrators. For instance, in South Africa, cases of alleged corruption involving senior government officials indicate a disconnect between South Africa's legislative and policy framework intended to ensure ethics and governance in the discharge of public affairs (Colland, 2013). Therefore the theory of involving stakeholders seems to fail to force the desired performance. Furthermore, Tanzania and South Africa has domesticated a lot of international instruments, protocols, and conventional dealing with such vices as corruptions. Some of them include SADC Protocol Against Corruption, the UN instruments, however, there seems to be pervasive levels of maladministration, and misconducts, and unethical behavior by senior public officials which still raise a disjuncture in relation to the synergy between these policies and the actual impacts in terms of improving ethical conducts and governance practices in the public services.

It may be argued that Ministries of Public Services and Administration in these countries are failing to implement Public Service Integrity Management Frameworks and seek mandate to ensure enforcement in instances of non-compliance across the public service beyond their jurisdictions. Other reasons may be the multiplicity of policies to all countries; example in South Africa, institutions and agencies like Public Protectors, Special Investigation Unit, the National Prosecution Agency and the current Monitoring and Evaluation Unit dealing with compliance with standards across the public services still have dilemmas for being more effective as it is anticipated.

For the case of Tanzania, the dilemmas arises where the instruments like Prevention and Combating Corruption Bureau, Human Rights and Good Governance and its Ombudsman, Good Governance Co-ordination Unit, Ethics Secretariats all of them are attached to the executive body of government, such attachment automatically paralyses the objectives intended to be accomplished because the heads of these institutions are subjected to the

119

president of which their mandates cannot be meaningful. Botswana is not exceptional in this case because it is reported that the Corruption and Economic Crime directorate also is attached to the presidency by being accountable to the head of public service as a permanent secretary to the president (Mao & Combine, 2009). Such mandate of president contradicts with prerequisites criteria for anti-corruption agency. They need to be independent in order to function well in autonomous ways; hence the theory of governance, as a network and system outside government, is still a promise that is not kept. In reference to Colland (2013), it is indicated that the theory has pitfalls when accountability, transparency, and ethical conducts are considered to public servants and senior politicians despite the existence of policies aimed at deterring unethical behavior in governance which are in themselves part of domestication of UN, AU instruments.

However, in spite of all these dynamics indicated by literature about governance, some scholars concede that competent states must operate under democratic accountability of governments to the public. Literature indicates that governments are entitled to focus on voices of accountability, ppolitical stability and absence of violence, to name a few (Kim, 2010; World Governance Indicators, 2006; Huberts, 2011; Thomas, 2006; Fritz & Gyimah-Boadi, 2007; Bertucci, 2007).

2.27 BASICS OF UNITED NATIONS

Soon after the Second World War the whole world started a U-turn searching for peace and security through multi-lateral organizations, more specifically, the United Nations (1945) following the failure of the League of Nations in 1919 to promote international justice, collective security and a permanent peace between nations (Kingsley, 2009). The inception of United Nations as a world appealing multi-lateral organization was on June 26th 1945 because of the San Francisco Conference held from April 25 to June 25th, during that conference a total of fifty member states came up with the Charter of the United Nations which came into effect on October 24, 1945(UN, 2009). Among of the aims and principles of creating UN were to co-operate different states, with the goal of eliminating future conflict, promoting respect of human rights and integrity, supporting economic development, social development and the establishment of friendly relations among nations (UN,1995).

2.27.1 The United Nations System

The United Nations provides the means to help resolve many functions including international conflict and formulate policies on matters affecting every member states (UN, 2009; 1995).The United Nations is made up of six main organs, a series of affiliated bodies and programmes and specialized agencies and independent institutions (UN, 2003). The main bodies of the organization are the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the Secretariat (UN, 1995).

2.27.2 UN Member states

The United Nations currently comprises one hundred and ninety three (193) member state countries of which when a state becomes a member of the United Nations, it agrees to accept the obligations of the UN charter, an International treaty that sets out basic principles of international relations where UN operates (UN, 2000). All UN member states regardless of their differences in social systems, economic and political views, disparity in richness, poorness, small or large, are all considered of having voice (UN, 2014).

2.27.3 UN ethical and governance framework

The UN ethical frameworks are enclosed in mainly four dimensions (UN, 2012). Such framework is in its charter, staff rules and regulations, standards of conduct for international civil services and the fundamental ethical values. Within the charter, there is a purpose, principles of the Organization and the means by which the UN staff are appointed basing on the merit of securing the highest standards of efficiency, competence, and integrity (UN, 2013). The UN as organization is expecting its staff to exhibit and adhere to the highest standards of ethical conduct (UN, 2012; 2013). Staff rules and regulations are provided in the General Assembly which describes the fundamental conditions of service and the basic rights, duties and obligations at the United Nations Secretariat. Such rules and regulations represent the broad principles of human resources policy for the staffing and administration of the Secretariat and establish what the UN expects of its staff and what staff may expect from the UN (UN, 2012).

In addition, the International civil servants have a special calling to serve the UN ideals of peace, respect for fundamental rights, and international cooperation. The international civil service is required to rely on the great traditions of public administration that have grown up in member States: competence, integrity, impartiality, independence and discretion (UN, 2002, 2012).

The fundamental ethical values are based on the UN Charter and Oath Office which inform the UN ethical culture. These values include independence, loyalty, impartiality, integrity, accountability and respect for human rights (UN, 2013,). The values that are enshrined in the United Nations organizations must also be those that guide international civil servants in all their actions. Hence, it is anticipated that the international civil service will enable the United Nations system to bring about a just and peaceful world because they are intended as a behavioural and ethical guide (UN, 2013, 2014).

Upon a UN member country agrees to become member of the UN, automatically accept the obligations of the UN charter, an International treaties, conventions and resolutions (UN, 1995). As far as Ethics and governance is concerned, the UN secretary general promised to set the highest ethical standards referring to UN as an organ that the name itself (UN) is an asset and most valuable hence its staff are ought to deliver the services in a highest levels of efficiency, competence and integrity (UN, 2002). In leading by example, January 2007 the current secretary general submitted the financial disclosure statement to the Ethics Office on his first day in office and firmly announced that the UN will not tolerate any corruption or abuse of power (UN, 2014). In line with such announcement, it is known that all staff members at directors' level, who are procurement officers or whose principal duties are the procurement of goods and services for the UN must complete and submit the confidential financial disclosure (UN, 2013). These obligations also goes to others whose principal duties relate to the investment of the assets of the UN, and have direct access to confidential procurement or investment information and of the Ethics Office. This exercise sometimes may be accompanied by declaration of interest statement on an annual basis (every March) in respect of the previous calendar year (2013).

On resolution A/RES/60/ 238 and ST/SGB/2006/6 reaffirmed that public disclosure is considered to be a necessary and an important obligation to do (UN, 2006). This is because it

demonstrates that UN staff members do understand the importance of the public and discharging of their official duties and responsibilities will not be influenced by any consideration associated with their private interests (UN, 2006). The central purpose of the financial disclosure programme is to make sure that potential conflicts of interest arising from staff members' financial holdings, private affiliations or outside activities can be identified, and advice provided as to how best to manage any potential conflicts of interests in the best interests of the UN.

On international civil servants, Article 101, paragraph 3, of the Charter of the United Nations establishes the universal standard for all staff members employed by the United Nations as the highest standards of efficiency, competence and integrity. Accountability and transparency has been mentioned by UN management as a driving force in strengthening the Organization and enables it to deliver its mandates more effectively while ensuring the proper stewardship of resource (UN, 2014).

2.27.4 UN commitments on ethics and governance to member states

The UN have set commitments on making sure that ethics and governance are in line with service delivery to the general public and fight against corruption (Menzel, 2006). The commitment of UN for fulfilling its promise to the extent of even taking actions to its member state ranges from global, regional up to the national wise where challenges are rampant (UN, 2000). It has been devoting to promote professionalism and ethics in relation to public service performance and acknowledging the vital role of governance by supporting governments to strengthen its capacity, reforming its public sectors, educating its public administration and develop its human resources (UN, 1998). These roles on governance can be possible (UN, 1998) if and only if the concerned state will request the UN to do that. Adding on to such functions of UN, it has further claimed that states have to adapt new approaches to management including strengthening integrity mechanisms in the country, adopt flexibility, adaptability, participation, responsiveness and accept diversity (UN, 1998; 2000).

There are a number of declarations that have been put in place concerning the UN's vows to ethics and governance. Some of these includes the following: Action against Corruption with

an International Code of Conduct for Public Officials (A/RES/51/59) ratified in 1996, UN Declaration against Corruption and Bribery in International Commercial Transactions (A/RES/51/191) (1996). Others include International Co-operation against Corruption and Bribery in International Commercial Transactions (A/RES/52/87) 1997, Action against Corruption and Bribery in International Commercial Transactions (A/RES/53/176) 1998. Adding to that there is also Prevention of Corrupt Practices and Illegal Transfer of Funds (A/RES/54/205) of 1999 (UN, 2001) and United Nations Convention against Corruption (2004) which aimed to promote and strengthen measures to prevent and combat corruption in an efficacy manner. Such resolution on Convention against Corruption of 2004 intended to promote, facilitate and support international cooperation on technical assistance in the prevention of and fights against corruption including asset recovery; promote integrity, accountability and proper management of public affairs and public property (UNODC, 2004).

In response to that, other conferences (UNDP, 2001) held in line with Public Sector Ethics includes Public Service in Transition: Enhancing its Role, Professionalism and Ethical Values and Standards. This was a regional conference co-sponsored by the Government of Greece and UNDP and was attended by 21 Central and Eastern European countries in Thessaloniki in 1997. There was also conference concerning promoting of Ethics in the Public Service in relation to national colloquium, this conference was sponsored by the Government of Brazil and UNDP (UNDP, 2001). This conference attended by federal and state-level public servants, held in Brasilia (1997) discussed various matters about Civil Service in Africa: New Challenges, Professionalism and Ethics. Other Pan-African Conference of Civil Service Ministers, co-organized by the Government of Morocco and the African Training and Research Centre in Administration for Development (CAFRAD), was attended by 35 African countries in Rabat (1998). The United Nations International centre for Crime Prevention has developed means to help the UN member states and the public in general towards understanding the nature and the dangers involving in unethical practices and its impacts in the welfare of the respective country (UNDP, 2001).

Concerning governance issues, the UN developed a strong accountability system, which rests on internal controls and oversight mechanisms, and the means to advance transparency and integrity of the organization, and more specifically, to ensure the integrity of procurement proceedings (UN, 2014). Such accountability systems start from the Secretariat flowing to

the Secretary-General, senior managers to the staff in an interactive ways. Such chain of accountability goes from UN to and among member states in implementing its mandate. On internal control and oversight, it has strengthened the Office of Internal Oversight Services (OIOS), Independent Audit Advisory Committee (IAAC) in 2008 and the Senior Manager's Compact in 2006 (UN, 2013 and 2014).

In the similar veins, Word Bank (2012) devoted to help the countries worldwide following the fundamental changes that shake the world economy because of financial crisis. The commitments were around issues of Governance and Anti-corruption strategies in six pillars namely mainstreaming governance and anticorruption elements and building capable, transparent and accountable country institutions. In enabling the country's institutions the concentrations emphasized on revised approaches to work in the public sectors, procurement, judicial reforms and the likes (World Bank, 20012). Others are focusing on results in improving country-level governance institutions; managing risks; improving global governance by embedding governance dimensions into global programs and organizing for delivery.

Issues of transparency and accountability as among of attributes of good governance, the UN established the Ethics office in 2006 to maintain an organisational culture focusing on transparency, integrity and accountability manner. As mentioned before, it also adopted the whistle-blower protection policy for the sake of protecting staff members who inform authorities about immoral or unprofessional behaviour demonstrated by UN members (Menzel, 2006; UN, 2012; 2013; 2014) and many others like Internal Justice Systems (2009) and financial disclosure programmes. Also effectively comply with the principles and objectives of the Charter, there was a need for an efficient, effective and accountable Secretariat whereby its staff shall act in accordance with Article 100 of the Charter, in a culture of organizational accountability, transparency and integrity (UN world Summit outcome, 2005 Para 161).

The UN's commitment to its member states went further to different regional levels, for example in 2004, the UN Global Programme against Corruption (GPAC) assisted in the development and implementation of the regional anti-corruption legislation and implementation programmes, for example, SADC Protocol against Corruption (UNODC,

2004). The programme supported among others the establishment of the regional coordinating Mechanisms, the development and implementation of regional anti-corruption monitoring instruments; it also facilitated regional participation and contributions to the development of international anti-corruption legal instruments (UNODC, 2004).

However, given the fact that countries under the UN's ambit differ in socio-economic environments and other factors like democratic maturity, it still facilitated some workable frameworks concerning ethics and governance in the public sectors given their indispensability in the development of the nation (UN, 2001). The recommendations categorized into the following themes:

i. **Guidance and management of conduct in the public sectors:** Under this domain, the UN proposed the following frameworks: Strengthening ethics and anti-corruption legislation, implementation of code of conduct, instilling ethical norms, which go hand in hand with training on administrative procedures. Other frameworks include, making declaration on conflict of interests, express political commitment, and make co-ordination to the available institutions and investment in research (World Bank, 2012 and UN, 2001).

ii. **Public service environment:** Under this domain, there must be open and transparent public tenders, an improved transparency good records management, workable public sector regulations, improved remunerations, uphold of merit or professionalism as well as equity and inclusiveness (UN, 2001).

iii. **On control of conduct in the public sectors:** The UN and the World Bank respectively proposed the improvement in the complaints procedure, encouraging and protecting whistle-blowing, backing up the investigation agencies, strengthening the oversight role of parliament. Others guidelines were to improve the enforcement of laws, to prosecute the corrupt practices or to train the prosecutors and give the independence of judicially (World Bank, 2012 and UN, 2001).

2.28 Commitment of UN on Non-governmental issues

The suggestion to the respective country (UN, 2001) was to adopt charter and service standards for citizens, organize a national ethics strategy, promotion of civic education or

non-governmental organization participation and promoting ethics through tradition leaders. Other guidelines based on supporting freedom of press or trains investigative journalism and promoting ethics in the private sectors.

2.28.1 Commitments of member states as per UN's declarations on ethics and governance

In September 2005, all UN member states agreed and adopted their commitment to adhere to various UN resolutions and declarations particularly ethics and governance practices to their countries (The world Summit outcome, 2005). The Heads of state and government reaffirmed their faith in the United Nations and their commitments to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterate their determination to promote and strict respect for them. They recognize the valuable role of the major United Nations conferences and summits in the economic, social and related fields in mobilizing the international community at the local, national, regional and global levels and in guiding the work of the United Nations (UN, 2005).

In addition, they substantiate their general basic values, including equality, freedom, tolerance solidarity, respect for all human rights, respect for nature and shared accountability are essential to international relations. They also committed to respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or humanitarian character and the fulfilment in good faith of the obligations assumed in accordance with the Charter (Para, 5).

These commitments went hand in hand with the UN International civil servants special calling for serving the UN ideals of peace, respect for fundamental rights, and international cooperation. These commitments rely on the great traditions of public administration that have grown up in member States basing on competence, integrity, impartiality, independence and discretion (UN, 2002; 2012). These basements go with similar vein with fundamental ethical values of UN Charter and that of the Oath of Offices that inform the UN ethical culture (UN, 2013, 2014).

The heads of state went further by recognizing the pivotal role of governance particularly good governance issues like equity and transparency in the financial, monetary and trading systems. In addition, they also dedicated to be committed to open, equitable, rule-based, human rights and the rule of law at the national and international levels in sustaining economic growth, attaining sustainable development and the fighting against poverty and hunger, they demonstrated their interest of being efficiency, effective, accountable to the United Nations system.

2.29 BASICS OF AFRICAN UNIONS

The end of cold war paved a way to emerging of African Union (AU) (Sesay, 2008). It was Tuesday 9th July, 2002 in Durban (South Africa) where the old name, Organization of African Unity (OAU) was no longer existing, and AU assumed responsibility since 2002 to date (Sesay, 2008; Nyangwine, 2010). The disbanding of OAU made possible due to the number of reasons and most of such reasons originate from the end of cold war in 1990's. During that time, the continent was not organized and ready for its outcomes where rivalry between East and West African nations came to an end (Sesay, 2008; Njungwe & Mbapndah, 2008). The strategic importance of the continent was reduced following the end of the political dependent system whereby weak, corrupt, dictatorial as well as potentially unstable states were sustained by the big powers in return for unsuspecting political uphold. Also the demise of cold war accompanied with so many challenges where African states under OAU perceived to be ill prepared to handle its impact for instant state collapse and the fragmentation of social communities into smaller units and groups (Mangu, 2005). The then OAU lacked institutional mechanisms, ability, political will and financial resources to make a positive impact on the alarming situation (Sesay, 2008).

The more fundamental driving force for demise of OAU was many. Among them were the pressure from globalization that strongly required the commitment to respect for human rights, firmly insistence on democracy and good governance, free and fair elections. Others included accountability and transparency as well as other related governance qualities that targeted particularly the developing countries especially those in Africa that had up until then, were among of the major debtors in many of these respects in the Cold War time (Sesay, 2008) and Mangu (2005). Even the emergence of the US as the single superpower twisted on

placing hard issues of democratic system and good governance at its international diplomacy. Therefore the adoption of AU was to tackle the new African challenges by setting mechanisms of handling the concerns of new world order (Sesay, 2008; Mangu, 2005).

African Union (AU) set out its objectives, and among of those objectives includes promoting democratic principles and institutions, popular participation and good governance, rule of law, promoting and protect human and people's rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments. Other objective is to promote sustainable develop at the economic, social and cultural levels as well as integration of African economies and many others (AU, 2002). These conditions were necessary because donor countries as well as metropolitan countries seems to advance in good governance and at the same time it was among of the major conditions for African countries to receive aid for their development (Mbapndah, 2008; Sesay, 2008).

2.29.1 African Union Systems

The AU has several branches that have a mandate to make its member states better place. Missions and values of central governance is to become an efficient and value-adding institution driving the African integration and development process in close collaboration with African Union Member States, the Regional Economic Communities and African citizens (AU, 2002, a). Such mandate is made possible through the following principle organs: Assembly of the Union, which composed of Heads of State and Government or their duly accredited representatives. The Assembly of Heads of State and Government is the supreme organ of the Union.

In addition, there is an Executive Council that composed of Ministers or Authorities designated by the Governments of Members States. The Executive Council is responsible to the Assembly; the AU Commission which composed of the Chairperson, the Deputy Chairperson, eight Commissioners and Staff members, each Commissioner shall be responsible for a portfolio the permanent representative committee; the Permanent Representatives' Committee which composed of Permanent Representatives of Member States accredited to the Union. The Permanent Representatives Committee is charged with the responsibility of preparing the work of the Executive Council (AU, 2002; Sesay, 2008).

Other organs are Pan-African Parliament; Economic, Social and Cultural Council; The Court of Justice; Specialized Technical Committees which meant to address sector issues and are at Ministerial Level including three financial Institutions namely the African Central Bank, the African Monetary Fund and the African Investment Bank (AU, 2002; Nyangwine, 2010).

2.30 AFRICAN UNION MEMBER STATES

African Union composed of fifty four (54) member states that have taken various initiatives and made substantial progress in many areas that paved way for the establishment of the AU (Njungwe & Mbapndah, 2008). These member states with no doubt forced to adhere to the current global socio-economic and political atmosphere in which it had to operate since its creation in 2002 and the ongoing changing of global priorities, targets agendas which have compelled it and related actors in the global systems to adjust or alter their priorities, focus, and ways of operation so as to match at equal footing with these changes (Sesay, 2008).

2.30.1 African Union ethical and governance framework

The AU ethical framework emanate from various settings starting from its objectives where the organization is committed to promote sustainable development at the economic, social and cultural levels as well as the integration of African economies (AU, 2002). Such values are expressed in the mission and values of the African union commission whereby such values indicated are the basis on which the African Union Commission promised to achieve, these include transparency and accountability; integrity and impartiality; efficiency and professionalism (AU, 2011).

Other AU organs including Pan African Parliament code of conducts for member states also spell out the ethical frameworks that a member must act with the highest degree of integrity and honesty, maintaining a culture of transparency, accountability and avoiding corrupt and unethical practices (AU 2003, 2007, 2010). Staff rules and regulations, AU Convention on Preventing and Combating Corruption also provide the same framework of ethics.

Governance frameworks are expressed in objectives and principles of AU in promoting democratic principles and institutions, popular participation and good governance; promoting and protect human and peoples' rights in accordance with the African Charter on

Human and Peoples' Rights and other relevant human rights instruments (AU, 2011). Apart from the AU Constitutive Act itself (Article 4 of AU), governance framework expressed in the declaration on unconstitutional changes of government; the declaration governing democratic elections; and the declaration on observing and monitoring elections in 2000 as well as African Charter on Democracy, Elections and Governance (ACDEG) in 2007 (AU, 2007).

Since then several governance institutions and mechanisms have been set up to speed up democratic improvement and socio-economic good governance in Africa (Omotola, 2014). The African Union has also been committed to governance issues through monitoring elections in all member states through creation of institutional standards, most particularly the Democracy and Electoral Assistance Unit (DEAU), which is within the Department of Political Affairs of the AU Commission.

The core functions are not only the observation of elections, but also the execution of the AU's programme for the support of democracy and democratic elections on the continent (Omotola, 2014) and (AU, 2002, 2007).

Another Governance framework that AU has deployed to its member states is New Partnership for Development (NEPAD) in (2001) which alongside African Pear Review Mechanisms (APRM) also formed to perform various functions including Democracy, Political, Economic and Cooperate Governance issues (Mangu, 2005). APRM formed as a blueprint or mechanism to implement NEPAD such plan (APRM) launched in 2004 (Kigali, Rwanda) (Mangu, 2005).

2.30.2 African Union commitment on ethics and governance

African Unions has made a number of decisions and declarations on ethics and governance practices to its member states, these decisions and declarations include African Union Staff regulations and Rules (2010) whereby by accepting employment in the Union, every staff member is bound by the terms and conditions set out in the Staff Regulations and Rules, which are interpreted and applied together with AU relevant Treaties, Decisions Protocols, Regulations, Rules and Procedures as well as principles of International Law (Staff Rules and regulation, 2010). These rules and regulations require the staff members to uphold the highest

standards of efficiency, competence and integrity and executing their responsibilities guided by probity, impartiality, confidentiality, fairness, honesty and truthfulness (Regulation 3.3 b).

In addition, the continent through African Union has responded with a series of policies and legal mechanisms to tackle the challenges of unethical practices in the public sector. These include African Charter on Democracy, Elections and Governance (ACDEG) (2007), African Charter on Values and Principles of Public Services and Administrations which was ratified by the AU Head of State's Summit in January 2011 (Depute ministers' speech South Africa, 2011). Within the charter, guidelines on how to frame the public services in Africa particularly putting in place the legislation, regulations, practical and technical measures are defined to make sure that public sector services are properly delivered. Others are Democracy and Electoral Assistance Unit (DEAU); New Partnership for Africa's Development (NEPAD); African Peer Review Mechanism (APRM) as one of Africa's most comprehensive governance initiatives for promoting ethics, governance and democratic culture and practice, building and strengthening governance institutions and inculcating political pluralism and tolerance (AU, 2007; Omotola, 2014).

In addition, there is African Union Convention on Preventing and Combating Corruption, which put forward the issues of accountability and transparency in the management of public affairs, as well as socio-economic development on the continent. All these aim at respect for democratic principles and institutions, popular participation, the rule of law and good governance to the member states (AU, 2003) and African Charter on Values and principles of Public Service and Administration (2011).

2.30.3 Member states ethics and governance frameworks

African Member states committed and ratified to adhere to ethics and Governance frameworks in various conventions and resolutions that agreed and implemented to the respective nation. Example in 2010 chairperson of the Africa Commission issued a report on the activities covering the period July to December 2010. Some of the activities were measures taken to promote the signing and ratification of the African Charter on Democracy, Elections and Governance in Member States (AU, 2010).

Apart from that in 2001 the African Public Service Ministers met for the Third Pan-African Conference of Public Service Ministers in Windhoek, Namibia on 5-6 February. Such meeting agreed and adapted a Charter for the Public Service in Africa, which affirms the professional values of the public service in Africa, redefines its objectives and missions and specifies the fundamental conditions required for strengthening its role, competence, ethical values and image including a code of conduct for African public service employees (UN, 2001). The article one of the general provision insists the principles and general rules governing African public services with respect to transparency, professionalism and ethical standards.

Furthermore, commitment of African States to promote such values in the public service and serve as a policy framework for the public service administrations of all African countries and a source of inspiration for the development, strengthening or updating of national codes of conduct(UN, 2001). In 2011, AU member states agreed on African Charter on the Values and Principles of Public Service and Administration, which was a major step towards the realization of the African Union Shared Values Agenda, namely in its governance component (AU, 2011). All these evidences show how AU's member states are committed on ethics and governance practices to be implemented in their respective countries.

2.31 GOVERNANCE IN AFRICA

Africa, which is well-known for its enormous natural and human resources, diverse fauna and flora, economy as well as ecology, remains underdeveloped. The UN's rankings of least developed nations are mostly African countries. Under development in Africa is evidently caused by military dictatorship, corruption, hunger, deep poverty and war. Effort has been put by the international community to eradicate poverty in Africa but has failed. Some scholars link underdevelopment in Africa with its background (Heldring & Robinson, 2012). Many African nations have a unique historical background which was characterised by colonialism.

Colonialism is seen by Heldring and Robinson (2012) as having heterogeneous effects, the mechanisms encouraged development in other cases and retarded in other cases. However, many African countries gained their independence in the 1950s and 1960s. When they attained their political freedom, they started embarking on programs of building their nations

which sometime led to a growth of 2.6% in GDP per capita in sub-Saharan Africa between 1965 and 1974. Towards the end of 1980s, Africans were ready for a change, as economic reforms had not led to significant improvements in their quality of life. Mauritius, Botswana and Senegal managed to remain democratic, with Mauritius and Botswana leading in economic growth. However, to date, many African countries still strive to afford basic amenities for their people, hence; more emphasis to eradicate poverty is put on governance (World Bank, 1994; Heldring & Robinson, 2012; Adesida, 2001; Acemoglu *et al.,* 2003).

Good governance as well as public sector management plays a pivotal role in development of successful economies and they constitute the primary means for social transformation. Upon realising the importance of good governance, many African leaders have accepted past errors and resolved them so as to involve the public to participate in governance. A quick look at the African continent today shows that there has been progress in improving governance since the 1990s. For instance, Africa was well known for its dictators and one-party states, but the political space has expanded showing an increase in elections, civil liberties as well as participation of independent people in politics (Adesida, 2001; World Bank, 2000).

However, not all the challenges faced by Africa are solved. Most African countries are deep in poverty and it is expected to continue if action is not taken. The United Nations Development Program (UNDP) has it that the percentage of the total population in poverty in Zimbabwe is approximately 80%, in South Africa 50%, and Mozambique 75%. In addition to these challenges, there are any problems such as corruption, civil strife and wars, environmental degradation, and low agricultural productivity. HIV/AIDS and many other diseases have made the survival of Africa questionable (UNDP, 2014).

2.31.1 Governance in Africa based on UN Perspectives

The out-setting of the meaning of Governance in all fields particularly political has been accompanied with the following out of the functions of Government which necessitated to reconfigurate its set-up and make institution transformation (Pastras, 2011). Private sectors and other factions have been involving in government roles following the fragmentation of various government policies and others tasks which were typically executed by the government (Rodes, 1997; Jessop & Hay, 1995 cited in Pastras, 2011). Hence, various terms

has been given to refer to the term Governance. This term was also used to explain corrosion of the British country, and these include "Destatization of political regime", "*differentiated polity", "hollowing out of the national state" and "de-nationalization of statehood*".

With these premises, governance is now assigned different complex tasks of bringing economic, social and political life to a respective country and both regional and local environment are also involved in merging several scales of practices (Pastras, 2011). Such new modes of governance posed challenges to governments world–wide particularly to those countries with infant maturity of democracy where old time of religion of public administration is still practiced (Peters, 2002).

From the concepts stipulated above, there are two elements which are necessary, and these are scale of application and methods of application (Ijeoma, *et al.,* 2013)

i.   Scale of application

Scale of application of Governance in the public sector entails administration of public goods and services in ranges of different functions. In this stands, it is the whole process of acquisition of executive and legislative power for officials, the process of making laws and its implementation and the means of administering of institutions and its public policy in realization of society's well-being.

ii.   Methods of application

Under methods of application (Ijeoma, Nzewi & Sibanda, 2013) reveals that it encompasses the way activities are handled down in an intricate methods under either known or unknown standards, practices, means, system, coordination that support the function of administration.

iii. Features of Governance

The practicability of Governance in the democratic sphere emphasises the prevalence of administration which holds the interests of the stakeholders while uplifting democratic values of participation, decision-making by rules of laws, transparency, responsible to the needs and aspirations of all stakeholders and equity in treating all actors. In addition, there is need for efficiency and effectiveness in spending resources of the stakeholders, accountability to the actors and stakeholders, and lastly use of planned vision in forecasting development. With this notion, it is also accepted that meaningful governance involves connections and

interactions of various actors taking into consideration "Hollowing state" where networks and coordination are considered (Maseremule, 2012)

iv. **Participation by all actors and stakeholders:** In line with the view of governance perspectives, the emphasize is on option form of participation which are in form of consulting the stakeholders, actors of the state especially non-state ones, networking, joint venues where all the concerned groups can meet in a panels, focus group discussion and make public discussion (Bahagel, 2012). It is believed to be strong compared to liberal democracy where there is no extensive discussion which caters all the societal grievances because of its substantive (Bertucci, 2007). Such kind of decision-making is possible if there are strong foundation of freedom of union and association, freedom of speech and capability to participate fruitful (Bertucci, 2007).

v. **Decision-making by rules of laws**

Decision making by rule of law means that the laws of the particular country must be exercised equally and apply to all stakeholders without since all actors are equal in making better governance. No one should be treated above the law (UNDP, 2007) and such frameworks must be implemented without bias particularly when issues of human rights are addressed.

vi. **Inclusiveness**

Democratic governance believes in reflection and deliberation in considering inclusion. This is consensus oriented type of decision-making where preferences and interests are combined together (Chambers, 2003) where discussion and exchange of ideas are central.

vii. **Horizontal accountability**

This is the association of actors where all actors in the governance are required to make clarification pertaining their conduct upon responsibilities given. This is normally done in dialogues. In the conversations, judgement can pass to those who violate ethics and face penalties or punishment (Bovens, 2007). In democratic governance, actors take lead in scrutinizing politicians and administrators as it is different from liberal democracy where political accountability and administrative accountability use other means. Under democratic

governance, peer accountability and participatory accountability is considered by replacing hierarchical type of accountability propounded by Max Weber (Institute of Internal Auditors, 2012). This form of accountability takes mutual assessments of the associations through peers and other counterparts. In other words, similar governance networks can evaluate performance of other levels of authorities (Backstrand, 2008 cited in Bahagel, 2012). This kind of accountability involves more civil societies and peers in making governance more functional as opposed to political and administrative accountability.

In liberal democracy, things are different where administrative accountability takes in the form of chain of command and hierarchical order; public servants whose job descriptions are well-known for example, top-level managers are accountable in chains of command (Bevir, 2010 cited in Behagel, 2012). Political accountability on its side involves legal systems, constitutional laws and voters and it is the responsible instrument for making them accountable (Behagel, 2012). In relation to voters, they are responsible for examining politicians through voting. However, with the advent of New Public Management (NPM), both Politicians and Administrators are subjected to Performance Management Systems (Ijeoma *et al.,* 2013).

2.31. 2 Transparency and openness in the action of governance

These entail consultation both actors and stakeholders while keeping constant contacting the required information. Transparency as a clear reporting on performance and operations is assisted by reliable information as well as good records management practices (The Institute of Internal Auditors, 2012). In the same vein, Nzimakwe (2005) states that transparency and openness relate to the degree to which public entities are free to be inspected and scrutinized by the citizens concerning their functions. The international Federation of Accountants (2013) concludes that such openness hold meaning if the outcomes of what the public sector entity is pursuing is clear and open, value for money or all resources used and the performance achievement will be release and accessible to the public, that is where transparency or openness hold meaning. The key stages that help to attain transparency is to understand the concerns and anticipations of the stakeholders; to support the contribution of stakeholders; to keep in touch stiffly with stakeholders; to facilitate information sharing; managing conflict of interests and report clearly on performance and operation (The Institute

of Internal Auditors, 2012). Such steps create good platform for the non-state actors to support policy goals. Free flow of information is the foundation of transparency.

i. Responsible to the needs and aspirations of all stakeholders

In this regard, responsiveness involves awareness and sensitivity of public sector with its institutions and agencies towards serving the aspirations and needs of all stakeholders (UN, 2007). It is also required that the public organisations must be open, responsible and enhance accountability to the affected actors and stakeholders.

ii. Equity and inclusiveness of stakeholders

This involves having equal opportunities to access the services and resources provided to the stakeholders without any discrimination based on sex, status, race, or religion. Equity also transcends equality by considering the needy in maintaining the well-being of an individual (Clarke, 1996 cited in Nzimakwe, 2005).

iii. Constant monitoring and assessment of government actions

This kind of feature entails watchdogs that are constantly intact to monitor the governance conducts and gives feedback to the stakeholders and actors. Such mechanisms help to keep the systems of governance act in line with the required standards (Nzimakwe, 2005). Examples of these watchdogs are, Human Rights Commission, Auditor Generals, Investigation Unit, Public Protector as well as the Electoral Commission.

iv. Engagement of Government and other stakeholders like business entities

This feature involves the formation of networks between business entities, societies and the government in addressing problems that hinder the development of the entire public. The kind of engagement helps to get sustainable solutions since the aftermath of bad Governance both the private and public sector and the entire nation at large (Fox and Meyer, 1996 in Nzimakwe, 2005).

v. Sharing of state independence and its associated authority

Under Governance functions where the government is no longer self-autonomy in delivering services, it is mandatory to decentralize and delegate some activities of the state to bring

collective accountability (Meyer and Fox, 1996). In this observation, it is advised to delegate such activities to other stakeholders like districts, wards and other low levels so that in every level, society may enjoy the participation in finding solutions to matters that affect their life. Some organs from different spheres of communities like civil society can be beneficial in helping to sport the problems and suggest ways on resolving basing people centered approach.

vi. Co-operative governance

This kind of governance involves performing functions in joint venture and mutual cooperation among stakeholders and actors. In such co-operations, unnecessary duplications of activities among the stakeholders can be minimized easily and ensure proper conducts of governance.

vii. Efficiency and effectiveness

In efficiency and effectiveness, it is an appeal to the concerned systems of governance to deliver services with carefully attention to optimal allocation of resources as per needs exist in the society. Such delivering of services is supported by continuous monitoring and evaluation of services given to the community and identifying gaps that may inform how efficiency and effectiveness of services delivery can be attained.

viii. Obedience and Observance Bill of Rights and its principles

Within the constitution of each country particularly democratic government, governance systems are required to execute its services basing on liberty or freewill, equality and/or human dignity. Failure to operate in these strands, leads to failure in governance and the quality of public sector service cannot be recognized. In order to curb these phenomena, the state concerned must enhance and encourage public players to act according to their code of conduct so as to meet their objectives without causing much harm to the society.

ix. Ability and Competence for taking action and delivering

Any meaningful governance requires diligent and competence in taking actions towards helping all stakeholders of the respective nations to realize their aspirations. In this regard,

coordination is required so as to ensure proper arrangement of governance structures in order to ensure proper performance of activities. Good leadership is also one of the required skills that can help in delivering service.

There are however challenges that have been merging to all governments worldwide in how to fashion an appropriate system of governance that enhance socio-economic and political requirements which cater all the growing need of the societies like safety, health, security of the people and other welfare without dictating the interests of governments. For this reason, a question can be raised as to what extent do African countries implement good governance.

2.32 GOVERNANCE IN AFRICA BASED ON AU PERSPECTIVES

Formed in 2002, the African Union (AU) replaced the Organisation of African Union (OAU). The main aim of the formation of AU was to replace the OAU which in recent years had proven to be incapable of handling African problems especially human rights abuses and political violence. The aim of the AU, among other major aims, is to promote good governance in Africa. The basic framework for promoting democracy and good governance among member states of the AU is laid down in the Constitutive Act (or AU Act for short) setting up the union and a number of treaties, declarations and other instruments.

2.32.1 Ethics of governance

In general, ethics are viewed as a set of moral principles. They are applicable at individual, societal, organisational or national levels. Various scholars such as Bruce (2001), Cooper (2006), Menzel (2007) and others were interested in research on administrative ethics, and thus a considerable amount of research was done. In simpler terms, Cooper (2001) defines ethics as moral philosophy. In terms of governance, Slote (2007) postulates that ethical governance indicates administrative measures, procedures and policies that fulfil criteria required for the ethically good or acceptable handling of public affairs, such as in public administration, public health care, education, and social security. In the context of public administration Held (2006) mentions that, ethically good or acceptable behaviour is often defined in terms of justice, fairness, equality, and integrity.

However, the use of the adjective 'ethical' does not guarantee that things are being done in a fair way that shows justice and integrity of governance. Consequently, it would only be logic to use the term 'ethical governance' when the systems of governance allows appraisal to be done based on reviewing the goals previously set. Thus, based on a normative notion, ethical governance has characteristics of ethically good civil servants and at the same time it denotes the criteria based on which the ethical quality of governance is assessed, such as the integrity, equality, and justness of civil servants in their administrative roles (Slote, 2007; Held, 2006).

Another scholar, Julkaisuja (2010) differentiates ethical governance based on two concepts namely, the minimalist concept and the maximalist concept. In minimalist ethical governance, he postulates that there are minimum requirements for ethically acceptable governance. For instance, it may state that public sector workers may not be allowed to violate rules and regulations in all circumstances, there are, in fact, absolute prohibitions laid out. On the other hand, the maximalist ethical governance has an aim of enriching people's understanding of what ethically good and high quality governance involves or could involve. In addition, they bring into play positive command, such as 'Be fair and impartial', 'Safeguard the well-being of citizens', and 'Take good care of the administrative tasks entrusted to you'.

2.32.2 Good governance

With these behaviours in the public sector, UNDP (2000 and 2007) made clear that meeting the qualities of ethical demands in governance, the public sector must demonstrate the following standards of governance:

1. Work for the interest of the majority (citizens) and stakeholders through democratic values;

2. Ensure that you enhance Golden rule "do to others what you wish them to do to you" (Gildenhuys, 2004);

3. Ensure openness to all actors and stakeholders required in order to build confidence to the public as per directives in job responsibilities;

4. Enhance networking, involvements and adhere to consultation to all actors and stakeholders in governance;

5. Remain responsible and accountable to the public with brave behavior of moral conduct;

6. Enhance integrity by fighting conflict of interest and other maladministration that may jeopardize and tarnish reputation of the public sector; and

7. Be honest to leaders and other officials through demonstrating acceptable behavior, good advice and sincerity.

2.32.3 Justifiable roles of governance

As Fritz and Gyimah-Boadi (2007) state, governance entails the rules that control the public existent in the sense that the space in which the state, political, society and economic actors act together in making decisions. The justifiable roles enhance good milieu for the public to enhance economic, social and political stability whose outcomes are to improve the standards of living of the people. In this regard, Hubbell and Green (1996) in Zimakwe (2005) outline the following roles of governance:

 i. Making all the stakeholders have access to decision-making by empowering them as opposed to paddling;

 ii. Encouraging solid competition to service delivery so as to get quality services;

 iii. Focus on vision through mission on managing the public sector as opposed to rely on only rules;

 iv. Emphasize on results oriented in performance of services;

 v. Having a spirit of customer service;

 vi. To liquidate bureaucratic doctrines and encourage entrepreneurial principles;

 vii. Focus on integrity in governance rather than compliance measures

 viii. Encouraging decentralization of organizations as well as teamwork fostering; and

ix.   To have the spirit of cooperate governance that encourages profit maximization.

In connecting to such standards of governance, Zimakwe (2005) further noted that the roles of governance are like the principles of democratic governance that are rule of law and its organization, voting and election systems, concert for the majority, representation and participation. Others are institutionalizations, politics to be guided by economic and legal liberalism, having a limit of staying in public office both period and mandate and governing by virtue of majority rule.

2.33 TYPES OF GOVERNANCE INDICATORS AND ITS MEASUREMENTS

Governance indicators are the measurements of quality of governance in different levels like government effectiveness, regulatory quality, stability and absence of violence and control of corruption in the country basing on known parameters (Worldwide Governance Indicators, 2006; Fukuyama, 2013). Governance indicators help to notify all actors of governance on performance of the government, and make appropriate choices. Its consequences are assessment of the performance of the government based on the agreed standards (Huberts, 2011).

Indicators of governance have been pleasing to many stakeholders world-wide following the increasing recognition of interconnection between good governance and better life. This progress inspired needs to monitor standards and quality of governance in countries (Worldwide Governance Indicators, 2006). Even the multilateral organizations, notably financial institutions, pledge to help the countries so that its governance indicators show improvement in people's life (Bertucci, 2007). There are a number of measures of quality of governance indicators (Bertucci, 2007; Fukuyama, 2013; Worldwide Governance Indicators, 2006; Thomas 2006; Fritz & Gyimah-Boadi, 2007; Kaufmann, Kraay & Mastruzzi, 2006; Huberts, 2011 & Schraad-Tischler, 2014).

However, in all presentations of indicators, there is no consensus on a single agreement on measures of governance indicator, some use three indicators (Schraad-Tischler, 2014), some use fourteen indicators (Fritz & Gyimah-Boadi, 2007) and others use six indicators (Kaufmann, Kraay & Mastruzzi, 2006; Huberts, 2011; Bertucci, 2007 and Worldwide Governance Indicators, 2006). Despite their differences, but all of them largely merge on six

variables on indicators notably voice of accountability, political stability and absence of violence, government effectiveness, rule of law and control of corruption (Huberts, 2011; Bertucci, 2007; Kaufmann, Kraay & Mastruzzi, 2006 Worldwide Governance Indicators, 2006; Thomas, 2006).

With such reference, there are four main types of measuring government indicators namely: single governance indicators; aggregated governance indicators; private sector's assessment of Governance and E-governance from governmental website evaluation to e-governmental practices assessment (Bertucci, 2007).

2.33.1 Single Governance indicators or individual indicators

This type of governance indicator is designed specifically to assess commitment made by a country through either declarations or any deliberations on matters concerning governance implementation because the actual impacts of governance practices is how policies are implemented to the society (Malinska, Kraan & Manning, 2006 in Bertucci, 2007). This type of indicator used to cover a specific part of governance like delivering of public service, unethical conducts like corruption, systems of election, and many others like enhancement of human rights. Besides that, single indicator also does measure inputs and outputs in the respective country. Measurement of inputs (Bertucci, 2007) is concerned with capital savings, goods and services and labour expenditure, which tend to reveal the allocated budgets on them and not service-rendered to the community. On the other hand, output measurements involve productivity that comes from both public and private entities. In addition to that, single indicators can also evaluate performance of the stakeholders and actors concerned in the governance process, especially the public sector efficacy through comparing both inputs and outputs.

2.33.2 Aggregated or composite Governance indicators.

This is the second type of governance indicator concerned with combination of different single indicators into one guide of indicator having a certain basic form of reference as a model (Malinska, Kraan and Manning, 2006). In an observation by Kaufmann, Kraay and Zoido-Lobaton (1999) in Bertucci (2007), it is known that composite/ aggregated governance indicators cover a large number of countries in analysing governance issues. They provide

accurate assessment of governance unlike single indicators and also permit cross-checking of suggestions on cross-countries variations. Among these composite or aggregated governance indicators (Worldwide Governance Indicators, 2006), there are numbers of categories associated with it. These include World Bank research Institute's aggregated indicators which measure six dimensions of governance which are: voice of accountability, political instability and violence, effectiveness of governance, burdens regulatory and rule of law (Thomas, 2006).

Others are Organization for Economic Co-operation and Development (OECD) which centre on standard of services delivery in the evaluation of government services like revenues, outputs, outcomes and background history of government's efficiency and effectiveness. In addition, there are Transparency International's aggregated governance indicators which assess corruption (Corruption Perception Index) in measuring good governance (Lamsdorff, 2005 in Bertucci, 2007), Global Integrity index which investigate governance and corruption tendencies across countries in the world and evaluate the efficacy of mechanisms for anti-corruption which enhance integrity of the public. For instance, there is the existence of rules, laws, anti-corruption institutions and its implementation in the public sector of the country. Apart from that, there is Public Sector Efficiency (PSE) and Performance propounded by European Central Bank (Tanzi, Schuknecht & Afonso, 2006 in Bertucci, 2007); World Bank's Country Policy and Institutional Assessment (CPIA) which focus on quality of policies and organizations concerned with growth of economy and reduction of poverty.

2.33.3 Private sector's assessment of Governance

This is the private sector's perspective in assessing quality of governance through synergy systems of public and private sectors (Bertucci, 2007). The main categories of assessment enshrine on political dynamics, debt profile, budgetary performance and institutional framework particularly on dimension of stability of politics, regulatory policy and political efficacy.

2.33.4 E-governance, from governmental website evaluation to e-governmental practices assessment

E-governance simply means application of Information and Communication Technologies by the government in circulating the information to the public in enhancing the development targets of the country (Holzer, 2005 in Bertucci, 2007). In this mode, government can design websites for citizens to get services through internet where all actors and stakeholders of governance can interact harmoniously. An example of the guide which may exemplify such practices is the use of E-governance Performance Index (EPI) where five elements can be assessed, namely, security and privacy of the internet user, website's usability, information content and public participation (Holzer, 2005 in Bertucci, 2007).

Three models can be employed in facilitating the role of ICT's in service delivery; these include Public sector value model to clarify the way how government can improve service delivery to the public; e-participation index which evaluate excellence, efficacy and significance of e-government programs taking into consideration the involvement of the public. The last model is E-government Readiness Index which assesses the interactions of citizens and the government and readiness to use e-government for ICT-led public sector development. The aim is to enhance service delivery to the public through improving transparency and efficacy of the public sector (Jupp & Rohleder, 2004 in Bertucci, 2007).

2.34 CONTEXT OF GOVERNANCE AND ITS DIMENSIONS IN THE PUBLIC SECTOR

The practices of governance embrace two different components that work together, and these are political and public management systems (ECA, 1999 in Zimakwe, 2005). On the political side concerning willingness and adherence of policy makers (politicians or leaders) to the needs of the society in demonstrating democratic norms like accountability, participation, legitimacy and equity. This is because participatory political system is related to accountable economic management, and the stronger state with efficiency results strengthens political participation (World Bank, 2000.

The effectiveness of these two contexts (politics and administrations) can be seen in the following dimensions which are sometimes known as aggregate of governance indicators

146

(Fritz and Gyimah-Boadi, 2007): voice of accountability to mean the political practices, civil freedom, independent media as well as political freedom; political stability and absence of violence implying the notion that the government can be weakened through violence. Others are Governance effectiveness to refer the quality of service delivery of system of government, capability of public servants and objectivity of public servants from influence of politicians; regulatory quality to refer to the quality of state policies in addressing societal challenges and problems relating to socio-economic issues. Rule of law is another dimension to mean efficacy and logicality of the judiciary and implementation of conventions and control of corruption to refer the use of authority and power for personal achievement (Huberts, 2011; Thomas, 2006).

The following are further narration of these dimensions.

2.34.1 Voice of Accountability

Accountability comes from accountability as a noun to refer the ability of people to have right to examine the conducts of any public office bearer and in other side such office bearer is also answerable to people in relation to the decisions made on behalf of the public (Kim, 2010). There are three aspects of accountability notably political accountability concerning with capacity of examining the decisions made by the government and ability of government to bear the consequences of its actions; public accountability which concerning with approaches and processes of people can measure, evaluate and confirm the standards of public service delivery and legal accountability which involves ability of the citizens to make public sector lawfully or legally regarding their conducts by using laws (Kim, 2010). This means that, any meaningful governance must accompany with improved accountability.

Hence, voice of accountability is degree to which the citizens and other actors have ability to play part in deciding on matters of their government with full fledge of liberty of media, association and expression (World Governance Indicators, 2006; Huberts, 2011 and Thomas, 2006). In other words it involves how democratic accountability is enhanced things like political contestation, reliable political parties, transparency in party funding, disclosure of legislative ballots and others like assets affirmation as well as conflict of interest rules (Kaufmann, 2005).

2.34.2 Political stability and absence of violence

In this context, the consideration is given to systematic and arranged political transfers, social order versus social unrest and how the state keeps itself in bringing peace and harmony among citizens (Thomas, 2006, Huberts, 2011 and Worldwide Governance Indicators, 2006). It also includes handling conflicts and violence and its institutions responsible for enhancing peace, stability of the politics and security. It is evidenced that among of the proactive and remedy for political stability and absence of violence is fair or unbiased access to political power and having economic control to all citizens (Zimakwe, 2005 and World Governance Indicators, 2006). When stability prevails to the politics and the government will not overthrown by unconstitutional means like terrorism that means signifying good dimension of governance. Thomas (2006) on its views contends that stability of politics and absence of violence entails three things to be considered, one is handling internal and external conflict which imply fair practices of governance, secondly is the stability of government in carrying out declared programs and capability of handling public offices and lastly the ability to bring social cohesions.

2.34.3 Government effectiveness

In this dimension, attention is given to acceptable standards of public services, the standards of public service and the extent of autonomous of pressure from political views, the standard of formulating policies and its implementation to the public and well as the reputation of the government to the citizens in relation to the implementation of the affirmed policy (Fritz and Gyimah-Boadi, 2007). In the his outlook, Thomas (2006) reveals that government effectiveness is measured in quality of bureaucracy where it measures the strength of the institutions and its services to the public and capability of withstand the changes in the politics while remaining stable in service delivery to the public with optimal utilizations of resources in which in the long run builds trust.

2.34.4 Regulatory quality

This is concerning with rules and regulations of the state, systems of the taxes, import and export dealings, environmental regulations (World Governance Indicators, 2006). In such

observation, it is imperative for the government to have ability to prepare workable rules, regulations, guidelines and policies that enhance all stakeholders in governance

2.34.5 Rule of law

This entails the quality of laws and order of the country in evaluating the strength, fairness or objectivity of the legal systems. This also assesses the quality of police, independence of the judiciary from influence from the politics, government, firms or citizens and general standing firm for legal frameworks in holding accountable the actions of government (Huberts, 2011). In Zimakwe's point of analysis (2005) indicates that rule of law encompasses the degree and levels to which institutions of governance (executive, legislature and judiciary) are performing well and the general observance of checks and balances of such institutions. If rule of law is fairly exercised will promote trust ii legal systems including judiciary and police (Thomas, 2006).

2.34.6 Control of corruption

This is adherence of all actors and stakeholders of government to accountability, transparency to their actions and activities that affect the public (World Governance Indicators, 2006 and Huberts, 2011). Control of corruption also involves the extent to which public offices are used for the benefits of the public as opposed to private benefits.

However, Bertucci (2007) summarized the core dimensions of governance into three main focuses which are participation, transparency and efficiency. Under participation he meant bringing all people local and regional in one stream of the society through participating them in decision-making in the form of availability of many media which also have freedom of executing their duties and independent electoral commission. Others are e-government instruments and community networks, legal frameworks to assist the poor and many others like regulatory body for economic and social policy programs. For transparency dimension Bertucci (2007) also meant openness in government actions and its procedures in handling state affairs, informing the public on its performance which turn helps the public to scrutinize the government in issuing quality services so that the government can get more legitimacy of governing. Under transparency dimension it is also suggested to have independent parastatal

entities and financial audits. On efficiency he refers to distribution of public expenditures, government institution's capacity in implementing policies as well as handling the economy of the country to the desirable outputs and outcomes.

2.35 GOVERNANCE PRINCIPLES AS FRAMEWORKS IN PUBLIC SECTOR

Governance framework in public sector involves structure that are in a position of accountabilities to its policies and guidelines exercised by public entity to lead a certain direction in an efficacy ways as agreed by the majority (Briggs, 2007 and International Federation of Accountants, 2001). Since the bureaucratic operations have been undergoing rationalization, the altitudes of collecting taxes and how to spend them so that the needs of the public can be attained have been changing (Pastras, 2011). The focus is to have competent service delivery in an accountable, efficiency, effectiveness and competitive goals. In an operation of public business, public entities are entitled to stick to principles (frameworks) required for public service delivery standards in order to minimize and probably handle corruption (Institute of Internal Auditors, 2012). These frameworks of governance are in the following dimensions:

  i. Integrity: in the sense that any office bearer must perform in fairly way, morally driven as opposed to self-centred while uphold the interests of the public;
 ii. Transparency: in this framework involves the setting of the role in a clear and responsible way, executing authority and power in decision-making in an open conduct that every stakeholder may understand;
iii. Leadership; Leaderships are very pivotal in any success of the organization because they are the ones who can set the tone and lead the way towards the desirable goals. The secrecy of any success of the public entities is in the will of leader's decisions to enhance or paralyze the success;
 iv. Accountability: This is the practice of responsibilities of individuals in decision making including enhancing public funds and the notion of performance in the public entities and the involvement of external inspection in examining the credibility of performance (The institute of Internal Auditors, 2012). SAS (2007) presents that accountability entails the anticipation of conduct that provides an explanation on a certain conducts, having duty to clarify the decisions that made and accept the

consequences like getting sanctions or punishment. In this regards, any office bearer of public entities must be answerable to any decisions made with the help of practical mechanisms to enhance the practices of required standards;

v. Efficiency; this is the frameworks that require the use of resources in an optimal manner so that improvement of the organization can be achieved with the help of facts-based commitment;

vi. Stewardship; this framework require the public office bearer to control and protect the public properties and demonstrating values that relate to the needs of the people example trusts and integrity in decisions and actions; and

vii. Equity: this is character and manners of handling public sector activities through the power and authority given to an individual. Equity is also concerned with how fairly an individual uses power for executing responsibilities for the benefits of the public and general handling of the public resources. Four aspects are considered in the evaluation of equity (International Federation of Accountants, 2001 and Briggs, 2007), these are costs of service, service delivery, law enforcement instruments like police and general regulatory power and information flow to the public.

2.36 WAYS FOR ENHANCING EFFECTIVE GOVERNANCE

To have workable governance in any public sector is not an easy task; there must be dedicated mechanisms to ensure smooth operations. Briggs (2007) informs five approaches to be considered:

1. Strong leadership, culture and communication; leadership in any public entity is imperatives due to the number of reasons, one being assimilating an appropriate values in the public sector and making sure that employees are adhering to them. Menzel (2005) asserts that faithfulness of a dedicated leader devoted to adhere to effective governance must have three authentic qualities; one is to have ethical character-based behaviour that works well in everyday problems (Lewis & Gilman, 2012) and ethical choices between correct and incorrect.

Hence, leaders with good sound character, sensitive and experience can enhance governance well. Second is the one who uphold moral values that enshrine in his/her visions or programs as per wishes of the majority and the one who can use the

151

principle-based approaches by emphasizing consistencies, standards and rules to guide action as well as emphasizing flexibility while focusing goals to guide actions (Lewis and Gilman, 2005). Good and accommodative culture of the organization accompanied with smooth communications, as well as ongoing training when tune together with the wisdom of a leader with such qualities may enhance well governance (Briggs, 2007);

2. Another way of enhancing workable governance is to have team structures. In reference to the nature of the governance decision-making, whether compulsory or advisory structure and depending on the size and multiplicity of functions and other complications of accountabilities (Briggs, 2007), it is noted that the more complex the functions, the more the comprehensive team structure. The critical consideration of team structure is to have panel of synergy qualifications that complement the needs of the organization and not just merely team;

3. Clear answerability mechanisms: this is the mode of reporting, answerability to all actors and stakeholders of the organization. Depending on structure and size of the organization, some public entities have specific divisions or subdivisions that monitor the conduct of the organization and guide in all matters related to the success, as stipulated in the vision and mission of the organization (The institute of Internal Auditors, 2012). Answerability mechanisms may also entail the ways of reporting to other senior people like ministers concerned and relationships with portfolios concerned depending on legal frameworks. In this mechanism, organization procedures and written protocols may help to show a way through;

4. Availability of working successfully across organizational limit: this is efficient interactions of the organization with all stakeholders and actors across its jurisdiction, which helps to provide sufficient information flows and manage unethical practices that infringe on the interests of the majority (Menzel, 2005). Among the ways of enhancing such interactions with stakeholders is to decentralize some of the works so that meaningful networks across the organization boundaries may occur;

5. Having all-inclusive hazard management: this includes observation of the rules and their requirements and secured organization. Any organization that is well equipped in

all dimensions that bring success knows how to be flexible and be able to adjust well to the dynamic environment. This may include the ability to manage risks, having compliance and means of decision-making like good records management (Lewis and Gilman, 2012).

Almost all nations worldwide target economic growth. Growth cannot be achieved without proper governance; therefore there is need for good governance. Good governance refers to the processes for making and implementing decisions. Important to note in the field of public administration is that, good governance is not about making correct decisions, but it focuses on the best possible process for making those decisions. Specific reference is made to democratic governance as a process of creating and sustaining an environment for inclusive and responsive political processes and settlements (UNDP, 2011).

What does it take to promote good governance for human and economic development? To date, there is much discussion on good governance and the main focus is on the things that are important in making the organisations more efficient and effective. In addition, focus is also put on how the responsible authorities can promote equality in distribution of goods and services, transparency, participation of as much parties as possible as well as accountability among other important factors. The World Bank (2000) is also of the view that such issues are of paramount importance for human and economic development in eradicating poverty.

Nevertheless, the term 'good governance' is not conclusive to all sectors of the nation because the meaning differs across organizations, notwithstanding various actors found within these organizations. For instance, governance branches into different types namely, IT governance, global governance, participatory governance etc. Consequently, in order to make this matter less confusing, the World Bank and other multilateral development banks have done extensive research on good governance. Their works focus on economic issues and the public sector management and more emphasis is put on transparency, accountability, regulatory reform, skills and leadership. In addition, other international organizations such as the United Nations and the European Commission mainly emphasize on democratic governance, political issues, and human rights, combating corruption, improved service delivery, transparency of government accounts, efficient banking regulation and other issues that are not directly dealt with by the World Bank (Better Practice Guide, 2014).

Most of the meanings of governance cluster around what might be called a search for effective regulation and accountability (Pierre, 2000:3). Good governance is essential for the socio-eco-political stability of both the public and private sector stability. It facilitates that the democratic process to take shape. Observation and maintenance of fundamental human rights, ethics and principles are central to the pursuance of good governance. Governance in the public sector needs can be a success with the aid of meaningful reconciliation with the aim of maintaining internal cohesion and therefore internal stability (Nzimakwe, 2005).

Current social, economic and political environments have resulted in various conceptualisation of governance. This is so due to the variance in jurisdiction of which governance in essential. It can be asserted that Governance comprises of the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved. Such arranges includes but not limited to political, economic, social, environmental, administrative, legal and other arrangements (International Federation of Accountants, 2013).

It can be asserted that "good governance is not about 'means' and 'ends' that can be divided into parts that people easily agree upon. Rather, it is the intricate process whereby the way things are done are as important as their outcome, and one in which human beings are caught in constant disagreement over what is good or not good in the context of prevailing realities." (AAPAM, 2000: 12). The World Bank, states that governance is the initiation of liberal free-market-oriented democracy , in the presence of political elements of good governance such as predictable, open, transparent policy-making processes, a professional bureaucracy, an accountable executive, a strong, participative civil society and a culture of acceptance of the rule of law. The successful implementation of these principal elements ensures progressive measures towards sustainable development and poverty alleviation (Cloete, 1996: 10).

According to Pierre (2000:4) "the public and political debate, governance refers to sustaining coordination and coherence among a wide variety of actors with different purposes and objectives such as political actors and institutions, corporate interests, civil society, and transformational organizations". This implies that the various stakeholders with unique attributes have the collective power, come together to engage in progressive debate to ensure sustainable governance for the betterment for service delivery. Furthermore this reiterates that no particular institution can sustain itself, thus needs other institutions to complement its efforts in governance. Governance as a concept make reference to the empirical

manifestations of the transformation by the state in order to conform to the external environment, focusing on what and the how the state steers society and the economy through political deal making and by defining goals and priorities. It also makes reference to the co-ordination of social systems and the role of the state within the governance process, taking various forms of formal and informal types of public-private interaction and the role of policy networks (Pierre, 2000:3).

Embodied in effective governance are the processes, mechanisms, and policies that deliver essential public goods and services that citizens have come to expect. These public goods and services range from safety and security to political participation, the rule of law, and human development, among others (Mahmoud, 2014).

Based on this illustration of good governance, a layman's view point can notice that although these definitions incorporate almost all the practices required for good governance, these practices do not necessarily fit together in a meaningful way. For instance, there is lack of coherence in this definition of good governance. As a result of too many possible characteristics — from respect for human rights to efficient banking regulations — do not clearly belong together.

However, there are certain basic characteristics of good governance which are identified in literature. These characteristics are adopted by many institutions although there can be disagreement at the margins about which ones go on the priority list.

2.36.1 Good governance is accountable

There is no doubt that accountability is of high importance in good governance. Based on the previous discussion on public sector governance, accountability has been identified as one of the ways that reduces corruption in the public corporations (The World Bank, 2000). Because of this, although the idea of traditional governance is in contrast to the modern public sector governance, at least there should be channels or hierarchy of decision making so as to know each party's responsibilities. Good governance practices support such structures as they also maintain transparency. For example, the Local government is has an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the community it represents.

2.36.2 Good governance is transparent

Another main characteristic of good governance lies in transparency. As mentioned above, transparency works hand in hand with accountability. In order to create transparency, there is need for accountability and vice versa. The prevalence of a hierarchy or work process makes transparency possible (Better Practice Guide, 2014; The World Bank, 2000). Various parties within the entity should be in a position to follow and understand the processes involved in daily operations. This means that they will be able to clearly see how and why a decision was made – what information, advice and consultation council considered, and which legislative requirements (when relevant)council followed.

2.36.3 Good governance is responsive

In addition to the ideas postulated above, it is also important to be responsive when a certain party needs to be identified for good governance. Like the set objectives which need to be fulfilled, the responsible parties must always try to serve the needs of their stakeholders whilst maintaining a balance in a timely, appropriate and responsive manner. Providing feedback ensures that parties are always informed on their interests. Responding to matters timely, in addition, leads to transparency, accountability and honesty. A community's well-being results from all of its members feeling their interests have been considered by council in the decision-making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process (Brykin, 2011).

2.36.4 Good governance is participatory

To add on to above matters, good governance also involves participation of various stakeholders in the decision-making process. All the affected parties or those interested in a decision should be presented with an opportunity to also participate in the process of making that particular decision. Participation in decision making can be done through a variety of ways. For instance, the stakeholders may be presented with a problem, then asked for their opinion to provide the best possible solution or are given a chance to make recommendations, or in special cases, be part of the actual decision making process.

Considering all these characteristics, if the decisions and controlling of the entity is done based on the given characteristics, good governance will, by no doubt, create effectiveness

and efficiency. As a result, policy makers, businesses, researchers and/or public relation are encouraged to emphasize the promotion of the above mentioned issues and other factors that makes good governance a tool for development. The implementation of good governance is of very serious concern in developing nations since they are more vulnerable to poverty and underdevelopment. As seconded by the outcome document of the 2011 Busan High-Level Forum on Aid Effectiveness, the former UN Secretary-General Kofi Annan postulated that 'good governance is perhaps the single most important factor in eradicating poverty and promoting development' (Better Practice Guide, 2014).

2.37 GOOD GOVERNANCE IN AFRICA

Good governance and in-depth open citizen participation is of great importance for the African continent. It is essential to establish efficient, accountable administrative and political institutions– political, judicial, administrative, economic, corporate and entrenched guidelines that encourage development, protect human rights, respect the rule of law, as well as ensuring that population is provided with means and opportunities to participate in the decision making processes that directly or indirectly affects their development. Consequently, for good governance to prevail, it is vital that there is visible leadership that encompasses effective, transparent and accountable discharge of responsibilities within the framework of capable States (UN: Economic Commission for Africa, 2013).

Africa has made significant progress in adopting effective democratic governance as reflected in an ever-larger number of free and fair elections, the adoption of new constitutions containing term limits and constraints on unlimited power, and the African Union's refusal to recognize regimes that come to power through military coups (Mindzie, Wachira & Dunderdale, 2014). However, the African continent is still marred by marginalization and exclusion form part of a long list of challenges to governance, peace, and stability in Africa, which also includes mismanagement of natural resources; failure to adhere to the rule of law; violations of human rights; inequality and extreme poverty; youth unemployment; inadequate post conflict reconstruction, development, and reconciliation; and shortcomings in disarmament and reintegration of ex-combatants back into their communities (Ndangiza,2014).This has thus reversed the progress made in democratic governance, indicating a significant gap between conceptualisation of governance and implementation

thereof, one of the reasons for this set-back being poor governance. Thus there is greater need for concerted efforts and strategy to overcome these challenges Effective, inclusive, and accountable governance; visionary leadership; and solid democratic institutions are critical to ensuring Africa reaches its potential in ever challenging environments, as well as ensuring the participation of all African citizens in the endeavour to build this social contract(Mindzie, Wachira & Dunderdale, 2014).

The African continent must continue strengthening democratic governance as a priority, as challenges faced do not need simple solutions. Establishment of norms and implementation of the AU's shared values by member states, inclusive engagement and participation of African citizens, and the effective coordination of all stakeholders at local, national, and regional levels, progress can be sustained when all stakeholders join hands to solve challenges faced by the African continent. This is so as all stakeholders have the obligation to ensure that the rights of the citizenry are promoted and protected, and only through strengthening democratic governance can the right to peace, security, and development be attained for all, even in challenging contexts (Mindzie *et al.,* 2014).

Thus the African continent has taken initiatives to strengthening institutions that facilitate governance. African countries are establishing institutional mechanisms to revitalize public service delivery and promote transparency and accountability in the public sector. Botswana, Kenya, and Rwanda offer positive examples of national audit mechanisms and public service performance management processes that contribute to enhancing transparency and accountability. In addition, institutions have been created that can peacefully manage state-society relations and community conflicts. Such institutions include state councils, governance and administrative, commissions, and the offices of mediators, ombudspersons, and public protectors, as well as traditional and community institutions have been established in various countries (Mindize *et al.,* 2014).

The variety of normative and institutional frameworks established to respond to governance challenges highlight the wealth of tools and mechanisms that exist to improve service delivery and government effectiveness. However, these mechanisms have been found to be insufficient to overcome the persistent governance deficits that continue to threaten

sustainable peace, stability, and development on the continent. Thus increased coherence is needed in establishing these institutions of support.

Another strategy for addressing governance issues has been the adoption of decentralization policies and principles which seek to transfer power and authority to local governments as a way of improving service delivery and rebuilding state legitimacy from the bottom up. Decentralisation has since emerged as a widely accepted strategy for improving public sector efficiency, responsiveness, and accountability. A number of countries have enshrined decentralization principles in their constitution or national laws" (Kiwanuka, 2012). Efficient and accountable institutions, political, judicial, administrative, economic, and corporate, are an essential component of good governance (Hope, 2005).

2.38 UN PERSPECTIVES

The United Nations Development Program (UNDP "Governance and Sustainable Human Development, 1997") enunciates a set of principles that, with slight variations, appear in much of the literature. Recently there has been significant empirical evidence that dictates that the UNDP principles are now universally recognised. These themes are grouped into five, with some of them overlapping with each other, with their successful implementation depends on how well they are executed. The following are the UNDP five principles of good governance;

- **Legitimacy and Voice**

This refers to participation of all men and women in decision-making, either directly or through legitimate intermediate institutions that represent their intention. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively. Furthermore, it also refers to Consensus orientation – good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures (Graham, Amos, & Plumtre, 2003).

- **Direction**

Strategic vision – leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such

development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded (Graham *et al.,* 2003).

- **Performance**

Institutions and processes try to serve all stakeholders. Effectiveness and efficiency – processes and institutions produce results that meet needs while making the best use of resources.

- **Accountability**

Accountability – decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external (Graham *et al.,* 2003).

Transparency – transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.

- **Fairness**

This refers to Equity, in that all men and women have equal opportunities to improve or maintain their wellbeing. Furthermore, reference is made on the observation of the Rule of Law, that is legal frameworks should be fair and enforced impartially, particularly the laws on human rights (Graham *et al.,* 2003).

To emphasise on good governance the United Nations has ensured that, it reiterated, reiterate a set of principles for the exercise of political and administrative authority at national and local levels. The UN Convention against Corruption and other major agreements had principles that clearly stated some commitments to increased transparency, enhanced accountability and stakeholder engagement and participation in decision-making and judicial independence. It was further prescribed that for governance principles to be successfully adopted, their implementation would need to be monitored regularly and reported to generate the needed motivation to moving forward (UN-System Task Team,2012).

The post-2015 agenda works on the premise and support governance for peaceful, inclusive and responsive human development, which will compel member states to strengthen

institutional and human resource capacities at all levels, focusing on parliaments, electoral bodies and related processes, the security and justice sectors, public services, and promoting coherence across institutions. The Agenda also emphasises on support a state-society compact and culture grounded in constitutionalism, access to justice, equality and human rights. Furthermore, focus will also be directed towards assisting public institutions to become effective, responsive, accountable and representative through e-government and other means, foster public sector capacities and public-private partnerships at national and sub-national levels, prevent corruption and promote the transparent and sustainable management of public goods and financial and natural resources (UN-System Task Team,2012). The post-2015 Agenda also mandates member states to improve on the support capacity for cross-sectoral, integrated and inclusive decision, policy and law-making, at all levels, as well as ensuring there is visible and increase citizen participation, as well as being inclusive of civil society organizations, and incorporating e-participation to ensure accountability and transparency and better inform decision-making.

It also the prerogative of governments of UN member states to foster good governance, by support transparency and the right to access information about public affairs, encouraging states to adopt and implement legislation ensuring broad access to information by the public, including through the use of mobile, social media and other appropriate technologies. Strengthen the environment for an independent and pluralistic media, and ensure that the media serve the needs of society by reflecting a diversity of political views, cultures, languages and beliefs. It is fundamental to state that the measures to be implemented to facilitate good governance should be tailor-made for these individual member states such that it recognises the diversity of stakeholders (UN-System Task Team, 2012).

In other words, good governance is asserted to embody a societal state comprising, a predictable, open and enlightened policy-making, with a bureaucracy imbued with a professional ethos. Furthermore, it should ensure that it has a strong civil society participating in public affairs, and adherence to the rule of law. Furthermore, governance should have unwavering respect for basic human rights and freedoms and judicial independence. Moreover the UN asserts that governance should be consistent with traditions and predictable institutions that determine how authority is exercised in a given nation-state, including; the process by which governments are selected, held accountable, monitored and replaced.

Governance should ensure to facilitate the capacity of governments to manage resources efficiently and formulate, implement and enforce sound policies and regulations; and the respect of citizens and the state for the establishment as well as protection of a political order and systems that are, legitimate and enjoy the support and loyalty of the people. Furthermore, it should be strong enough to defend and advance the sovereign interests of the people; as well as be able to address the fundamental development interest of the people. Additionally, it should be able to engage effectively with the various global processes that characterise the world economy; and respect of the need to prevent, minimise and mitigate internal and cross-border conflicts. Good governance can lead to better public policy that produces the outcomes desired by citizens (United Nations Economic Commission UNECA, 2002).

2.39 AU PERSPECTIVE

The African Union Commission's Department of Political Affairs, the United Nations Development Programme's Regional Bureau for Africa, and the United Nations Economic Commission for Africa, among others, have spearheaded the governance debate on the continent, stressing the centrality of governance and the interrelationship between democratic governance, peace and security, and sustained socioeconomic development (Olaniyan, undated).

The AU has adopted several norms and standards to promote governance, democracy, and human rights on the continent. A key component of this framework is the African Governance Architecture (AGA) established in 2011 to strengthen coordination among continental and sub-regional organs and institutions, with an obligation in governance, democracy and human rights (Wachira, 2014).This has played a significant role in bringing governments' attention to, and making member states of the African Union, accountable for, human rights and governance violations. Some of the institutions established for this purpose include, the "Constitutive Act of the African Union; the African Charter on Democracy, Elections and Governance; and the African Charter on Principles of Public Service and Administration. Others include the African Charter on Human and Peoples' Rights; the Protocol on the Rights of Women in Africa; and the African Youth Charter" (Mindzie, *et al.,* 2014:11).

The Pan-African Parliament (PAP), established in 2004 to serve as a monitoring tool, to monitor governance across the continent. Mandated to promote human rights and democracy; as well as encourage democratic governance, transparency, and accountability; and to promote peace, security and stability. The PAP was transformed from a purely consultative advisory forum into a legislative organ of the AU in 2014 across the continent (Mindzie, *et al.,* 2014). Furthermore, The Intergovernmental Authority on Development (IGAD) is also in the process of adopting a Protocol on Democracy, Governance and Elections. Moreover, the regional body in West Africa, the Economic Community of West African States (ECOWAS) "adopted a Protocol on Democracy and Good Governance in 2001, which defined regional standards in the fields of elections, democratic governance, rule of law, and human rights. These standards have led to an established practice of condemnation of military coups and unconstitutional changes of government. More recently, ECOWAS facilitated the development of norms and standards for political parties" (Mindzie, *et al.,* 2014). The Southern African Regional Body, Southern African Development Community's (SADC) initiatives to promote democracy and governance include the adoption of principles and guidelines governing democratic elections in 2004, and of a gender protocol committing member states to a goal of at least 50 percent representation of women in decision-making positions in the public and private sectors by 2015 (Article 12, SADC Protocol, 2008).

The African Union has also overseen the initiation of the African Peer Review Mechanism (APRM), which has the principal "purpose of the self-assessment governance monitoring mechanism is to ensure that the policies and practices of participating states conform to the agreed values, codes, and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance" (Mindzie, *et al.,* 2014: 12; Jalata, 2014). Furthermore, it focuses on its focus on establishing quality of governance lays a foundation for socioeconomic development by ensuring compliance to the established codes of good practice and values. However, these initiatives have not received support from all fifty four member states of the African Union, and this is in itself, a challenge (Ndangiza, 2014).

African leaders endorsed their commitment to address political and socioeconomic development challenges, including governance, peace, and security; to foster regional integration and development; and to promote the empowerment and integration of women and youth in economic and socio-political development processes, with the adoption of the

'Africa Agenda, 2063'.The'African Agenda 2063', has identified as perennial conflicts and poor governance, as the main deterrents of African sustainable development (Mindzi, *et al.,*2014). Furthermore the African union has acknowledged the importance of a 'conflict free' continent, good governance, health and safety, as well as human rights, hence the initiation of the African Union Peace and Security Council (AUPSC). The AU Peace and Security Council "aims to "promote and encourage democratic practices, good governance and the rule of law, protect human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of efforts for preventing conflicts" (African Union,2013).

However, despite these harmonised efforts, there are concerns of overlapping matters within regional blocks and various levels of development of each REC, which thus negatively affects the combined governance agenda in the wider continent. This therefore is a deterrent against enhanced cooperation. Common priorities are prerequisites to the development of an effective continental democracy and governance architecture for the regional blocks and the African Union in general, thus affects the mantra 'African solutions for African problems. It is of great importance, that there are complementary efforts by all structures or institutions in Africa, so as to ensure more coherent and coordinated action among AU organs and Regional Economic Communities (RECs) on democratic governance (Mindzie, *et al.,* 2014).

2.39.1 Insights from literature concerning the UN system

The setting up of the United Nations (UN) in 1945 came as an organization after the League of Nations (1919) among other reasons aimed at maintaining the world peace of which in turn focused also to encourage business and international trade. Apart from resolving conflicts among states it encouraged social, political, economic, educational, scientific and cultural progress throughout the world; the safeguarding the human being's rights and rights of nations were also a prime priority for United Nations. The organization established with the following organs, General Assembly, the Security Council, the economic and Security Council, The trusteeship Council, the international Court of Justice and the Secretariat.

It is argued that the memberships become valid when a country joins the organization and accept the conditions enshrined in the charter of the UN and the international treaties that sets out basic values and principles of international dealings where UN operates. Given these

organs premises of background and memberships, it is clear that the organization has prime background of sorely issues of conflict resolutions and peace building to the war tone countries even if it came to be known that the organization (UN) can perform other functions apart from resolving conflicts among states such mandates stick more to the member states than dealing with issues of ethics and governance practices as one of critical components in bringing meaningful economic, social, educational, scientific and cultural progress throughout the world.

The Organizations (UN) have declared more than a few treaties with its own staff and with member states which joined voluntarily and accept the conditions of remaining faithful on implementations of conditions of UN treaties including those of ethics and governance. From the Organ itself, among others includes: Frameworks of its charter, staff rules and regulations, standards of conduct for international civil service and fundamental ethical values on UN staff. To the member states up on request for UN to help them several declarations made, these include promoting professionalism and ethics in relation to public service performance and acknowledging the role of governance through supporting governments to strengthen its ability, reforming its public sectors, educating its public administration and developing its human resources.). The shortcomings emerge in the sense that member states join the organization voluntarily; this gives implicit implications that they can be sluggish in implementing the declarations signed because members have options of either joining or withdrawing from the organizations. Even if UN have stiff penalties and sanctions up on breaches of declarations yet the member states have no solid binding to the agreements, hence it remains to the country's concerns on either to be committed or not to ethics and governance frameworks as per UN's agreements. These declarations (Action against Corruption with an International Code of Conduct for Public Officials (A/RES/51/59) ratified in 1996, Against Corruption and Bribery in International Commercial Transactions (A/RES/51/191) (1996), Against Corruption and Bribery in International Commercial Transactions (A/RES/53/176) 1998 just to mention few of them) still can end up to be the merely promises that may also not kept.

Moreover, even if UN devotion on other governance issues to member states like to promote Public service environment, Guidance and management of conduct in the public sectors, control of conduct in the public sector (UN, 2001; World Bank, 2012; UNODC, 2004;

Menzel, 2006; UN, 2012, 2013, 2014) yet if there is no tangible abiding contract that accompanying with compliance-based mechanisms the declarations to member states will remain as window shopping for member states to sign as a fashions that they may not left behind in other current socio-economic issues but not really commitment.

On the side of member states commitment to UN guidelines, it is also draw attention that Heads of States and governments reaffirmed their faith in the United Nations and their commitments to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterate their determination to promote and strict respect for them. Furthermore, even if the oath in co-operation towards solving international problems of an economic, social, cultural or humanitarian character and the fulfilment in good faith of the obligations is assumed in accordance with the Charter, it brings inquisitive minds whether it may be practical, especially when a country fails to implement the declarations made because there are no explicit penalties and sanctions.

Therefore, it may be concluded that, UN cannot make tangible influence of ethics and Governance practices to the member states even if there are several commitment to assist them in catching-up to the required standards. This is because of lack of compulsory mandates to force member states to abide with. On other hands, member states also cannot fully committed to UN ethical and Governance standards if there is no willingness from the political spheres to make momentous implementations. This call for finding the means to make UN to enforce on member states for those who do not meet the standards of ethics and governance.

However, UN has managed to maintain some progress to some countries. For instance some Botswana and Mauritius are constantly managed lead ahead of other African countries in the ethics and governance practices. This indicates that there are numerous of factors, and since both of them are UN member states, then subsidiarity and governance have signed agreements and declarations on ethics as it is required by UN.

2.39.2 Insights from literature concerning the African Union systems

In 2002 in the history of African continent experienced the burying of the old name of Organization of African Unity (OAU) and resurrection of new name known as African Union

(AU) and assumes new responsibilities of which some of them inherited from OAU and others as new ones (Sesay, 2008; Nyangwine, 2010). Among of the reasons for demise for OAU were lack of institutional mechanisms, ability, political will and financial resources to make a positive impact on the alarming situation of ill prepared to handle its impact of cold war in Africa, state collapse and the fragmentation of social communities into smaller units and groups, availability of some weak and corrupt states. With other problems AU were necessary to be resurrected in order to fill the gaps.

AU has its structure which composed of the assembly, executive council, permanent representative committees, the commission, court of justice, socio-economic council, peace and Security Council and financial institutions of which all of them seem to be a replication of UN and draw attention to member states that there is no new things compared to UN apart from different names (AU for Africa and UN for the whole world). When is assessing its mission of becoming an efficient and value-adding institution driving the African integration and development process in close collaboration with African Union Member States, the Regional Economic Communities and African citizens still its substantial results cannot be achieved if there is no meaningful commitment for involvement given the facts that African countries have multi-diversities in terms of economic, social, political and environmental backgrounds.

The African union commission has values which promised to achieve, these includes transparency and accountability; integrity and impartiality; efficiency and professionalism to its member states (AU, 2011). Other AU organs including Pan African Parliament code of conducts for member states also spell out the ethical frameworks that a member must act with the highest degree of integrity and honesty, maintaining a culture of transparency, accountability and avoiding corrupt and unethical practices etc (AU 2003, 2007, 2010). Staff rules and regulations, AU Convention on Preventing and Combating Corruption also provide the same framework of ethics.

Governance frameworks are expressed in objectives and principles of AU in promoting democratic principles and institutions, popular participation and good governance; promoting and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments (AU, 2011). In a practical implementations it is impractical due to some of their member states experience

persistence insecurities of their citizens like Democratic Republic of Congo (DRC), some experience intermediate trauma like Nigeria, the current outbreak of Ebola that claimed thousands of people from West Africa (Sierra Leone and Liberia) of which much efforts are invested to rectify the miserable and sensitive situations rather than dealing with others development plans. These situations put efforts towards governance requirements in jeopardy. Other declarations are concerned with Elections and Governance (ACDEG) in 2007 (AU, 2007).

Again, AU lack enforcement mechanisms like stiff sanction and probably economic embargo to make these member countries to attach to the agreements. Yet when evaluation is done through African Peer Review Mechanisms and recommendations being given yet the concerned countries can be willing to accept or not in its implementations but there is no punishments since it is a voluntary contract and not obligatory unions.

However, AU have tried to assist member states to some extent to refrain their maladministration through the use of African Peer Review Mechanisms (APRM), Monitoring of election through countries have been trying to be accountable to their citizens and other stakeholders. The systems of exchanging the chairpersons from each country help also to make the host country to abstain from their governance and ethical malicious. In spite of having some war tone countries yet there is hope for AU to assist its member states to catch-up towards the Promised Land of good governance and ethical standards.

2.40 SUMMARY

The literature reviewed showed that ethics and governance are separated by a thin line, according to a number of scholars. The most obvious part was that it is hard to have proper governance without ethics. Therefore, governance to a greater extent is influenced by ethics. The chapter further showed the division amongst scholars with regards to ethics and governance, some scholars view ethics as a separate part of governance, yet, others understand ethics of governance, meaning that ethics is viewed as having a causation with governance. The chapter went on to discuss the countries under study, ethics and governance frameworks. Empirical findings pointed that although a number of countries have improved in governance, some are still struggling to improve ethical behaviour of their public servants.

A good example is South Africa that has a Public Protector, yet corruption amongst public officials is rife. To sum up, the chapter gave an overview on the subject of ethics and governance. It further gave a perspective on the UN and AU systems of ethics and governance. The following chapter gives a background of the study areas.

CHAPTER THREE: STUDY AREAS

3.1. Introduction

This chapter presents the study areas that were chosen for this research. It also gives reasons why the areas where deemed fit for the purposes of this study. The study was conducted in Botswana, South Africa, Tanzania and Mauritius.

3.2 Tanzania

Tanzania is one of the most stable countries politically, since the attainment of independence in 1961. OECD (2003) points that political stability has been the engine driving economic, social and political development of the country, although the country has been recording low GDP, vast ethnic and religious diversity, and high unemployment, factors that seem to be driving conflicts (Kessler, 2006). Tanzania has enjoyed a large degree of stability since moving to multiparty elections in 1995, although it was a frontline state against apartheid in South Africa and helping liberation struggles of most sub-Saharan countries (Kessler, 2006). The country is geography surrounded by fragile war-tone regions of Africa but still remains largely outside such conflicts.

The principles of self-reliance known as Arusha Declaration, to some extent, remain an important statement of principles of national unity, social cohesion, peace and stability (OECD, 2003). The country is devoted to undertake protracted measures that would ensure that it remain a prosperous country economically, socially, politically and culturally as well as a corruption free state adhering to the principles of freedom, equality, justice (Ghasia, 2010; African Development Bank, 2011 & Kessler, 2006).

Despite the government's anti-corruption efforts such the Prevention and Combating of Corruption Bureau (PCCB) and the Commission for Human Rights and Good Governance (CHRGG), corruption is still recorded in public entities (Transparency International, 2014). Furthermore, these measures seem ineffective in curing the cancer of maladministration because Tanzania continues to suffer from rampant maladministration (Transparency International, 2014). Corruption is cited as one of the major constraints of doing business in the country (Transparency International, 2013; World Bank, 2012). However, international assessments indicates that maladministration and other unethical practices in the governance

matters have been deteriorating in the last two years 2013 and 2014 (World Economic Forum, 2014; World Bank, 2013; Freedom House, 2013).

Nonetheless, Mwamba (2013) citing Transparency International (2012) shows that Tanzania is among highly corrupt countries in SADC countries in the range of eight years (2004 to 2012), and is ranked 119 out of 175 countries worldwide scoring 31/100 (Transparency international, 2014, Global Competitiveness Index, 2014). In sub-Saharan countries, it is ranked 26 out of 47 countries and 22 out of 48 countries (Transparency international, 2014).

This being the case, such culture of peace and political stability versus a delicate situation of maladministration makes Tanzania a very good case study to gauge ethics and governance, considering that it is also both a member of AU and UN. A map of Tanzania is inserted hereunder.

Figure 3.1: Map of Tanzania

3.3 South Africa

South Africa is included in the case study due to the fact that it is the last country in Africa to gain democratic independence from the Apartheid regime with the exception of Southern Sudan (2011). South Africa in this study presents a unique experience among of sub-Saharan countries because of having four varying histories namely Colonialism, Apartheid rule, Transition and Democratic transition (APRM, 2007). In all these, South Africa gained several experiences in relation to ethics and governance practices to the extent that the researcher saw it as ideal to be included in the study.

The period of colonialism can be traced better from 1652 under Dutch administration followed by British who were no less forceful in their oppression of the people in order to protect access to the wealth of the country (mainly Minerals and land) under the governor-General representing the crown (Gauteng Anti-corruption Report, 2009).

The Apartheid system of government (1948-1989) made a tremendous confusion in terms of ethics and governance because it was a system characterized by dissolution that influenced the public sectors to the extent that it was not easy to recognize what is happening on issues of ethics and governance practices in international spheres (Hilliard & Ferreira, 2001).
The apartheid regime was considered to create confusion in ethics and governance because of its moral relativism (anyone can do as he/she pleases because ethics, that is, good or bad is comparative and time bound) and moral contextualism (every action has to be seen in terms of the environment within which it occurs) (APRM country review report no.5, 2007). The moral relativism and moral contextualism perpetuated by policy of dividing the country into races. For example, in 1950's the Apartheid government divided the black population into ethnic groups and assigned each group to a Bantustan (homeland) (Hilliard & Ferreira, 2001). The system fragmented the country, and the majority of its people were subjected to a corrupt political, social, economic and moral system (Gauteng Anti-corruption Report, 2009).

The transition period (1998-1994) was known as a period of war and peace where it accompanied release of many black political prisoners including Nelson Mandela and serious negotiations began to a post-apartheid South Africa (Rosenbaum, 1996). Finally, the negotiations became fruitful where on 27/4/1994, the first democratic elections were held.

The democratic transition began from 1994 to the present where the determination of building the new democratic nation based on non-racial and peaceful society was stated publicly by then the president Nelson Mandela (APRM COUNTRY REPORT, 2007). Hence the country was termed "a rainbow nation" for its heterogeneous and multi-cultural combinations based on reconciliation and national unity (Hilliard and Ferreira, 2001). Such democratic transition is also known as among of the 20th Century's miracles that necessitated the researcher to include South Africa in the study. This is because since 1994 up to 2007, over 800 laws including constitution and other Acts amended and others merged with the existing legislatures to transform the South African society (Gauteng Anti-corruption Report, 2009 & Rosenbaum, 1996).

The county's constitution is said to be among of the best in the world particularly because that the country experienced bitter experiences of long suffering from white minority government to a system of democratic governance based on sovereignty of people of popular participation. Such transformation, reconstruction and development were not possible during the apartheid regime. This is because during the years of struggle, the country was fragmented, and the majority of its people were subjected to a corrupt political, social, economic and moral regime (Corruption watch, 2014 and APRM REPORT, 2007).

Given such scenario of maladministration, the present government steps up its anti-corruption activities and its efforts have become more systemic, with greater emphasis on instituting appropriate policy measures to prevent corruption (Gauteng Anti-corruption Report, 2009). According to Transparency International (2007), the most widely used indicator of corruption worldwide and many other global indexes which measure the perceived levels of public sector corruption on a scale of 0-100, where 0 means that a country is perceived as highly corrupt and 100 means that a country, is perceived as very clean (Corruption watch, 2014). This being the case, South Africa scored 44 out of 100 and ranks 67 out of 175 worldwide while in 2012 and 2013, South Africa scored 43 and 42 respectively, with rankings of 69 out of 174, and 72 out of 177(Transparency International, 2014).

In the sub-Saharan Africa region, the index ranks South Africa at position 9 while last year (2013) ranked number 10. In the Corruption Perceptions Index for SADC Countries, for nine consecutive years (2004-2012), the country has performed below average (Transparency

International, 2012) though according to The Global Competitiveness Index 2013–2014, the country does well on measures of the quality of its institutions (41st). This includes intellectual property protection (18th), property rights (20th), and in the efficiency of the legal framework in challenging and settling disputes (13th and 12th, respectively). The high accountability of its private institutions (2nd) further supports the institutional framework (Competitiveness Index, 2013–2014).

Compared to G20 and the nations which are relatively corruption-free such as Canada, France, Germany, USA, UK, it ranked in the bottom half of the countries in such multilateral structure (Corruption watch, 2014). With other BRICS countries, it performed poorly on the index with Brazil, Russia, India and China (Transparency International, 2014). A map of South Africa is inserted hereunder.

Figure 3.2: Map of South Africa

3.4 MAURITIUS

Mauritius was included in the case study due to a number of reasons. The first one is that it is a multi-cultural country with different backgrounds of two prominent colonial rules of France and Britain (APRM, 2010). It is also a multi-ethnic society divided by religion, caste, language, and ethnicity. The main communities are the Hindu descendants of indentured labourers who originated from India, Creole descendants of African slaves, Indo-Muslims from western and northern India, Tamils from Southern India, Chinese, and a minority of European ethnic communities—French, British and Dutch (Seebah, 2011). When one tries to analyze conflicts in Africa, heterogeneous ethnic divisions are among one of the prime reasons for its escalation (Kessler, 2006) of things that Mauritius possesses in the country. Mauritius has, however, since been counted among the upper middle income countries in sub-Saharan countries (Global Competitiveness Index, 2013–2014).

There are several challenges the country faces ranging from economic, social and political dimensions. For example, in politics, the country is accused for having large imbalance or disparity between the share of votes cast and the number of seats secured by political parties in the National Assembly, thus leading to dis-proportionality (APRM Country Review, 2010). In addition, it is reported that the electoral law of Mauritius, while regulating the funds that candidates can expend, does not have verification mechanisms to check excesses in the funds used by political parties.

The African Peer Review Mechanisms identified the following challenges that the country faces economically: an overreliance upon imported food and energy – a problem made worse by the recent levels of inflation in the food and energy sectors of world markets; overconcentration of much of the economy – that is, the descendants of French settlers still control large sections of the economy despite a recent government initiative to 'democratize the economy'. Other challenges includes the absence of true competition in many business sectors – although the government has recently created the Competition Commission to better police anticompetitive practices; and the absence of the Creole community from the economic (and political) elite of Mauritius (APRM, 2010). The report also points out that economic power remained in the hands of a small minority, and still does, namely, in the hands of the former rulers.

Conversely, it must be borne in mind that the responsibilities of structuring and maintaining democracy that is domestically accepted, as well as international competitiveness which is not an easy task because it is a continuous process which cannot be achieved over the night since even for the most developed and stable countries passed the same route (Joypaul, 2001 & Ramgutty-Wong, 2014). Given such challenges, the country is well known and recognized internationally for its role model for dealings with the gaps afore-mentioned through having strong governance institutions based on the rule of law (African Economic Outlook, 2014).

Mauritius is ranked the highest performer on "safety and the rule of law" in the African continent (Global Competitive Report, 2014). Property rights are protected and reasonably transparent, and the country is in the top half of the Global Competitiveness Report 2012-2013 (Global Competitive Report, 2014). These efforts are combined with good public sectors where Public Finance management (PFM) systems are strong and well-functioning, and reforms are progressing well to strengthen transparency and objectivity in the horizontal allocation to sub-national governments (African Development Bank; OECD and UNDP, 2014).

In spite of the decline from 39 in 2011 to 43 in 2012, out of 183 countries, Mauritius is still ranking high on the Transparency International, Corruption Perceptions Index (CPI). This is evidenced by the Global Competitiveness Index 2013–2014 which alludes that the country moves up by nine places this year to 45th place, becoming the highest ranked country in the region. The country benefits from relatively strong and transparent public institutions (39th), with clear property rights, strong judicial independence and an efficient government (29th). Private institutions are rated as highly accountable (14th), with effective auditing and accounting standards and strong investor protection. The country's infrastructure is well-developed by regional standards (50th), particularly its ports, air transport, and roads (Global Competitive Report, 2014).

Among the SADC countries, Mauritius is on top of all countries and has the most competitive economy in the SADC region, competing with Botswana which has also shown credit in ethics and governance practices (Transparency International, 2012). Given such outlook, it was ideal to be included in the study. A map of Mauritius is inserted hereunder.

Figure 3.3: *Map of Mauritius*
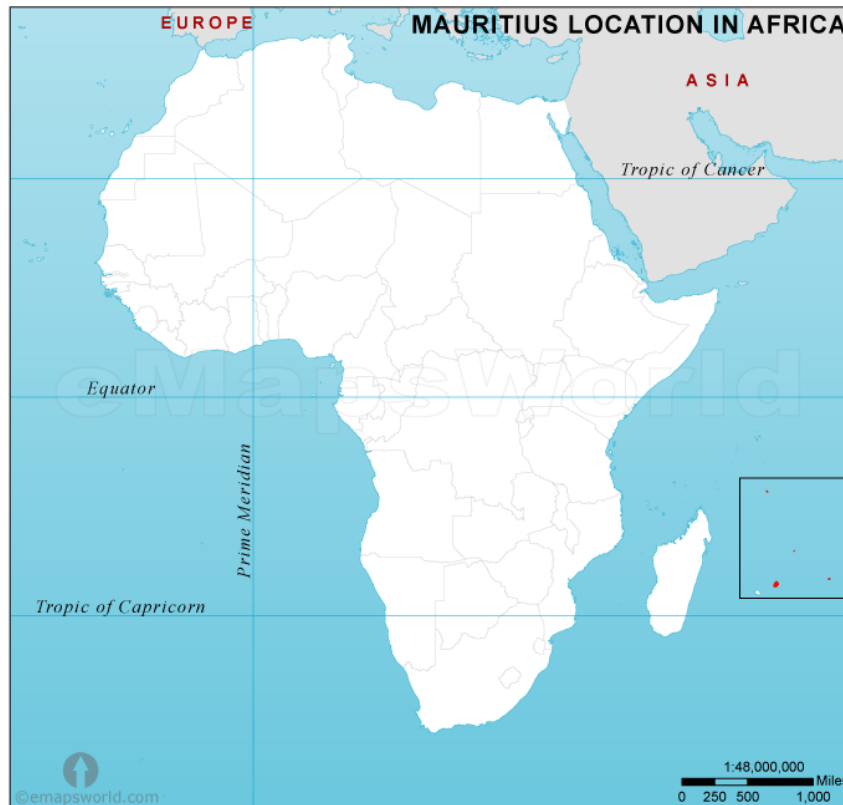
3.5 BOTSWANA

Botswana is a country which has shown role model accolades in African countries for having good systems of ethics and governance practices in the public sectors to the extent that it is impressed the international community on such good practices. Botswana has relatively strong and well-functioning governance institutions, both public and private. The Constitution, adopted in 1965, lays down an institutional framework that includes the parliament as a representative, law-making, and oversight organ intended to ensure that the executive, led by the President as the Head of State, delivers on its mandate.

Botswana cannot, however, be fully recognised for ethics and governance due to several allegations posed to it. UNDP (2009) and Mwamba (2013) present that the citizens, for a long time, have been facing inequalities in socioeconomic gains, including access to safe and clean water as well as sufficient energy. Additionally, it is also reported in the same lens of observation that in 2007 and 2014, Human Development Indicators were not impressive due

to high inequalities (UNDP, 2014). Mwamba (2013) further emphasizes that the main reason for disparities in 2007 was the vast gap between haves (rich) and have nots (poor) followed by the overwhelming HIV/AIDS epidemic which demised the credibility of government in addressing challenges of governance and ethics in the country.

In the political arrangement and its systems, it is still raising tremendous debates and queries due to the allegations of political entities for being extremely dominated by presidencies of autocratic and neo-patrimonial nature in retaining the control of the country (Mwamba, 2013). It is indicated that corruption and associated scandals have been eroding the trustworthiness of the government of Botswana which seem to be institutionalized in a complex way because of involvements of top profile people in the government, notably the politically privileged and their adjoining family members (Soest, 2009; Mothusi, 2010).

In a similar vein, it is reported that there is enormous money laundering, granting tenders and work to people, which are not publicized, corruptions in public procurement, tax avoidance, underhand land dealings and several mal-administrations. In 2012, the Directorate on Corruption and Economic Crime (DCEC) received 1778 cases and 589 classifieds for investigations (Mothusi, 2009, 2010; DCEC, 2012 & Mwamba, 2013). This indicates that of billions of *Pula* (Botswana Currency) are wasted because of corruption practices. Additionally, nepotism is also rampant in the government, involving senior people including the president Ian Khama and many members of the cabinet (Mmegi, 2013 in Mwamba, 2013).

The Botswana electoral system has a negative reputation in the practical criteria for being democratic maturity in the requirements of performance appraisal criteria (Mbao & Komboni, 2009). It is stated that there are no friendly rules of the game between the persisting ruling party (Democratic Party and other political parties) because the opposition parties normally struggle to solicit and mobilize resources for flourishing campaigns (Mbao & Komboni, 2009). This results in having few seats for opposition parties in the Parliament and results in very few watchdogs for government accountabilities. Other allegations against the government of Botswana regarding to unethical practices and inconsistencies in the governance requirements are violation of human rights in several occasions including dispossession of ancestral lands of Basarwa by the government from Central Kalahari Game

Reserves which finally judged as absence of clear constitution rights to vulnerable groups of such nature.

Additionally, there are accusations concerning termination of employment contracts if an employee is HIV positive and oppression of women based on the basis of gender and many others (Maripe, 2012; Sesana & others versus Attorney General, 2006 (2) BLR 633 HR; Mosetlhanyane & others versus the Attorney General, 2010 3 BLR 372 HR). It brings attention to many scholars and academia as to what Mwamba (2013) and Mbao (2009) suggested to call for more research to be conducted to validate the authenticity of the country in ethics and governance credits because some key factors for qualifications for a country to meet the requirements as champion in ethics and governance face pitfalls.

However, in spite of having such allegations but still the country may provide lessons to some great extent because evidences show that among SADC countries it is a leading country in control of corruption indicators compared to others countries in 2012; Corruption Perception Index 30 out of 177 countries in 2013; world Bank Doing Business ranking 56 out of 189 countries and UNPD Human Development Index ranking 109 out of 187 in 2014(OECD, 2014). Such success in ethics and governance showed by the government attracted attention of the researcher to select the country so that it may add value in comparing with other selected countries and indicates the gaps regarding what is effective in the respective country that others cannot draw lesson from it. A map of Botswana is pasted below.

3.6 COUNTRY CONTEXT ON ETHICS AND GOVERNANCE FRAMEWORKS

The following section provides a background on countries under study, and their ethics and governance frameworks.

3.6.1 Tanzania

Tanganyika became independent on 9 December 1961 (from UK administered UN trusteeship); Zanzibar became independent 19 December 1963 (from UK). Tanganyika united with Zanzibar on 26 April 1964 to form the United Republic of Tanganyika and Zanzibar; which was then renamed United Republic of Tanzania 29 October 1964 (United Republic of Tanzania, 2011). The ethics and governance framework in Tanzania can be traced prior and after independence (1961) where various efforts have been made by the government to enhance democratic development and efficient and effective public administration(Njunwa, 2009). The British Colonial Government enacted the first anti-corruption legislation – the

Prevention of Corruption Ordinance Cap 400 enacted in 1958, after independence in 1961 some efforts followed to instil ethics to the public sectors under the then ruling Party, Tanganyika African National Union (TANU) (Mutahaba, 2005).

The party issued ten (10) pledges as guiding principles or commitment in the public sectors, for instance, pledge number four (4) identified corruption as an enemy of justice while number five (5) prohibited the use of official position or that of any other person for personal gains (Kaduma, 2003). Mutahaba (2005) points out that such decade of independence (1960-1970) did not manifest intense fraud and where it took place, it was in small scale and restricted to low-level officials. Additionally, the country was under one party system so even the separation of power between branches of government (Executive, legislature and judiciary) were not clear. In addition, despite the fact that transparency and accountability was not strong as Njunwa (2009) and Mutahaba (2005) contend, the Government established a Permanent Commission of Enquiry (Ombudsman) to check abuse of power by public officers in1966.

i. **The period of 1970 to 1980:** There was enactment of ethical framework known as Leadership Code of Act of 1973 whereby in 1986 such code amended in order to give broader coverage by including Zanzibar (Kahama, Maliyamkono & Wells, 1986). Moreover, during such period the attempt made by the government was to strengthen public administration because there was even prohibition of public leaders from engaging in capitalist activities including owning houses for rent, holding directorships on private businesses, and receiving more than one salary (Kahama, 1986; Mutahaba, 2005).

In 1971, the government ratified the so-called Prevention of Corruption Act No.16 and afterward, the creation of the Anti-Corruption Squad in 1975, which in 1991 replaced by Prevention of Corruption Bureau (PCB), and later in 2001 evolved to Prevention and Combating of Corruption Bureau (PCCB) (United Republic of Tanzania, 2011).

ii. **The period of 1980 to 1990:** Tanzania experienced some changes that happened all over the world that changed the government settings which were operating and

enabling the public to demand higher standards of ethics, transparency and accountability in the public sector (United Republic of Tanzania, 2011; Sitta, 2005). Such changes, among others, included the end of the cold war, globalization, spreading democratization, new information and communication technologies (ICT), a shift in balance of power among the state, the market and civil society (Njunwa, 2009; Mutahaba, 2005).

These deluge of changes disturbed the functions of leadership code hence corruption and other mis-governance in the public sectors emerged more (URT, 2011). Njunwa (2009) points out that in 1983, in addressing the problem of maladministration, parliament ratified a law known as the 1983 Economic Sabotage Act, and this law was short-lived and quickly abolished by the Economic and Organized Crimes Control Act of 1984.

iii. **The period ranging 1990 to 2000**: Several ethics and governance reform programmes created aiming at promoting ethics management as a way of strengthening democracy and efficient and effective public administration (Ghasia, 2010). Among others it includes: The Enactment of the Public Leadership Code of Ethics Act No. 13 of 1995 of which up to date there are six zonal offices in the country, established the Permanent Commission of Inquiry (Ombudsman) in 1996 to check abuse of power by government officials and its agencies.

There was also formation of a Presidential Commission Against Corruption in January 1996 (Warioba commission), The National Framework on Good Governance(NFGG) (Dec, 1999) which gave rise to the Accountability, Transparency and Integrity (ATIP) programme in the public sectors (Sitta, 2005). This framework was focused at supporting and strengthening the legal and judiciary system, enhancing public financial accountability and strengthening oversight and watchdog institutions and the establishment of the National Anti-corruption Strategy and Action Plan (NACSAP) in 1999 (Ghasia, 2010; Sitta, 2005; URT, 2011).

iv. **The last period is from 2000 to date**: There are several ethical and governance frameworks which the Government of Tanzania took, among them are the Public Service Reform Program (PSRP) I and II, Public Finance Management Reform Program (PFMRP), Local Government Reform Program (LGRP) and Legal Sector Reform Program (LSRP). Others include establishment of the Code of Ethics and Conduct for Public Service of 2005. Besides, there was also establishment of the Commission for Human Rights and Good Governance (2001), which supervises the operationalization of Act No.7 of 2001 and Act No. 12 of 2003 in Tanzania Mainland and Tanzania Zanzibar respectively (Ghasia, 2010)

Others include the Public Procurement Act of 2004, strengthening the Prevention and Combating of Corruption Bureau, which supervises operationalization of the Prevention and Combating of Corruption Act No. 11 of 2007, Public Sector Act and Regulations (2003). Besides that, there was also enactment of Code of Conduct for Local government Councillors and many others (Mutahaba, 2005; Njunwa, 2009; URT, 2011).

3.6.2 Summary of Ethics and governance frameworks in Tanzania

Generally, Ethics and governance frameworks in Tanzania follow under three mainly categories namely, Transparency, Participation and Accountability as summarized below:

Transparency: The following are government measures under Transparency:

- Instituting of oversight Boards and Committees at Health, Education and Water service delivery centres. The Boards and Committees are composed of representatives from Councils, community and service providers;
- Introducing the Public Procurement Regulatory Authority (PPRA) to ensure that all tendering procedures properly adhered to in accordance with Public Procurement Act. The Act requires, among others, to advertise all tenders in the newspapers and websites;
- Publication of quarterly Budget Expenditure Reports (BERs) and payment of funds from the Treasury to MDAs, Regions and LGAs in the newspapers and the Ministry

of Finance (MOF) website. Likewise, the funds disbursed to LGAs are posted at Councils' notice boards and the detailed breakdown of funds sent to service delivery centres such as schools and health facilities are posted on the notice boards and public places;

- Putting in place the three Parliamentary Watchdog Committees led by members from Opposition Parties to oversee Government performance and utilization of resources in Central, Local Government and Parastatal Organizations;

- Joining the African Peer Review Mechanism (APRM) in 2004, this is an African continent initiative, based on self-assessment in thematic areas of political, economic and corporate governance;

- Enactment of public complaints desks in Central and Local Governments, these desks are hold by focal persons appointed by Institutional Chief Executives. The task of this desk is to receive grievances from the public concerning service delivery, thereafter, proper deeds must be taken and provide feedback to the public; and

- Introduction of suggestion boxes in Ministries, Departments and Agencies (MDAs), Regions and Local Government Authorities (LGAs) offices and service delivery centres intending to receive complaints, suggestions and feedback from the public;

Participation: The following are government measures under participation:

- Institution of Public Expenditure Review (PER) discussion as an advanced discussion linking Government, CSOs, Development Partners, and other social groups in the country. As per government's outlook, it is a technical suggested debate that the Government uses to draw comments for improving planning, budgeting and financial management across the country;

- Participating the citizens and other stakeholders into the formulation of policy or regulations to get their views and ideas before they are passed by the Parliament;

- Establishing the transparency system of village land allocation that need the Village Assembly to pass a resolution to allocate Village Land to an individual, or a firm that has presented land application to the Village management;

- Formulation and endorsement of Local Government budgets through a participatory approach known as "Opportunities and Obstacles to Development" (O&OD). The

technique allows villages to set plans and budgets and submit them to the higher Local Government Authority to include in the Council's budgetary plans;

- Instituting the Website for citizen to give them opinions to ask questions and get responses from the Government; and

- Establishment of sector dialogue means which involves Government, Civil Society Organizations (CSOs), Private Sector and Development Partners aiming to increase efficacy in the implementation of sector development programmes.

Accountability and Integrity framework: The following are those government measures under Accountability and Integrity:

- Establishment of Election Expenses Act of 2010 to insist on accountability of campaign finances by Political Parties to control the use of funds beyond the threshold provided and reduces or controls the corruption practices during elections

- Introducing the Public Expenditure Tracking Surveys (PETS) whereby the Government in cooperating with Civil Society makes follow-ups the execution of budget and assessment of value for money

- Enactment of formula based grant allocation system that smooth the progress of allocation of resources to Local Government Authority in a clear manner. The formula is used to allocate resources based on specific criteria such as population, poverty index, access to services, etc.

- Introduction of Client Service Charters in Government Institutions for the sake of enhancing transparency and accountability in public sectors

- Instituting of the National Anti-corruption Strategy and Action Plan (NACSAP) in which provides the frameworks within Ministerial, Departments and Agencies.

- Appointment of minister responsible for presiding good governance in the public sectors.

- Strengthening of the Internal Audit function by employing a Chief Internal Auditor General who oversees all internal audit activities in all Ministerial, Departments and Agencies. In this matter, Regions and Local government Authorities are now reporting to the Chief Internal Auditor General instead of reporting to the institutions management in which they based formally.

- Instituting the Integrity Committees at Central and Local Government level which responsible for guiding ethics and professional standards to staff at work places.

Regarding to framework of integrity, there are two codes of ethics that operating to the public sectors, one is code of ethics for public servants established in 2005 and the other one known as Leadership Code of Ethics Act 13 of 1995, which provides the code of conduct applicable to all public leaders (URT, 1995 and 2005). The code of ethics for public servants have got eight principles which require public servants to Pursue Excellence in Service, Loyalty to Government, Diligence to Duty, Impartiality in Service, Integrity, Courtesy to All, Respect for the Law and Proper use of Official Information (Ghasia, 2010; URT, 2005).

Concerning to code of conduct to all public leaders has the following functions: To inquire into any alleged or suspected breach of the Code by all public leaders who are subject to the Act, to carry out awareness creation of the Public Code of Ethics to stakeholders and members of the public (URT, 1995 and 2005). Other functions include receiving declarations, which are required to be made by public leaders under the Constitution or any other law and to receive allegations and notifications of breach of the Code by members of the public (Ghasia, 2010).

The underpinning ethical principles includes; Incontestable integrity**;** to make decisions in accordance with the law and in the public interest; Avoiding Situations of Conflict of Interest, Declaration of wealth, Public leaders are not allowed to directly or indirectly use or allow use of Government property for private benefit. Other principles are, Post Employment**;** Not to take advantage of or benefit from information obtained in the course of official responsibilities and not generally available to the public and not to step out of official roles to assist private entities or person in their dealings with government as well as Public Scrutiny.

3.7 SOUTH AFRICA

The systems of ethics and governance frameworks in the public sectors in the South African context can be well traced and explained fully after the apartheid regime (Call and, 1999) than during apartheid. This is because during apartheid regime there were many illusions of ethics and governance practices championed by status quo of white minority where the public

sectors were not meant for public interest (Hilliard and Ferreira, 2001). Over the duration of forty-six years, such system (apartheid) was an official state ruler based on racial segregation and on particular religious ethics and doctrines (Joyce, 1990).

After independence in 1994, there was transformation of such amoral values of apartheid where by politics and churches separated, and a new constitution was developed in 1996 under the platform of non-racialism and equality of all citizens (South Africa Constitution, 1996). When the government of National Unity (GNU) came into power in May 1994 it faced a number of challenges towards instilling systems of ethics and governance to the public sectors which are domestically acceptable and internationally competitive given the wind of change of global ethics (Hilliard and Ferreira, 2001).

Public entities were facing a number of ethical and governance dilemmas as evidenced by Rosenbaum (1997) who mentioned that poor and discriminatory public service delivery, lack of public accountability and transparency, poor professional service ethos and work ethics and the likes inherited from the apartheid government. The new constitution tried to address such mythical values of apartheid to the public sectors whereby section 195 of the Constitution states that the public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:

- A high standard of professional ethics;
- Efficient, economic and effective use of resources;
- 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-resource management and career development practices, to maximise human potential, must be cultivated.

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 (South Africa Constitution, 1996).

In response to section 195 of the constitution, (Rosenbaum 1997) contended that public sectors were reshaped for their new role in the country where among other seven transformation priorities the public sector ethics as well as efficacy and accountability were emphasized. Since then, Malunga (2014) asserts that South Africa has responded by implementing a range of legislations and the creation of democratic institutions as vital shields in its quest to build national integrity and fight corruption. This was not easy because the heterogeneous and multi-cultural society still experienced a flood of corruption as well as moral relativism and moral contextual of apartheid regime (Hilliard and Ferreira, 2001).

To suit the needs of the country particularly public sectors, several ethics and governance measures were adopted in relation to international and national frameworks (Malunga, 2014). Such measures (policies, legislative and regulatory frameworks) consist of the key institutions, sectors, laws, practices and specific mechanisms that together contribute to enhancing good governance. These include the following:

- The Constitution itself of the Republic of South Africa, 1996 map out the actions of public officials be in line with the values and principles in public sectors and be maintains by all public personnel in the provisioning of services to society (Constitution of South Africa, 1996);

- The Public Service Act number 103 of 1994 as amended by Act 30 of 2007, this promotes high standards of ethical behaviour and further stipulates procedures to be followed when dealing with ineffective and inefficient officials in the public sectors;

- The Prevention of Organized Crime Act, 1998 Act 121 of 1998;

- The National Prosecuting Authority Act, 1998 Act 32 of 1998;

- The Executive Members Act, 1998 provides for the code of ethics for governing the conduct of members of Cabinet, Deputy Members of provincial Executive Councils;

- Public Finance Management Act, Act No. 1 of 1999, this establishes the framework for accountable management of public funds and provides for criminal prosecution of Heads of Department if found guilty of financial negligence, unauthorized, fruitless or wasteful expenditure (Republic of South Africa. Public Finance Management Act, Act of 1999);

- The Promotion of Access to Information Act, Act No. 2 of 2000, this also promotes transparency in government as well as the private sector (Republic of South Africa. The Promotion of Access to Information Act, Act No 2 of 2000);

- The Promotion of Administrative Justice Act, Act No. 3 of 2000, and this Act promote fair administrative procedures and redress for citizens. The Act requires government to follow fair procedures when taking decisions that affect the public or an individual. Citizens have the right to request written reasons for decisions they disagree with, which enables one to judge whether the decision influenced by corruption (Republic of South Africa, the Promotion of Administrative Justice Act, Act No. 3 of 2000);

- The Protected Disclosures Act, Act No. 26 of 2000, through this Act promotes whistle blowing as a preventative anti-corruption measure and protects whistle-blowers from "occupational detriment" because of blowing the whistle in good faith (Republic of South Africa, the Protected Disclosure Act, and Act No. 26 of 2000);

- The Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004, in this Act provides effective legislation to combat corruption in all its forms and it reintroduces the common law act of bribery (Republic of South Africa. The Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004);

- Treasury Regulation 4.3, this requires National Treasury Regulation according to which Departments are, to report financial misconduct cases to the Public Service Commission. Specifically monitor the incidents and trends of financial misconduct and make recommendations thereto;

- Chapter 3 of the Public Service Regulations 2001 emphasizes the promotion and integrity in the Public Service through the careful management of potential conflicts of interest through financial disclosures. All senior managers in the Public Service are required disclose their financial interests to their Executive Authorities, copies of

which must be provided to the PSC for scrutiny (Republic of South Africa. Chapter 3 of the Regulations to the Public Service Act No 94 of 1994 as amended);

- Public Service Anti-Corruption Strategy of 2001, the strategy provides a framework for the Public Service through which corruption is addressed in a systematic and coordinated manner using a three-fold approach of preventing, combating and creating awareness of corruption (South African Public Service Anti-Corruption Strategy, approved by Cabinet, January 2001); and

- Code of Conduct for the Public Service, the Code of Conduct and its explanatory manual is a useful guide in the promotion of good governance and ethical conduct of public servants. It promotes honesty and integrity in the workplace (Republic of South Africa. Chapter 2 of the Regulations to the Public Service Act No 94 of 1994 as amended).

A specific Integrity Framework for Local Government is also provided though:

i.   The Municipal Finance Management Act, 2003;

ii.   The Constitution – sections 53, 152, 195 Chapter 3 & 7;

iii. The Local Government: Municipal Structures Act, 1998;

iv.   The Local Government: Municipal Systems Act, 2000;

v.   The Local Government: Municipal Demarcation Act, 1998; and

vi.   Codes of Conduct for Councilors and Municipal Employees.

3.7.1 Institutional mechanisms dealing with ethics and governance

There are two kinds of institutions in South Africa namely, the criminal and non-criminal institutions (Public Service Commission, 2010; Disoloane, 2012; Malunga, 2014).

(i) Criminal institutions: These include the following: *The South African Police Service (SAPS).* DPSA (2003) contend that among of other activities, this service investigates corruption through the Commercial Crimes Unit, the Organized Crime Units and the Detective Branch. Others are *Assets Forfeiture Unit (AFU).* According to Madonsela (2010), this was established in 1999 aiming to take cases of organized crime and money laundering to court as per Chapter 5 and 6 of the Prevention of Organized Crime Act, 1998. There is also

the *National Intelligence Agency (NIA)* responsible for the collection and analysis of intelligence, which has a bearing on corruption and regards corruption in the public service as a threat to national security (DPSA, 2003). Others bodies include the *South African Revenue Service; Independent Complaints Directorate (ICD); Special Investigating Unit (SIU) and Former Directorate of Priority Crimes (DPC).*

(ii) Non-criminal institutions

These include the following: *The Public Service Commission,* This is an institution established in terms of Chapter 10 of the Constitution, 1996 with a mandate of promoting a high standard of professional ethics in the public sector and to investigate, monitor, and evaluate the organization and administration and personnel practices of the public service (PSC, 2010, Madonsela, 2010; DPSA, 2003). In addition, the institution focuses on performing a vital role in the development of the Code of Conduct for the Public Sector that forms the basis of the public sector's integrity framework as it sets values for ethical conduct across the country.

Another institution is the *Public protector* which is a national Ombudsman established under section 181 of the Constitution which forms part of the national integrity framework, and has two dimensions of mandate (Disoloane, 2012; Malunga, 2014; DPSA, 2003; PSC, 2010; Madonsela, 2010). One as a key role player in the establishment of a framework of national integrity for South Africa and promoting good governance in public sectors (Anti-corruption) and Promotion of Malunga (2014). The Public Protector's role in anticorruption also recognized in the key anticorruption statutes including the Prevention and Combating of Corruption Act, the Protected Disclosures Act ant the Public Finance Management Act. For example, the Prevention and Combating of Corrupt Activities Act specifically gives the Public Protector the authority to investigate any improper or dishonest act, or omission or offences referred to in the Act, with respect to public money (Malunga, 2014; Madonsela, 2010).

On promotion of ethical behaviour (PSC, 2010; Madonsela, 2010) emphasizes that under chapter 9 of the Constitution section 182, there is the power to strengthen and support constitutional democracy by investigating any conduct in state affairs or in the public sectors.

This power goes to other spheres of government that is alleged or suspected to be improper or to result in any impropriety or injustice, report that conduct where possible to take appropriate remedial action. Moreover, the mandate covers all organs of state at national, provincial and local levels, including local government and extends to state owned enterprises, statutory bodies and public institutions (Malunga, 2013, 2014).

3.7.1.1 Additional mandate of public protector

The Constitution anticipates mandate expansion through legislation, and legislation passed since its establishment 16 years ago has resulted in the Public Protector being a multiple mandate agency with the following 6 key mandate areas:

3.7.1.2 Maladministration and appropriate resolution of dispute the Public Protector Act 23 of 1994 (PPA)

i.   The maladministration jurisdiction transcends the classical public complaints investigation and includes investigating without a complaint and redressing public wrongs (Core). Enforcement of Executive ethics by the Executive Members' Ethics Act of 1998(EMEA) and the Executive Ethics Code (Exclusive):

ii. Anti-corruption, as conferred by the Prevention and Combating of Corrupt Activities Act 12 of 2004 (PCCAA) read with the PPA (Shared);

iii. Regulation of information under the Promotion of Access to Information Act 2 of 2000 (PAIA);

iv. Review of decisions of the Home Builders Registration Council under the Housing Protection Measures Act 95 of 1998; and

v.   Whistle-blower protection under the Protected Disclosures Act 26 of 2000. (Shared with the Auditor General and to be named others).

The Auditor General of South Africa: this institution was established as per Chapter 9 of the Constitution of 1996 and the Auditor General Act, 1995. Its mandate is to report on the accounts, financial statements and financial management of all national and provincial government departments, all municipalities and other institutions required by national or

provincial legislation to be audited. It also investigates and prosecutes as the result of such audit (Disoloane, 2012; Malunga, 2014).

Anti- Corruption Coordination Committee (ACCC): The focal point of this agency is to prepare learning programmes for different public sectors under the Anti-Corruption Learning Network (Malunga, 2014). This agency started in July 2008, and brings together senior representatives from key departments and agencies involved in anti-corruption work and ensures that the fight against corruption is co-ordinated and integrated (Madonsela, 2010). It also uses the synergies between the elements of prevention, detection, investigation, prosecution and monitoring as well as synergies between different spheres of government. It does not carry out corruption investigations but the committee is responsible for learning programmes such as the Anti-Corruption Learning Network (Disoloane, 2012).

National Anti-Corruption Forum (NACF): this consists of representatives of the government, private sector and civil society advising the government on its approach towards combating corruption (Malunga, 2013). The agency started in 2002 and faced a number of challenges, and rejuvenated to another form known as the National-Anti Corruption Programme (NAP) in 2005, aiming at coordinating the key challenges and projects.

Anti-Corruption Inter-Ministerial Committee: this agency was established in 2009, and is responsible for rooting out public sector bribery and corruption. One of the tasks of the Ministerial Committee is to ensure that action is taken against all persons involved in corrupt practices involving public funds (Madonsela, 2010).

South Africa has extended the wings of making sure that ethics and governance framework comply with international standards particularly global ethics and governance (Hilliard and Ferreira, 2001). Hence, the country committed to adhere with other international organizations so that public sectors do not operate in isolation. Some of these organizations include United Nations Convention against Corruption (UNCAC) 2004, Global Programme against Corruption designed by the Centre for International Crime Prevention (CICP), in collaboration with the United Nations Interregional Crime and Justice Research Institute (UNICRI), Open Governance partnership (OGP) and many others (DPSA, 2014). For instance, within Open Governance Partnership, the South African government committed to develop Citizen Participation guidelines for Government departments; establish Service

Delivery Improvements Forums, Capacitate the national Anti-corruption Forum and Hotline. Other commitments within OGP are to implement "Know Your Service Rights and Responsibilities" campaign, informed by Principles of Accountability, Transparency, Responsiveness and Citizen Participation as well as development of a portal for environmental management information and strengthen participatory budget processes (DPSA, 2014).

3.8 MAURITIUS

Mauritius is a small island situated in the Indian Ocean; about 890 km off the east coast of Madagascar, covering about 2,040 km2 of land (Between 1980 and 2010). Such surface area covers Mauritius, Rodrigues, Agalega, Cargados Carajos, Chagos Archipelago and Tromelin and has some 1500 miles off the east coast of Africa (Ramgutty-Wong, 2014 and APRM, 2010). Its population descending from Indian, Chinese, European and Africans origin comprises 1,260,565 by July 1/2008 (APRM, 2010). Within these amalgams of population of multi-ethnic, 51 percent was Indo-Hindu, 17 percent Indo-Muslim, 29 percent Africans and 3 percent were Chinese by 2000. There is also some European community intermingled with the population popularly known as "colored community". The whole populations of the country were 1,158,000 in 2000 (Joypaul, 2001).

Mauritius got independency in 1968 from the British who ruled from 1810 up to 1968 with a range of 158 years, while French ruled from 1715 to 1810 with a range of 95 year (Ramgutty-Wong, 2014). Prior to French and British rules there were the Dutch who stayed informally (*1598–1710*) and some Arab sailors who initially visited the island during the middle Ages and find the Island was uninhabited (APRM, 2010). Hence the system of British Colonial administration was set in place more prominent than French administration.

3.8.1 Government System

Mauritius is a parliamentary democracy that has a unicameral system of parliament with a National Assembly of elected MPs, and based on the Westminster model. This model has clear separation of powers between the Judiciary (Structured system consisting of Supreme Courts, Intermediate Courts and District Courts), Legislature (the power to make laws) and

Executive (which have the power to Administer the affairs of the nation and is exercised by the Cabinet headed by the Prime Minister) (Mauritius Ministry of Civil Service and Administrative Reform, 2006). Currently economically, the country is an upper-middle income economy with a GDP per capita of over USD 8000.

Ramgutty-Wong (2014) points out that, by early 2013 the major pillars of the economy were manufacturing, real estate, finance, trade and communications, ICT, and a few emerging sectors like the Sea Food Hub. By now absorbed into the much larger image of the country as being not an island as it is but an "Ocean State" in an special economic zone of about 2.4 million square kilometres.

3.8.1.1 Ethics and Governance Frameworks

Basing on democratic credentials designed after gaining independence from Britain in 1968, several ethics and governance frameworks have been put in place ensuring the smooth running of the public sectors (APRM, 2010). Starting with the constitution itself, it spells out the importance of separation of power and protecting the independency between arms of government (Legislature, Judiciary and Executive). In Section 16 (subsection 3), it emphasizes on equal opportunity to all citizens and protection from discrimination based on race, caste, place of origin, political opinions, colour, creed or sex (Mauritius constitution, 1968 and its amendment, 1992). The constitution also necessitated the appointment of an Ombudsman whose function is to safeguard the public at large against injustices sustained in consequence of maladministration (Joypaul, 2001). Therefore, the constitution of Mauritius is a fundamental law of the state and thus protects the dominance of the rule of law with the equal subjection of all citizens, irrespective of race, class, colour, religion or status to the ordinary law of the land.

Other ethics and governance framework is the establishment of the Office of Public Sector Governance (OPSG), which operates under the *aegis* of the Prime Minister's Office and is responsible to guarantee that Public Sector Management becomes more cost-effective and outcome-oriented. In line with this best practice of governance, focusing on transparency and accountability in the public sectors is more emphasized (*Prime Minister's Office –Office of Public Sector Governance, 2013*). The main aims of the OPSG include promoting, disseminating, assisting and monitoring the implementation of the Code of Corporate

Governance. In addition, it is responsible for conducting special inquiries into reported cases of misconduct in public sector organizations.

In addition to public sector governance, there is also Code of Ethics for Public officers, which is responsible to lay out the values of acceptable behaviour anticipated of Public Officers. It emphasizes the importance of a responsible and caring Civil Service (Country Report on United Nations Convention against Corruption, 2014). In addition, Code of Ethics focuses on promoting effective administration and responsible conduct in the public sector through the following principles as a guiding behaviour and action of Public Officers to inspire public confidence and trust: integrity, objectivity, consciousness, and loyalty to the Government of the day. Lastly, it complements the existing legislation and rules and its leading ethics designed to maintain and enhance values that encourage trust and confidence in the integrity of Public Officers (UNCAC, 2014).

3.8.1.2 Performance Management System

The current Government introduced a Performance Management System (PMS) across the civil service in 1994 (Ministry of Civil Service and Administrative Reforms (MCSAR), 2013). Performance Management Systems integrate the reform strategy whereby better results are obtained from the public sectors, teams and individuals by understanding and managing performance within an agreed framework of planned goals, objectives, standards and competencies. In all its manifestation, performance management systems put more emphasis on accountability towards stakeholders and create a public sector which is dynamic, proactive, vibrant, forward looking, innovative, effective, performing, and results-oriented based on fundamental principles of incorruptibility, meritocracy and impartiality (Ministry of Civil Service and Administrative Reforms (MCSAR), 2014).

3.8.1.3 The Equal Opportunity Act No.42 of 2008

This Act is another piece of legislation, which tend to strengthen the democratic stand and good governance in the country. The Act focuses at guaranteeing that every person has an equal opportunity to attain his objectives in various areas of activities and that no person is placed, or finds himself/herself, at a disadvantage position. It prohibits all forms of discrimination in a direct or indirect manner (Equal Opportunity Act, 2008). In addition to

that, the Act set up an Equal Opportunities Tribunal to listen to and resolve grievances referred to it by the Equal Opportunities Division and determine whether the grievances were viable. Lastly, the Act provides for a right of appeal to the Supreme Court of against orders of the Tribunal.

3.8.1.4 Integrity Programme for New Recruits

The Independent Commission Against Corruption (ICAC) developed an Integrity Programme for New Recruits targeting all new recruits in the civil service during the year, and focusing to empower them to understand and take actions against corruption to promote a culture of integrity up on executing their work (UNCAC, 2014). It is a well-established and transparent programme which also involves creation of established posts; notification of vacancies, public advertisement, selection by the Service Commission, appointment on a temporary basis and finally confirmation after one year satisfactory service (APRM, 2010). It also goes hand in hand with training of officials in the public sectors.

3.8.1.5 Code of Conduct for National Assembly Elections 2010

The Electoral Supervisory Commission developed this code and rendered binding for the general election held during 2010 in the country (Ramgutty-Wong, 2014). It applies to all participants to the election, including political parties or political party alliances, candidates, their agents, sub agents, employees, supporters and backers involved in the general election. This code, among others focuses, is to ensure the integrity of the whole process of elections and facilitate the elections to implement democratic principles. Example, creation of environment of tolerance, free and fair campaigning, unrestricted but responsible public debate so that the voters may become aware of their choices (UNCAC, 2014).

Mauritian Public Sector has implemented a Programme-Based Budgeting (PBB) system, as a driving force behind the emphasis on identifying goals and measures (APRM, 2010 and Ramgutty-Wong, 2014). This complements the Performance Management Systems in pushing public sector departments and ministries in the direction of aligning their activities, including HRM, achieving strategic goals and measuring progress toward those goals. In addition, such programme promotes the efficiency and performance of budget management. Moreover, it helps to clarify future direction, establish priorities, initiate program

performance improvement, increase effectiveness and accountability, and help managers improve service delivery, decision-making and internal management (APRM, 2010).

3.8.1.6 Customer Charter

Customer Charter is one of the ethics and governance framework established by the Ministry of Civil Service in Mauritius. The aim of the charter is to promote integrity (highest standards of professional ethics), innovation (new ways of doing things better), quality (results-oriented and committed to providing services of the highest quality to customers); teamwork (cooperation and sharing of information and resources) and time (strive to meet set targets) (Ministry of Civil Service and Administrative Reforms, 2006). The charter listed down the services provided by the public sectors set the standards for the services and informs where and how one gets information on the services.

The Public and Disciplined Forces Service Commissions (PDFSCs) is another ethical framework, which ensures that the Republic of Mauritius has a professional and efficient Civil Service geared towards excellence. In so doing, the PDFSCs envision to be the benchmark for integrity, equity and efficiency in a dynamic public service (Ministry of Civil Service and Administrative Reforms, 2013). Furthermore, the commission safeguards the impartiality and integrity of appointments and promotions in the Civil Service and to ensure that these are based on merit; and take disciplinary action with a view to maintaining ethical standards and safeguarding public confidence in the public service.

Other ethical and governance frameworks include: the Financial Intelligence Unit (FIU) responsible for fighting money laundering, the Prevention of Corruption Act (POCA) of 2002, the Independent Commission Against Corruption (ICAC), the Public Service Excellence Award, the National Human Rights Commission (NHRC, which has a Sexual Discrimination Control Division), the Office of the Ombudsperson, the Office of the Ombudsperson for Children, the Truth and Justice Commission, and the Human Rights Centre in order to guarantee the rights of citizens(APRM, 2010).

Mauritius Public sector ethics and governance match at equal footing with international standards, hence there are number of conventions signed and/or ratified in order to comply

with international values. Some of these conventions include the Charter of the United Nations (UN) (adhered to in 1968) after independence. Others are the African Charter on Human and People's Rights, ratified on 19 June 2002, the AU Convention on Preventing and Combating Corruption (signed on 6 July 2004), the Durban Declaration on Principles Governing Democratic Elections in Africa (2002). Besides that there is the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003), the Declaration and Plan of Action on Control of Illicit Drug Trafficking and Abuse in Africa (2002) and adopted during AU Summit of 8 July 2002 (APRM, 2010).

3.9 BOTSWANA

Botswana is a country located in Sub-Saharan region with flat desert, savannah and grassland in most areas (Sebudubudu, 2014). It is well known for its landlocked in nature with a maximum size of about 582,000 sq. km bordered by Zimbabwe, Namibia and South Africa though the Kalahari Desert (Kgalagardi) which covers almost the whole left part of the country (Mwamba, 2013). It is a country that has, 48 years to date, since its full independence from the Great Britain in September 1966 and it is estimated to have a total population of 2,155,784 (Munde, 2014).

3.9.1 Ethics and governance frameworks in Botswana.

The country has a dual legal system, comprising customary law and received (or common) law, which consists of English and Roman Dutch law, as amended by statutes (UNODC, 2014). The common law is constantly developed through case laws through the High Court and Court of Appeal, which is the highest court in Botswana. The Customary Courts have jurisdiction to hear a variety of civil and criminal matters, including offences of lesser gravity such as petty theft, but not corruption related matters (UNODC, 2014).

The Constitution that adopted in 1965 positioned the institutional frameworks that recognize the parliament as a law-making, representative and oversight branch of the state aiming to make sure that the executive, under the President as the Head of State, delivers on its consent (Sebudubudu, 2014). It is also noted that parliament examines the execution of its laws and the management of public sectors by the executive. The executive in turn has a largely

politically neutral civil service to implement all policies, plans and development programmes, including the provision of services to the public in an efficacy manner. Therefore, the Constitution established a non-racial democracy, maintaining freedom of speech, of the press and of association, and affording all citizens equal rights (UNODC, 2012).

Maladministration started its entrenchment when Botswana's culture which appeared from its socially cohesive agrarian traditions with their strong ethics and moral codes, began to move rapidly towards urbanization with its intense arrival of aliens from different parts of the world that arrived in response to Botswana's newly discovered wealth (OECD, 2014). Even the United Nations recognized its records of the highest sustained real GDP growth rate in the world averaging 6.1 per cent between 1966 and 1991 by having stable political governance and fairly-managed economy (Komboni & Mbao, 2007). It is noted that such booming economy provided the fertile ground for corruption opportunities (Sebudubudu, 2014; Komboni & Mbao, 2007).

Up to the present, Sebudubudu (2014) points out that public sectors in Botswana are prone to many cases of unethical practices where many cases are of sophisticated white collar crime, and senior private business leaders, politicians and senior government officials who are engaging in deals involving their own family's interests compared to early years of independence. (OECD, 2014) adds that the sectors that are more vulnerable to corruption compared to others are public procurement, allocation of state land, revenue collection, appointment to posts in central and local government, and local government contracts. This is because unethical practices in public sectors during early years were widely reported only in the middle and lower ranks of the public sector where officers were often caught abusing their office by selling public jobs and services for personal gain (Mwamba, 2013).

Komboni and Mbao (2007) contend that the corruption scandals in the early 1990s showed that ordinary law-enforcement bureaus were ill-suited to deal with occurrence of bad governance. Some of these scandals are land and housing allocation during 1991 and 1992 (Republic of Botswana, 1991 and 1992; Sebudubudu, 2014). Such alarms pressurized the government to establish several measures to curb the unethical and bad governance, because prior to the 1980s there were no keen organizations to deal with cases of inequalities and unfairness. Even though the necessities to establish the office of Ombudsman began in the

1970s and the Public Commissioner had to deal with complaints of inefficiency, delay, malpractices or poor government bureaucracies in 1982 were in the minds of citizens (Komboni & Mbao 2007; OECD, 2014).

Following such scenario, the government devoted to establish well-known authorities to fight unethical and poor governance (Office of Auditor General, 2008). It Enacted the Directorate on Corruption and Economic Crime (DCEC) Act in September 1994 (Gabriel, 2013 and Office of Auditor General, 2008). DCEC is an operationally autonomous law enforcement agency charged with a three dedicated directives: to investigate allegations of corruption and economic crime, as well as suspicious transactions and to share investigative results with the Directorate of Public Prosecutions (DPP) for possible trials. Other mandates are to prevent corruption in the public sector by auditing government and state-owned institutions and lastly to raise awareness of the risks of corruption through public education activities (Mwamba, 2013; Sebudubudu, 2014).

In realization of how ethical dilemma and bad governance were undermining the functions of public sectors, DCEC forced to establish Corruption Prevention Committees (CPCs) in government ministries, departments, and anti-corruption units in ministries that suspected prone to the jeopardy of corruption. Such ministries are infrastructure, Science and Technology, Finance and Development Planning and Education and Skills Development (Gabriel 2013, OECD, 2014).

Therefore, Corruption and Economic Crime Act (1994) established the DCEC (Parts II and III) and criminalizes specific corrupt acts and practices (Part IV), including active and passive domestic bribery (Sections 24 – 27 and Section 29). In addition to that, there was establishment of embezzlement policies (Section 33); trading in influence (Section 25A and 29); abuse of functions (Section 24A); illicit enrichment (Section 34); private sector bribery (Section 28); and obstruction of justice (Section 18) (OECD, 2014 and office of Auditor General, 2008). Under Section 6 of the Act, OECD (2014) and Gabriel (2013) summarize the following functions:

- To receive and investigate any complaints alleging corruption in any public body;

- To investigate any alleged or suspected offences under this Act, or any other offence discovered during such an investigation;

- To investigate any alleged or suspected contravention of any of the provisions of the fiscal and revenue laws of the country;

- To investigate any conduct of any person, which in the opinion of the Director, may be connected with or conducive to corruption;

- To assist any law enforcement agency of the government in the investigation of offences involving dishonesty or cheating of the public revenue;

- To examine the practices and procedures of public bodies in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures which, in the opinion of the Director, may be conducive to corrupt practices;

- To instruct, advise and assist any person, on the latter's request, on ways in which corrupt practices may be eliminated by such person;

- To advise heads of public bodies of changes in practices or procedures compatible with the effective discharge of the duties of such public bodies which the Director thinks necessary to reduce the likelihood of the occurrence of corrupt practices;

- To educate the public against the evils of corruption; and lastly

- To enlist and foster public support in combating corruption.

3.9.2 Supplement measures

Public Procurement and Asset Disposal Act of (2001): This was another measure to refrain unethical practices, which focused to ensure an open, fair, and transparent tendering according to commercial practices. The Act established the Public Procurement and Asset Disposal Board (UNCAC, 2014; Mwamba, 2013).

Penal Code: is another measure which aimed to criminalize certain corruption crimes. These includes, embezzlement, misappropriation or the diversion of property by a public official (Sections 102, 103, 269, 276-279, 322, 324-325); the falsification of books and records (Sections 322-323); abuse of functions (Section 104); private sector bribery (Section 384);

private sector embezzlement (Section 322); and obstruction of justice (Sections 109, 120 and 123 (UNCAC, 2014).

The Proceeds of Serious Crime Act (1990) is another mechanism that tends to criminalize the laundering of proceeds of serious offences (Sebudubudu & Gabriel, 2013). Republic of Botswana (2001) lists other ethical and governance frameworks as banking (Anti-Money Laundering) Regulations of 2003; Ombudsman Act of 1995, Mutual Legal Assistance in Criminal Matters Act of 1990, the new enacted financial Intelligence Law, The Supreme Audit Institution, the Competition Act (CA), the Botswana Action Against Corruption (BAAC) and the Botswana Intelligence Service (BIS). Others are Financial Intelligence Agency (FIA), the Police Service, the Directorate of Public Service Management (DPSM) and the Administration of Justice (Courts) (UNCAC, 2014).

The Botswana Public Sectors Have Aligned With Other International Ethical Frameworks. These Includes; Sadc Protocol Against Corruption (2001) And Others Like United Nations Conventions Against Corruption (Uncac) In 2011 Such As Active And Passive Domestic Bribery (Uncac Art. 15 Implemented Under Corruption & Economic Crime Act (Ceca), Embezzlement, Misappropriation Or Other Diversion Of Property By A Public Official (Uncac Art. 17)Is Implemented Under Ceca And Penal Code. Trading In Influence (Uncac Art. 18) Implemented Under Ceca. In Addition To That, Abuse Of Functions (Uncac Art. 19) Implemented Under Ceca And Penal Code (Uncac, 2014).

3.10 SUMMARY

This chapter presented the concerned countries (Tanzania, South Africa, Mauritius and Botswana) for different merits as explained above to justify their inclusion in the study. They are all shown to have unique characteristics that present their connection to the UN and AU systems of ethics and Governance practices that one may extract how UN and AU systems of ethics and Governance practices influence the performance of public sector of such countries in focus.

CHAPTER FOUR: METHODOLOGY

4.1 INTRODUCTION

The purpose of this chapter is to present the research design that underpins the study and provide a full explanation of how the research was conducted. The research was grounded in a qualitative research design employing a thematic analysis process to identify certain themes within the study and provide full explanations on how the research was conducted. In this chapter, the theoretical approach of inquiry, sample and population size, methods of collecting data and data analysis are discussed. The study is guided by the following research questions:

1. To explore how UN and AU employees understand the role of ethics in governance.
2. To explore how ethical compliance can be a good indicator of good governance for UN and AU.
3. To assess the effectiveness of AU and UN systems in dealing with ethics and governance of employees and member states.

4. To examine if member states of the UN and AU adhere to ethical standard and guidelines set by the two organisations.

5. To identify challenges faced by the AU and UN in fostering good governance and ethics to member states public entities.

The purpose of the study was to give a critical analysis on the process of ethics and governance in the public sector with a special emphasis on the four countries, namely, South Africa, Botswana, Tanzania and Mauritius. The main idea was to understand how these countries' ethics and governance were affected by UN and AU systems

4.2 RESEARCH DESIGN

Several terms have been used to define research design, making definitions of research design rather ambiguous (De Vos *et al.,* 2014). This study's definition of research design has been modified by the researcher to mean procedures of inquiry and the specific research methods of data collection, analysis and interpretation (Creswell, 2014). The plan involved how the researcher will systematically collected and analyzed the data to answer the research questions (Bertram & Christiansen, 2015; Durrheim, 2014; Wild & Diggines, 2013;

Zikmund, Babin, Carr and Griffin, 2013). According to Durrheim (2014), research may be viewed as a process consisting of five stages:

(1) Stage 1: Defining the research question
(2) Stage 2: Designing the research.
(3) Stage 3: Data collection.
(4) Stage 4: Data analysis.
(5) Stage 5: Writing a research report.

The research plan, according to Creswell (2014), involves several decisions but the overall decision involves which plan should be used to study a topic. Informing this decision should be the philosophical assumptions that the researcher brings to the study namely, procedures of inquiry (called research designs) and the specific research methods of data collection, analysis and interpretation (Creswell, 2014). The term "method" refers to procedures and activities for selecting, collecting, organizing and analyzing data (Harrits, 2011) that are compatible for the purposes of understanding and corroborating the research problems (Ivankova, Creswell & Plano Clark, 2007), with the potential to yield comprehensive evidence. Henning (2013:36) avers that there is this a distinction between the term "methods" and the term "methodology". To Henning (2013), the term "method" denotes a way of doing something (one thing). "Methodology" refers to the coherent group of methods that complement one another and that have the "goodness of fit" to deliver data and findings that will reflect the research question and suit the research purpose (Henning, 2013).

According to Bertram and Christiansen (2015), a research design is an important plan but it is not a fixed plan that proceeds in a very structured, linear way. In the context of this study, the research design is clearly separated from the research methodology because a proper conceptualization of the research design leads to an understanding of the application of the methodology (Okafor, 2013). In the main study, the researcher incorporated different stages/steps/processes from Babbie and Mouton (2014), Bless, Higson-Smith and Sithole (2014), Brink *et al.* (2014), Denzin and Lincoln (2014), Hesse-Bibber and Leavy (2011), Hofstee (2011), Wild and Diggines (2013) and Zikmund *et al.,* (2013) to come up with a modified research process which will be followed, albeit not as sequential as it appears below.

205

Table 4.1: Research steps/phases/processes by different authors

The five-phase research process by Denzin and Lincoln (2014)	The four-phase research process by Brink *et al.* (2014)	The six-step research process by Babbie and Mouton (2014)	The 10-step research process by Bless, Higson-Smith and Sithole (2014)	The 11-step research process by Wild and Diggines (2013)	The six-step research process by Zikmund *et al.* (2013)
1) Phase 1: The Researcher as a multicultural subject 2) Phase 2: Theoretical paradigms and perspectives 3) Phase 3: Research strategies 4) Phase 4: Methods of collection and analysis 5) Phase 5: The art, practices, and politics of interpretation and evaluation	1) Phase 1 • Identify the problem or research question • Determine the purpose of the study • Search and review the literature relating to the question and develop a framework. • Define and refine the research question or formulate a research hypothesis • Select the research method and determine the design of the study • Specify the group of subjects to be studied 2) Phase 2	1) Step 1: Idea 2) Step 2: Research question 3) Step 3: Research design 4) Step 4: Research process 5) Step 5: Collecting evidence 6) Step 6: Research findings	1) Step 1:Selection and formulation of the research problem 2) Step 2: Reviewing literature 3) Step 3:Developing a research method 4) Step 4:Developing a data collection instrument 5) Step 5:Sampling 6) Step 6: Data collection 7) Step 7: Data analysis 8) Step 8: Interpretation of results 9) Step 9: Conclusions and recommendations 10) Step 10: Dissemination of results	1) Step 1: Identify and define problem 2) Step 2: Determine research objectives, research questions and research scope 3) Step 3: Develop a research design 4) Step 4: Conduct secondary research 5) Step 5: Select primary research method 6) Step 6: Design the data-collection tool 7) Step 7: Design the sample frame 8) Step 8: Gather the data 9) Step 9: Prepare and process the data 10) Step 10: Analyse the data 11) Step 11: Interpret the results and compile research report	1) Step 1: Defining the research objectives 2) Step 2: Planning a research design 3) Step 3: Planning a sample 4) Step 4: Collecting the data 5) Step 5: Analysing the data 6) Step 6: Formulating the conclusions and preparing the report

206

	• Conduct a 'dummy' run, or pilot study, of the research
	• Collect the data
	3) Phase 3
	   • Analyse the data
	   • Interpret the results
	4) Phase 4
	   • Communicate the research findings			

Sources: Babbie and Mouton (2014), Bless *et al*. (2014), Brink *et al.* (2014:52-58), Denzin and Lincoln (2014:25), Hesse-Bibber and Leavy (2011:34), Hofstee (2011:112), Wild and Diggines (2013:30) and Zikmund, Babin, Carr and Griffin (2013:60)

Although input from Hesse-Bibber and Leavy (2011) and Hofstee (2011) was considered in the research process of this study, it has not been tabulated due to lack of space. Table 4.1 elaborates on the research process of this study.

According to Bertram and Christiansen (2015:40), a research design is an important plan but it is not a fixed plan that proceeds in a very structured, linear way. Emerging from Table 4.1 above, therefore, the researcher incorporated different stages/steps/processes from different authors to come up with a modified research process which was followed in this study, albeit not as sequential as it appears in Figure 4.1 below and elaborated thereafter.

Figure 4.1: Research steps/phases/processes by different authors

Step 1: Introduction

Step 2: Identify and define problem

Step 3: Reviewing the literature

Step 4: Determine research objectives

Step 5: Determine the research questions and research scope

Step 6: Research strategies

Step 7: Sampling

Step 8: Methods of collection

Step 9: Gather the data

Step 10: Process and analyse data

Step 11: The art, practices, and politics of interpretation and evaluation

Step 12: Interpret the results and compile research report

Step 13: Limitations

Step 14: Ethical considerations

Step 15: Formulating the conclusions and preparing the report

Step 16: Dissemination of results

208

Figure 4.1 is elaborated hereunder:

1. **Step 1:** Introduction [(From Step 1 of Hostee, 2011].
2. **Step 2:** Identify and define problem [(From Phase 1 of Brink *et al.* (2014, Step 1 of Bless *et al.* (2014) Step 1 of Wild and Diggines (2013)].
3. **Step 3:** Reviewing the literature [From step 1 of Bless *et al.* (2014)].
4. **Step 4:** Determine research objectives [(From Step 1 of Wild and Diggines (2013) and Step 1 of Zikmund, Babin, Carr and Griffin (2013).
5. **Step 5:** Determine the research questions and research scope (From Phase 1 of Brink *et al.* (2014) and Step 2 of Babbie and Mouton (2014)].
6. **Step 6:** Research strategies [(From Step 3 of Denzin and Lincoln (2014), Step 3 of Babbie and Mouton (2014), Step 4 of Bless *et al*. (2014); Step 2 of Zikmund *et al.* (2013), Step 2 of Hofstee (2011), Step 3 of Wild and Diggines (2013)].
7. **Step 7:** Sampling [(From Phase 1 of Brink *et al.* (2014:56), Step 7 of Wild and Diggines (2013), Step 5 of Bless *et al.* (2014), Step 3 of Zikmund *et al.* (2013), Step 5 of Hesse-Biber and Leavy (2011), Step 3 of Hofstee (2011)].
8. **Step 8:** Methods of collection [(From Step 4 of Denzin and Lincoln (2014), Phase 1 of Brink *et al.* (2014), Step 5 of Babbie and Mouton (2014), Step 6 of Bless *et al.* (2014), Step 5 of Wild and Diggines (2013), Step 4 of Zikmund *et al.* (2013), Step 4 of Hesse-Biber and Leavy (2011), Step 6 of Hesse-Biber and Leavy (2011), Step 3 of Hofstee (2011)].
9. **Step 9:** Gather the data [(From Step 8 of Wild and Diggines (2013)].
10. **Step 10:** Process and analyze data [(From Phase 2 Brink *et al.* (2014), Step 7 of Bless *et al.* (2014), Step 9 of Wild and Diggines (2013), Step 7 of Hesse-Biber and Leavy (2011)].
11. **Step 11:** The art, practices, and politics of interpretation and evaluation [(From Step 5 of Denzin and Lincoln (2014), Step 10 of Wild and Diggines (2013), Step 5 of Zikmund *et al.* (2013), Step 3 of Hofstee (2011)].
12. **Step 12:** Interpret the results and compile research report [(From Phase 3 of Brink *et al*. (2014), Step 6 of Babbie and Mouton (2014), Step 4 of Bless *et al.* (2014), Step 11 of Wild and Diggines (2013), Step 5 of Denzin and Lincoln (2014)].
13. **Step 13:** Limitations [(From Step 4 of Hofstee (2011)].

14. Step 14: Ethical considerations [(From Step 5 of Hofstee (2011)].

15. **Step 15:** Formulating the conclusions and preparing the report [(From Phase 4 of Brink *et al*. (2014), Step 6 of Zikmund *et al*. (2013), Step 4 of Bless *et al.* (2014), Step 8 of Hesse-Biber and Leavy (2011), Step 6 of Hofstee (2011)].

16. **Step 16:** Dissemination of results [From Step 10 of Bless *et al.* (2014)].

Out of the three types of research approaches, namely, qualitative, quantitative and mixed methods approaches, this study used the qualitative research approach (through semi-structured interviews). The qualitative research is the collection, analysis and interpretation of data that cannot be meaningfully quantified (Denzin & Lincoln, 2013:17; Leedy & Ormond, 2014:97; Wild & Diggines, 2013:86; Zikmund, Babin & Griffin, 20113:132). The choice of the methods used was influenced or informed by a number of factors. To begin, the study sought a deeper understanding on ethics and governance in public sector. Denzin and Lincoln (2013) stated that the qualitative research locates the observer in the world, consists of a set of interpretive, material practices that make the world visible. These practices transform the world and turn the world into a series of representations, including field notes, interviews, conversations, photographs recordings, and memos to the self. Leedy and Ormrod (2005) stated that qualitative approach methods focus on events that occur in the real world and study their complexes. Ethics and governance is complex in nature and occur in the real world, thus, justifying the use of a qualitative approach. Similarly, Trochim and Donnelly (2008) noted that the qualitative research method enables researchers to get at the complexity of a phenomenon and move researchers into an in-depth understanding of how things work. Thus, qualitative research allows for a broader picture than a narrow view as noted by Creswell (2003). Based on these factors, the study made use of a qualitative approach. Time was taken to examine the suitability of the qualitative research.

Out of the most common methods of data collection namely, tests (Bertram & Christensen, 2015:72; Johnson & Christensen, 2014:225), questionnaires (Bertram & Christensen, 2015:72; Johnson & Christensen, 2014:225), interviews (Bertram & Christensen, 2015:72; Johnson & Christensen, 2014:225), focus groups, observation (Johnson & Christensen, 2014:225), artefacts analysis (Bertram & Christensen, 2015:72) and secondary or existing data (Bertram & Christensen, 2015:72; Johnson & Christensen, 2014:225), data in this study was collected through semi-structured interviews by using an Interview Protocol. An

interview is a method of data collection through a two-way conversation in which the interviewer asks the respondent/interviewee questions (Babbie, 2013:250; Brink *et al.,* 2014:157; Creswell, 2014:190; Denscombe, 2014:184; Johnson & Christensen, 2014:228; Nieuwenhuis, 2014:87) on certain questions on a specific subject (Wild & Diggines, 2013:115) to obtain data/responses from the respondent (Brink *et al.,* 2014:157; Creswell, 2014:190) about their ideas, beliefs, views, opinions and behaviors (Nieuwenhuis, 2014:87). The rich descriptive data from interviews helps researchers to understand the respondent's construction of knowledge and reality (Nieuwenhuis, 2014:87).

4.3 UNIT OF ANALYSIS

According to Neuman (2013), the social world comprises many units such as individual people, groups, organizations, movements, institutions, countries and so forth. Neuman (2013) illuminated the reality that researchers tailor theoretical concepts to apply to one or more of these units of analysis. The unit of analysis is therefore a person or object from whom the researcher collects data (Bless *et al.,* 2014). Rubin and Babbie (2005) Monette *et al.* (2008) regarded units of analysis as the specific objects or elements whose characteristics we wish to describe or explain and about which we will collect data. According to Bless *et al.* (2014), the unit of analysis may be at a micro (individual, family, group), mezzo (organisation, community) or macro (national) level. Although many people believe that social scientists always focus exclusively upon the phenomenological experiences of individual people, this is not always the case (Bless *et al.,* 2014). According to Bless *et al.* (2014), there are several possible units of analysis which fall into broad categories:

- **Individuals** (Leedy & Ormond, 2014; Monette *et al.,* 2008; Rubin & Babbie, 2005; Welman *et al.,* 2005). Individuals are the most common unit of analysis (Bless *et al.,* 2014). In this case, the researcher investigates the conditions, orientations, actions, attitudes and beliefs of a group of individual people. When the individual is used as the unit of analysis, the people that actually take part in the study are often selected because they belong to a particular group.
- **Groups** (Monette *et al.,* 2008; Rubin & Babbie, 2005; Welman *et al.,* 2005): Groups of people are also sometimes studied (Bless *et al.,* 20142). Some examples of research where the unit of analysis is more than one person are studies of siblings and identical

twins, marital relationships, family functioning and small-group functioning. In this case an entire group (and not each of its members) constitutes one unit and can be compared to another group (another unit).

- **Organizations** (Bless *et al.,* 2014; Monette *et al.,* 2008; Rubin & Babbie, 2005; Welman *et al.,* 2005): Organizations with formal structures constitute a particular kind of group that is often used as the unit of analysis for social research. In this case, questions of interest might relate to proportions of employees from different social groups, organizational structure, profit and communication channels.

- **Period of time** (Bless *et al.,* 2014). Occasionally, the unit of analysis is a period of time. For example, a researcher may wish to determine whether there is a systematic change in infant mortality in a given community over a 20-year period (each unit is one year), or how much rain falls each month over a year (each unit is one month), or how some cultural beliefs or values evolve through time.

- **Social artefacts** (Bless *et al.,* 2014). Finally, a common unit of analysis is **a particular social artefacts**. Social artefacts are products of social beings and can be anything from poems and letters to automobiles and farming implements. A systematic analysis of such artefacts may provide valuable information about the individuals and groups that created or used them.

The unit of analysis for this study were public sector employees from various government departments and those working for state institutions like the UN and AU, the various employees who were working in a number of government departments within each country that was under study. The employees were chosen because they are involved in issues pertinent to the study. The data from this unit not only describes that unit, but when combined with similar data collected from a group of similar units, the data provides an accurate picture of the group of which that unit belongs Bless *et al.* (2009).

The research questions in the study queried the role of AU and UN systems in influencing ethics and governance in nations under study. The government bodies or organisation represent a critical stakeholder and is appointed by the legislation to execute certain services on behalf of its citizens. Therefore, understanding their ethics and governance background became crucial.

4.4 CASE STUDY

Out of the several qualitative research designs that can be used depending on the type of study being undertaken, namely, action research (Bertram & Christiansen, 2015; Henning, 2013); Case study (Bertram & Christiansen, 2015; De Vos *et al.,* 2013; Du Plooy-Cilliers, Davis & Bezuidenhout, 2014; Henning, 2013; Johnson & Christensen, 2014; Leedy & Ormond, 2014); Content analysis (Leedy & Ormond, 2014); Discourse analysis (Bless *et al,* 2014; Henning, 2013); Ethnography study (Bertram & Christiansen, 2015; Bless *et al,* 2014; De Vos *et al.,* 2013; Du Plooy-Cilliers *et al*., 2014; Henning, 2013; Johnson & Christensen, 2014; Leedy & Ormond, 2014); Ethnomethodological studies (Henning, 2013); Grounded theory study (Bless *et al,* 2014; De Vos *et al.,* 2013; Du Plooy-Cilliers *et al*., 2014; Henning, 2013; Johnson & Christensen, 2014; Leedy & Ormond, 2014); Historical research (Bertram & Christiansen, 2015;Johnson & Christensen, 2014); Narrative inquiry/analysis (Bless *et al,* 2014; De Vos *et al.,* 2013; Henning, 2013; Johnson & Christensen, 2014) and Phenomenological study (Johnson & Christensen, 2014; Leedy & Ormond, 2014) or phenomenology (De Vos *et al.,* 2013), this study used a case study design.

Although case studies are defined in various ways and a standard does not exist (http://www.is.cityu.edu.hk/staff/isrobert/phd/ch3.pdf), in a case study, sometimes called idiographic research (Leedy & Ormond, 2014), a limited number of unit of analysis is studied intensively (Leedy & Ormond, 2014; Welman *et al.,* 2005). Johnson and Christensen (2014) quote Stake's (1995) assertion that there are three kinds of case studies, namely:

(1) Intrinsic case studies.
(2) Instrumental case studies.
(3) Collective case studies.

(1) Intrinsic case study: In an intrinsic case study, also called descriptive case study, as was the case in this research study, the researcher's primary interest is an understanding a specific case. This design is the classic, single-case design. Here the researcher describes, in depth, the particulars of the case to shed light on it.
(2) Collective case study: In the collective case study, the researcher believes that he or she can gain greater insight into a researcher topic by concurrently studying multiple cases in one

overall research study. The collective case study is also called multiple-case design. Several cases are usually studied in a collective case study. For example, two or three cases might be studied when a relatively in-depth analysis of each case is required and when resources are limited. When less depth is required and when greater resources are available, collective case studies of around 10 cases are common. The cases in the collective case study are usually studied instrumentally rather than intrinsically.

(3) Instrumental case study: In a case study used for explanatory purposes, also called the instrumental case study, the researcher's primary interest is in understanding something other than the particular case. The case is seen as important only as a means to an end. In other words, the researcher studies the case to learn about something more general (*e.g.*, discipline in general rather than discipline in a particular teacher's classroom). The goal tends to be less particularistic and more universalistic. That is, researchers doing instrumental case studies are less interested in making conclusions that are specific to the case and its particular setting than they are in making conclusions that apply beyond a particular case.

In the instrumental case study design, the researcher is usually interested in how and why a phenomenon operates as it does. That is, the researcher chooses the case to develop and/or test a theory or to understand some important issue better. Explanation is a key goal. The specific case can be selected because it is extreme or unique in some way (and can be used to test theoretical predictions) or because it is typical (and can be used to understand the general case). The instrumental case study is popular with many academic researchers when they are interested in generalizing and extending the findings in research literatures on various topics.

According to Du Plooy-Cilliers *et al.* (20149), researchers developing the case use data collection methods such as interviews and direct observation. Du Plooy-Cilliers *et al.* (2014) advanced the following three methods as the most widely used case study methods:

(1) Illustrative case study: An illustrative or typical case study is an attempt to understand what happened in a specific case. It entails a descriptive account of the main characteristics of a typical case example to clarify an idea or reinforce an argument (Du Plooy-Cilliers *et al.*, 2014).

(2) Exploratory case study: An exploratory case study involves rigorous description of the case within its broader context in an attempt to understand the nature of the case (Du Plooy-Cilliers *et al.*, 2014).

(3) Explanatory case study: An explanatory case study is an attempt to explain the particular circumstances and nuances of a specific phenomenon (Du Plooy-Cilliers *et al.*, 2014).

4.4.1 Six types of case studies

To qualify as something suitable for case study research, it is crucial that the thing to be studied has some distinctive identity that allows it to be studied in isolation from the context (Denscombe, 2014). If the case has no end-point, no limits, then it blends into other social phenomena and cannot be viewed as a 'case'. Denscombe (2014) alerted us that there are a wide range of social phenomena that meet the case criteria which can be studied using the case study approach. These are:

    i.   Event: Strike, street riot, ceremony, music festival;
   ii.   Organisation: Commercial business, hospital, school;
  iii.   Policy: New health intervention, change to pension schemes;
  iv.   Location: Shopping mall, nightclub, accident hotspot; and
   v.   Process: In-service training, recruitment procedure.

According to Babbie and Mouton (20141), although the origins of case studies are unclear there are six types of cases studies. These include individual case study, studies of organizations and groups, community studies, social group studies, studies of events, roles and relationships and studies of countries and nations. These are expatiated hereunder:

(1) Individual case study: This involves detailed account of one person.

(2) Studies of organizations and groups: This is where the focus is on a firm, company, corporation, trade union etcetera. There are many foci, including studies of best practice, policy implementation and evaluation, human resource practices, management and organizational issues, organizational culture, processes of change, re-engineering and so on.

(3) Community studies: This involves studies of one or more communities. The focus is on a description and analysis of the patterns of, and interpretations between the main aspects of community life.

(4) Social group studies: This involves studies of small direct contact groups (such as families) and larger more diffuse groups (such as occupational groups).

(5) Studies of events, roles and relationships: Here, the focus here is on a specific event such as studies of police-citizen encounters, doctor-patient interactions, specific crimes or incidents such as disasters, studies of role conflicts etcetera.

(6) Studies of countries and nations: Typical in international and comparative politics, studies of foreign policy where the focus is on a country or bloc of countries.

Accordingly, this study adopted the case study of countries and nations, with South Africa, Botswana, Mauritius and Tanzania being the counties being studied.

There are five rationales for using a case study approach, advanced by Yin (2014). Since this study used a single-case design, three out of the five rationales advanced by Yin (2014) were used in this study and are explained hereunder:

(i) Rationale 1: (Yin, 2014): The first rationale for a single case in this study was critical to the researcher's theory or theoretical propositions. The theory specified a clear set of circumstances within which its propositions are believed to be true. The single case was then used to determine whether the propositions were correct or whether some alternative set of explanations might be more relevant.

(ii) Rationale 2: (Yin, 2014): A second rationale for a single case in this study was because the case represents an extreme case or an unusual case, deviating from theoretical norms or even everyday occurrences. This offered a distinct opportunity worth documenting and analyzing.

(ii) Rationale 3: (Yin, 2014): A third rationale for using a single case in this study was the common case. Here, the objective was to capture the circumstances and conditions of an everyday situation as this provided lessons about the social processes related to some theoretical interest.

4.5 POPULATION AND SAMPLE

A study population, according to Babbie (2013), is that aggregation of elements from which the sample is actually selected. Burns and Grove (2011) allude to the reality that since researchers rarely have access to the entire population, the population that the researcher does have access to and actually studies usually differs in one or more aspects. This population is known as wither the 'accessible population' (Burns & Grove 2011; Polit & Beck 2008) or the 'study population' (Struwig & Stead 2001). This then makes a population to be individuals, objects or events that conform to specific criteria and to which researchers intend to generalise the results of the research (McMillan and Schumacher, 2006; Welman *et al*., 2005). Mouton (2009) added that in social research, population may include the following: Populations of individual human beings; Populations of organisations; Populations of institutions; Populations of collectives; Populations of social activities or events; Populations of cultural objects and Populations of interventions.

The population of the organisations funded by governments in each nation includes departments, public bodies, universities, educational institutions, public hospitals, community health, water authorities, provincial governments, municipality departments, local governments and any other body created by the government legislation. Points of contact in these organisations are published in government websites and in each government directory.

4.5.1 Sampling process

According to Hessey-Biber and Leavy (2011), sampling procedure refers to the variety of sampling methods employed to collect data in any given research project. Therefore, in order to draw a better conclusion about a population, a sample is needed (Berg, 2009).

As illustrated in Figure 4.1 below, sampling methods for obtaining representative samples are basically divided into two broad categories, which are probability and non-probability sampling methods (Wild & Diggines, 2013). Wild and Diggines (2013) posited that the concept of probability can be interpreted as the possibility of something happening in reality.

Figure 4.2: Sampling methods
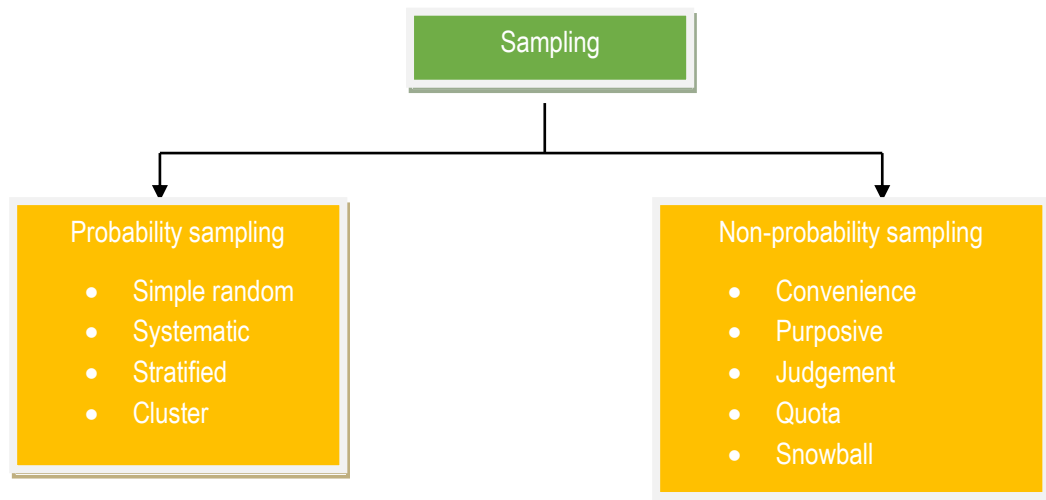
Source: Adapted from Cant *et al.* (2012:165)

4.5.2 Non-probability sampling techniques

According to Dhalberg and McCraig (2010), most types of non-probability sampling may not generalisable and is therefore best suited to descriptive work. While Mouton (2013) exposes the four types of non-probability sampling namely reliance on available subjects, purposive (judgmental) sampling, snowball sampling and quota sampling, an illumination is made that methods of non-probability sampling include judgement sampling (Brink *et al*., 2014; De Vos *et al.,* 2013; Johnson & Christensen, 2014; Neuman, 2014; Zikmund *et al*., 2013) adaptive sampling, convenience sampling, quota sampling, (Neuman, 2014), purposive sampling, deviant case sampling (Bless *et al.*, 2014; De Vos *et al.,* 2013; Neuman, 2014), theoretical sampling, sequential sampling, snowball sampling (De Vos *et al.,* 2013; Neuman, 2014) key informant sampling and volunteer sampling (De Vos *et al.,* 2013).

According to Wild and Diggines (2013), non-probability sampling methods include all sample surveys in which the selection probability of population elements is unknown or unascertainable. The sample is therefore based on the personal judgement of the researcher (Wild & Diggines, 2013) and all the elements of the population have a known non-zero chance of being selected, or population have little or no chance of being selected for the sample, meaning that all elements of the population do not have an equal chance of being selected (Du Plooy-Cilliers *et al,* 2014; Cant *et al.,* 2012).

There are numerous methods within the category of non-probability sampling. These include, convenience sampling, quota sampling, purposive and snowball sampling (Saunders *et al.,* 2012; Nieuwenhuis, 2012). Convenience sampling is whereby the researcher chooses the unit to include in a sample based on convenience. Snowball sampling is a method whereby participants of the research are used to locate other potential participants. Quota sampling involves dividing the population into determined groups, and the subjects of each group are intentionally selected from the population until a certain quota has been met for each group. Purposive sampling, at times, referred to as judgement sampling, is chosen by the researcher deliberately seeking to gain illustrative samples by including groups or typical areas in a sample. The researcher would rely on their own judgement to select the sample. Due to this dependence on judgement, in purposive sampling, the researcher should have sufficient knowledge of the topic in order to select suitable subjects. This study used purposive sampling technique to obtain data.

Purposive sampling, also known as qualitative sampling (Teddlie & Yu, 2007), judgement/judgmental sampling (Brink *et al*., 2014; De Vos *et al.,* 2013; Johnson & Christensen, 2014; Neuman, 2014; Zikmund *et al*., 2013) and intentional or deliberate sampling technique (Neuman, 201) refers to the type of non-probability sampling (Neuman, 2014) and is one of the sampling techniques that was utilized in the study. This is a sampling technique in which people are chosen for a particular purpose (Brink *et al.,* 2014; Denscombe, 2014; Leedy & Ormond, 2014; Neuman, 2014; Welman *et al.,* 2005), or who are especially knowledgeable about the question at hand (Brink *et al.,* 2014; Denscombe, 2014). It was the sample selected on the basis of the purpose of this study (Zikmund *et al.,* 2013), in which the researcher:

- Selected respondents because of their elements and the purpose of the study (McMillan & Schumacher, 2006);
- Selected the units to be observed on the basis of their own judgment about which ones will be the most useful representative (Babbie, 2004);
- Selected a small subset of a larger population in which many members of the subset could be easily identified, but the enumeration of them all would be nearly impossible (Babbie, 2004);

- Selected samples purposely to allow him to focus in depth on issues important to the study (Cohen, Manion & Morrison, 2011); and
- Ensured that certain types of individuals displayed certain attributes that are included in this study (Berg, 2007; Kannae, 2004).

The sampling strategy was used to select between two to eight public sector employees per country who had worked for over five years. In order to identify the targeted sample, the researcher approached government departments who later on introduced the researcher to relevant people. The size of the sample was determined by the time frame needed to interview the participants and the need to first adapt to certain country conditions in different countries.

Pertaining the issue of sample size, scholars are not in agreement regarding what constitutes a minimum sample, especially in qualitative research (Marshall, 1996; Leedy and Ormrod, 2005). Much as there are basically three approaches to the calculation of the sample size, namely, statistical, pragmatic and cumulative (Denscombe, 2014), and much as table 4.2 below offers suggestions on how sample sizes can be determined, there are no fixed rules for determining sample sizes (Bertram & Christiansen, 2015; Brink *et al.,* 2014; Brynard *et al.,* 2014). However, there are guidelines which suggest what a representative percentage of the population to be studied would be (Brynard *et al.,* 2014). For example, the more homogenous the population, the smaller the sample required and the more heterogeneous the population, the larger the sample required (Brynard *et al.,* 20148).

Table 4.2: Determining sample sizes

Population	Percentage suggested	Sample (No of respondents)
20	100	20
30	80	24
50	64	32
100	45	45
200	32	64
500	20	100
1000	14	140
10 000	4.5	450
100 000	2	2000

200 000	1	2000

Source: Stocker (1985, cited in Brynard *et al*., 2014; De Vos *et al.,* 2013)

Accordingly, the sample size of this study depended on the kind of data analysis the researcher planned, on how accurate the sample had to be for the researcher's purposes, and on population characteristics. Although a large sample is more representative, it was found to be very costly. Additionally, the research at hand is a case study which uses a smaller sample size, which generally consists of four to ten participants (Creswell & Clark, 2007). Therefore, given the objective of this study, a small sample consisting of 18 participants was found to be more convenient and was deemed adequate. The major criterion used when deciding on sample size was the extent to which the sample is representative of the population.

4.5.2.1 Inclusion criteria

According to Brink *et al.* (2014), it is critical that the researcher carefully defines and describes the population, and specifically stipulates criteria for inclusion in it. These criteria are referred to as 'eligibility criteria', 'inclusion criteria' or 'distinguishing descriptors' (Polit & Beck 2008). BergsjØ (1999) advices that in research, there has to be criteria for inclusion and exclusion. McMillan and Schumacher (2006) concur with Brink *et al*. (2014) when they recommend that that researchers should carefully and completely define both the target population and the sampling frame, followed by delimiting variables, that is, a more specific definition based on demographic characteristics such as age, gender, location, grade level, position and time of year. This then becomes a representative sample. According to Brink *et al.* (2014), a representativeness means that the sample must be similar to the population in as many ways as possible.

Interviews were conducted with eighteen (18) participants from four countries. Six (6) interviews were done in South Africa, three (3) in Botswana, two (2) in Mauritius and seven (7) in Tanzania. These interviews were done between the periods of March 2014 up to January 2015. The sample included government managers in certain departments and other institutions that were deemed relevant. A purposive sampling method was utilised to identify the participants.

Porter and Wetherell (1987, cited in Radzilani, 2010) posit that in order to gather in-depth information about the phenomenon under investigation, a small number of participants is often used. The researcher's choice of the sample for this study was influenced by some conditions. One condition was that participants had to be close to governance in terms of their work. This requirement was set to ensure that all the questions about ethics and governance in the public sector are answered fully. The researcher used his personal connections to a number of public bodies to have access to interviews. Direct communication with the potential participants was achieved through telephones and visits. First, the researcher purposefully selected the participants using contact details which were found in a number of governments' websites. Follow up were done with the relevant people who were identified as suitable for the study. This process was also done to understand the internal processes used in accessing issues of ethics and governance by these institutions. Each participant was interviewed to provide his/her perceptions with regards to ethics and governance in the government department that they were working in. To identify the United Nations and African Union representatives that were to be interviewed, the researcher approached a branch of each organisation. It is from references that four (4) representatives were offered by the AU and 3 by the UN. Each organisation was directly involved in choosing who was to be interviewed. Then after being referred to the participants, the researcher had to create some constant communication. This enabled the participants to gain trust and helped in being open during the interview. This approach helped in garnering valuable in-depth data about how these organisation view ethics and governance in countries where they serve. Below is an outline of interviewers' details.

Table 4.3 Interview schedule details

	Pseudonyms	Organisation	Position	Qualification	Experience	Age
		South Africa				
1.	P1	Public Sector worker	Senior administrator	Master degree level	Five (5) years	Between 40-50
2.	P2	Public Sector worker	Senior administrator	Master degree level	Eighteen (18) years	Between 40-50
3.	P3	Public Sector	Senior	Master degree	Five (5)	Between

		worker	administrator	level	years	40-50
4.	P4	Public Sector worker	Senior administrator	Honours degree	Four (4) years	Between 40-50
5.	P5	Public Sector worker	Senior administrator	Master degree level	Five (5) years	Between 40-50
6.	P6	Public Sector worker	Senior administrator	Post graduate Diploma	Thirteen (13) years	Between 40-50
United Nations(UN)						
1.	P7	UN's official	Senior administrator	Master degree level	Seven (7) years	Between 50-60
2.	P8	UN's official	Senior administrator	Master degree level	Four (4) years	Between 40-50
3.	P9	UN's official	Senior administrator	Undergraduate level	Ten (10) years	Between 40-50
4.	P10	UN's official	Senior administrator	Master degree level	Ten (10) years	Between 50-60
5.	P11	UN's official	Junior administrator	Undergraduate level	Six (6) months	Between 20-30
African Union (AU)						
1.	P12	AU's official	Senior administrator	Master degree level	Five (5) years	Between 50-60
2.	P13	AU's official	Senior administrator	PhD level	Six (6) years	Between 50-60
3.	P14	AU's official	Senior administrator	Master degree level	Ten (10) years	Between 50-60
4.	P15	AU's official	Senior administrator	PhD level	Five (5) years	Between 40-50
5.	P16	AU's official	Senior administrator	Master degree level	Five (5) years	Between 30-40
Tanzania						
1.	P17	Public Sector	Senior	Master degree	Three (3)	Between

		worker	administrator	level	years	50-60
2.	P18	Public Sector worker	Senior administrator	Master degree level	Three (3) years	Between 40-50
3.	P19	Public Sector worker	Senior administrator	Master degree level	Four (4) years	Between 40-50
4.	P20	Public Sector worker	Senior administrator	Master degree level	Four (4) years	Between 50-60
5.	P21	Public Sector worker	Senior administrator	Post graduate Diploma	Three (3) years	Between 50-60
6.	P22	Public Sector worker	Senior administrator	Undergraduate level	Three (3) years	Between 40-50
7.	P23	Public Sector worker	Senior administrator	Master degree level	Six (6) years	Between 50-60
			Botswana			
1.	P24	Public Sector worker	Administrator	Undergraduate level	Seven (7) years	Between 30-40
2.	P25	Public Sector worker	Senior Administrator	Master level		Between 40-50
3.	P26	Public Sector worker	Administrator	Undergraduate level		Between 40-50
			Mauritius			
1.	P27	Public Sector worker	Senior Administrator	Master level	Eighteen (18) years	Between 40-50
2.	P28	Public Sector worker	Senior Administrator	Master level	Six (6) years	Between 50-60

The researcher took into account Babbie and Mouton (2014) and Valle and Halling's (1989) opinion that:

- Respondents chosen must be people who are able to function as informants by providing rich descriptions of the experience being investigated (Valle & Halling,1989);

- Respondents should have the experience of the topic of the research and have the capacity to provide a full and sensitive descriptions of the experience under examination (Valle & Halling,1989);

- Respondents should have the ability to express themselves linguistically with ease (Valle & Halling,1989);

- Respondents should be willing to respond (Babbie and mouton, 2014);

- Respondents should have spontaneous interest in their experience (Valle & Halling,1989); and

- Respondents should have the experience of the situation under investigation at a relatively recent date (Babbie and Mouton, 2014; Valle & Halling, 1989).

4.5.3 Probability sampling

In probability sampling methods, a known positive probability is associated with each element of the population that will be selected as a part of the sample (Wild & Diggines, 2013). According to Cant *et al*. (2012), probability sampling methods include simple random sampling, systematic sampling, stratified sampling and cluster sampling.

In probability sampling, also known as random sampling, every unit has an equal chance of being included in a sample. Therefore, only chance determines whether a unit is included or not. Hence, the research can measure errors in estimation or significance of results obtained from the sample. There are number of methods for selecting a sample, for instance: stratified sampling, cluster sampling to name a few. Stratified sampling involves dividing the population into homogeneous non-overlapping groups and selecting a sample from each group (Cochran, 1963). Cluster sampling involves dividing a number of units of the population into clusters, then randomly selecting sample clusters. The main challenge with probability sampling techniques is that when sampling a population that is distributed across a wide geographic area, the researcher needs to cover a lot of ground geographically in order to get to each unit that will be sampled (Sukhatme,1954), which is expensive to do (Trochim, 2006).

Out of the eight types of non-probability sampling advanced by Neuman (2014), the purposive sampling method mentioned above was chosen because of its advantages. The other seven non-probability sampling methods explained below could not be used for the following reasons:

- **Adaptive sampling:** The principle of adaptive sampling is to get a few cases using knowledge of likely locations of hidden population, using random sampling to recruit and then use a snowball sample to expand from a few cases (Neuman, 2014). In adaptive sampling, is a type of sampling based on early observations (Neuman, 2014). It could not be used in this study because it is in contrast to sampling the general population or visible and accessible people (Neuman, 2014).

- **Quota sampling**: The purpose of this non-probability method sampling method is to draw a sample that has the same proportions or characteristics as the entire population, with the aim of replicating the proportions of subgroups or strata present in the population (Brink *et al.,* 2014; De Vos *et a*l., 2013; Maree & Pietersen, 2014). According to Wild and Diggines (2013), in quota sampling, the researcher uses census data or other available sources to classify the population according to relevant characteristics such as age, income, sex or geographical area. Quota sampling could therefore not be performed as the characteristics of the target population, such as the demographic profile, were not known and would have taken time to investigate. This would have been made more difficult by the target population being infinite.

- **Sequential sampling:** Although sequential sampling is similar to purposive sampling in that in this type of sampling researchers try to locate as many relevant cases as possible, sequential sampling differs because in this type of sampling, researchers continue to gather cases until the amount of new information ends or a certain diversity of cases is reached (Neuman, 2014). This type of method could not be used because it would mean gathering cases until a saturation point, which would be time-consuming.

- **Snowball sampling**: The principle of snowball sampling, also called network, chain, referral, reputational and respondent-driven sampling (Neuman, 2014) is to get cases using referrals from one or a few cases then referrals from those cases

226

and so on (Neuman, 2014). Snowball sampling involves the assistance of study population in obtaining other potential participants, especially where it is difficult for the researcher to gain access to the population (Brink *et al*., 2014; De Vos *et al*., 2013; Maree & Pietersen, 2014; Wild 7 Diggines, 2013). According to Wild and Diggines (2013), in this method, the respondents are then used as informants to identify other individuals with the same characteristics. This non-probability method was not selected as it would have taken time to follow up on potential respondents suggested by current respondents.

- **Theoretical sampling:** In theoretical sampling, what is sampled comes from grounded theory (Neuman, 2014). Here, the researcher guides the selection of samples based on new insights that the sample could provide (Neuman, 2014). This could not be used in this study because it is time-consuming.

- **Volunteer sampling:** As the name suggests, this is a type of sampling that puts together people who volunteer to participate in research (De Vos *et al.,* 2013; Du Plooy-Cilliers *et al*., 2014). This method of sampling was not used in this study because it is unreliable and because it tends to provide erroneous research results (Du Plooy-Cilliers *et al*., 2014).

- **Key informant sampling:** In this case, sampling relies on people in the community identified as experts in the field of interest (Marlow, 2005). The strategy is to interview these experts systematically after they have been identified (De Vos *et al.,* 2013). This sampling method could not be used because it is not useful for this study.

In addition to not using the above non-probability sampling, the following four types of probability sampling suggested by Neuman (2014) could not be used due to the following reasons:

- **Cluster sampling:** A cluster is a unit that contains final sampling elements but can be treated temporarily as a sampling element itself (Neuman, 2014). While Neuman (2014) informs us that cluster sampling is a type of sampling that uses multiple stages, Brink *et al.* (2014) and Wild and Diggines (2013) aver that cluster sampling takes place in two stages/steps. In the first stages, the total population is divided into mutually exclusive and comprehensive groups called

clusters (Wild & Diggines, 2013). The researcher progresses to the most inclusive sampling unit until he/she reaches the final stage, which is the selection of the elements or participants in the study (Brink *et al.,* 2014). This method could not be used because more sampling errors tend to occur, especially in the first stage which is aggravated in the following stages (Brink *et al.,* 2014). Additionally, the appropriate handling of the statistical data from cluster samples is extremely complex (Brink *et al.,* 2014).

- **Multi-stage sampling:** Multi-stage cluster sampling is used when the population for a study is widespread or if the cost of reaching each element of the sample is very high (Neuman, 2011, cited in Du Plooy-Cilliers *et al*., 20140). In multi-stage sampling, the researcher first divides the population into various groups of clusters of elements and then draws a representative sample using the random selection method (Denscombe, 2014; Wild & Diggines, 2013). This method could not be used because it is time-consuming.

- **Simple random sampling:** On the list of simple random sampling, each population element has to be numbered sequentially such that each element can be uniquely identified (Maree & Pietersen, 2014). This is a sampling process in which units are selected individually and directly by means of a random process (Du Plooy-Cilliers *et al*., 20148; Wild & Diggines, 2013). Du Plooy-Cilliers *et al.* (2014) and Wild and Diggines (2013) further inform us that in simple random sampling, a specific number of elements is drawn one by one from the elements of the population in such a way that every time this is done, all the remaining elements in the population have the same probability of being drawn. This method was not chosen because this would have been time-consuming.

- **Systematic sampling:** According to Maree and Pietersen (2014), the manner in which a systematic sample is drawn is by systematically moving through the sample frame and selecting every *k*th element. In systematic sampling, the sample elements are drawn systematically from a complete list of the population elements (Wild & Diggines, 2013) and each element of the sample is randomly chosen from a sampling frame list using a sampling interval (Du Plooy-Cilliers *et al*., 2014). Du Plooy-Cilliers *et al.* (2014) define a sampling interval as the distance between each element selected for the sample. Systematic sampling was not

chosen because it would have been more time- consuming.

- **Stratified sampling:** According to Bertram and Christiansen (2015), stratified sampling is used when the research population consists of subgroups who may have different opinions or experiences of the world. Du Plooy-Cilliers *et al*. (2014) aver that with stratified sampling, the first step is to split the population into sub-unit or strata Strata are groups of elements that share the same characteristics within the same population (Du Plooy-Cilliers *et al*., 2014). These strata are then decided based on characteristics included in the population parameters (Du Plooy-Cilliers *et al*., 2014) and samples are drawn from each stratum using simple random sampling or systematic sampling (Neuman, 2011, cited in Du Plooy-Cilliers *et al*., 2014).

4.6 DESIGN AND PILOT TESTING THE QUESTIONNAIRE

A number of different opinions on and definitions of the pilot study exist. Some of these address one aspect of the pilot study, while others are more comprehensive (De Vos *et al.,* 2014). Sarantakos (2000), for instance, differentiates between the pre-test and the pilot study. The former, according to Sarantakos (2000), comprises the testing of one or more aspects of the subject, such as the questionnaire or the programme for the analysis of the data. De Vos *et al*. (2014, like the researcher, feel that the concept pilot study is the more correct and the more comprehensive.

Therefore, a pilot study is a specific pre-testing of research instruments including interview guides or an interview guide which is done in preparation for their full-scale use to see if the envisaged methods are valid in the practical research environment (Van Teijlingen & Hundley, 2002:1).

As an important aspect in both the quantitative and qualitative paradigm of research, the pilot study was deemed important because it covered the following aspects of the study as advanced by De Vos *et al.* (20147): (i) Testing the measuring instrument (ii) Suitability of the interview schedule or questionnaire and (iii) Testing and adapting the measuring instruments/apparatus.

Johnson and Christensen (2014) advised that after completing a pilot test, researchers should revise the questionnaire and then pilot test it again so as not to use a questionnaire in a research study until all of the things have been worked out. This was done by the researcher by taking cognizance of aspects four for piloting advanced by De Vos *et al.* (2013): *Testing the measuring instrument.* Pilot-testing the questionnaire assists the researcher in obtaining an assessment of the questions' validity and likely reliability of the data that will be collected. A pilot study was done with three (3) different organisations in South Africa and Tanzania in January and February 2014 respectively. The interview questions were pre-tested in order to identify any irregularities and ambiguity. Questions that created confusion were rephrased in the final interview. Arksey and Knight (1999) noted that pilot studies help researchers to realise the time taken to conduct an interview. Therefore, through the pilot study, it was easy to gauge how long the interviews will take place. The pilot study schedule is shown in Table 4.3 below.

Table 4.4 Pilot study

	Date	*Location*	*Place*	*Position*	*Organisation*	*Notes/Voice*
1	06/01/2014	Dar-es-Salaam, Tanzania	At work	Management	President's office, Public service management	Notes
2	09/01/2014	Dar-es Salaam, Tanzania	At work	Management	Prevention and Combating of Corruption Bureau (PCCB)	Notes
3	20/01/2014	Pretoria, South Africa	At work	Management	Department of Public Service and Administration	Notes
4	23/01/2014	Pretoria, South	At work	Management	Public protector	Notes

		Africa				
5.	27/01/2014	Pretoria, South Africa	At work	Management	UN office	Notes
	29/01/2014	Midland, South Africa	At work	Management	AU- PAN Africans Parliament	Notes

4.6.1 Question designs

It is important to write the questions in such a way that the meaning of each will be the same for all respondents. A question that is not carefully worded may result in answers, and therefore data, that are meaningless (Maree, 2014). This study's wording and phrasing of questions was in line with the following guidance of questionnaire design as follows:

i. Questions should not be 'double-barreled', that is, containing two questions (Bless *et al.,* 2014; Brink *et al.,* 2014; De Vos *et al*., 2013; Maree & Pietersen, 2014; Johnson & Christensen, 2014; Neuman, 2014:);

ii. Questions should be unambiguous. Words that are too general or too vague, or that could give rise to different interpretations, should be replaced with more specific terms (Bless *et al.,* 2014; Brink *et al.,* 2014; Denscombe, 2014; Maree & Pietersen, 2014; Neuman, 2014);

iii. Questions should be understandable. Vocabulary that is adapted to the participants' level of education should be used (Bless *et al.,* 2014; Brink *et al.,* 2014; Maree & Pietersen, 2014; Neuman, 201);

iv. Leading questions should be avoided (Bless *et al.,* 2014; Brink *et al.,* 2014; De Vos *et al.,* 2013; Johnson & Christensen, 2014; Maree & Pietersen, 2014; Neuman, 2014);

v. Questions should be stated in an affirmative rather than a negative manner (Brink *et al.,* 2014; De Vos *et al*., 2013);

vi. Question should avoid double-negatives (Johnson & Christensen, 2014; Maree, 2014; Neuman, 2014);

vii. Use wording that was suited to the specific target group (Denscombe, 2014);

viii. Questions should be kept the questions as short and straightforward as possible (Denscombe, 2014);

ix. The same questions should not be asked twice (Denscombe, 2014);

x. Question numbering should be paid attention to (Denscombe, 2014);

xi. The length of the questions should be carefully considered, giving preference to shorter ones (De Vos *et al.,* 2013;

xii. Avoid loaded phrases that suggest certain responses (De Vos *et al.,* 2013);

xiii. Make response categories easy to remember (De Vos *et al.,* 2013);

xiv. Questions with jargon, vagueness, emotional language, extreme words such as all, never and always, implicit questions, patronizing tone, long complex question should be avoided (De Vos *et al*., 2013; Maree & Pietersen, 2014; Neuman, 2014);

xv. Phrases or words that could seem offensive should be avoided (Denscombe, 2014; Neuman, 2014);

xvi. Sentences should be brief and clear, and the vocabulary and style of the questions should be understandable and familiar to the respondents (De Vos *et al.,* 2013; Maree & Pietersen, 2014);

xvii. Items expressing a certain idea may be repeated using different wording to ensure that respondents understand the idea being measured (De Vos *et al.,* 2013);

xviii. Question and response alternatives should be clear and not reflect the bias of the researcher (De Vos *et al.,* 2013);

xix. Every question should be relevant to the purpose of the questionnaire. This implies that each question should reflect the concepts of the study (De Vos *et al.,* 2013);

xx. Avoid asking knowledge questions, include questions that a respondent will find difficult to answer, or memory questions (Maree & Pietersen, 2014);

xxi. Avoid asking hypothetical questions – the answers tend not to be very reliable (Maree & Pietersen, 2014);

xxii. Make sure that you use clear, simple and respectful language and keep in mind problems that can be caused by wording of questions (Bertram & Christiansen, 2015); and

xxiii. Use a logical sequence and group questions on similar topics together (Bertram & Christiansen, 2015).

The questionnaire design was greatly influenced by the pilot study that was conducted before the main interviews. In other words, the questionnaire was refined and redesigned to capture more data as suggested by the pilot study.

4.6.2 Questions sequence

In order for an interview to extract a lot of data from the participant, the questions sequence is crucial. Leech (2002) recommended that the beginning of an interview should start with the general questions and move to specific or detailed questions. This is mainly done to ensure that the interviewee settle within the interview process, thus helping to delve into deeper issues throughout the interview process. Robson (2002) outlines a few stages to begin the interview process as follows: an introduction –where the interviewer introduces himself and the purpose of the interview. Secondly, a warm up is where general questions are asked to settle down a conversation. Thirdly, the main body of the interview is where detailed and deeper questions can be asked. Fourthly, where straightforward questions are asked to clarify things already mentioned in the interview process. This period is usually known as the 'cool off' period. Lastly, the closure of interview is where the interviewer shows gratitude and appreciation. These steps may help an interviewer to gain more information from the interview which may, in turn, help in answering the research questions of the study. Hence, this sequence was followed in the interview process.

4.6.3 Trust issues

In order to gather rich data, building trust is crucial (Easterby-Smith *et al.,* 2002). Furthermore, building trust can be achieved as follows: ensuring that the researcher is well informed about the organisation and avoiding over anxious in collecting data as relationships take long to develop. The following steps were taken to ensure that trust was built with the participants: the objectives of the study were clearly outlined, and the research issues of anonymity and confidentiality were clearly explained. The study outcomes were explained to the participants prior to the interview process. Therefore, building trust was an important factor in obtaining rich data or in-depth information from the participants.

4.7 INTERVIEW APPROACH

One of the critical assumptions of an interview is that the perspectives of others are meaningful, knowable and are made explicit (Patton, 1990). Rubin and Rubin (2005) noted

that interviews are conversations in which the researcher guides a conversational partner into an extended discussion. Therefore, interviews are used to elicit information about the research question to the answers given by the participants (Rubin and Rubin, 2005). Interviews of a qualitative nature are classified as semi-structured or unstructured (Robson (2002; Bryman, 2004). Robson (2002) defines a semi-structured interview as consisting of pre-determined questions. These questions can be modified based upon the interviewers perception of what is regarded as appropriate. This type of interview is not broad in focus compared to the unstructured interview. Unstructured interviews have open ended questions (Rubin & Rubin , 2005).

This research is exploratory in nature, hence, semi structured interviews were used to elicit responses from the participants. This type of interview offers and guides interviewees to answer questions in relation to the research topic. Furthermore, they keep the conversation in focus by asking a number of specific questions relating the study objectives. Generally, this approach was chosen because it allows participants to speak, think and be heard and it is suited for in-depth and personal discussions as noted by Reid *et al.,* (2005). Madill (2011) notes that participants are offered a chance to talk informal, like friends than strangers. This allows interviewees to speak freely and openly about their experiences (Smith, 2011). However, it should be realised that too much guidance in an interview process can lead to biased results, which, in turn, can reduce the validity of the study.

There are a number of ways of doing interviews. Face to face, email and telephone interviews (Folwer, 2002). All these techniques have limitations and advantages. For instance, emails or telephone interviewing are useful if it impossible to meet physically with the participants (Walliman, 2006). Similarly, it is hard for the interviewer to judge the responses from such methods as it is impossible to visualise how the questions were interpreted. Moreover, you cannot get visual clues such as facial and hand gestures, or eye contact (Walliman, 2006). A face to face interview, on the other hand, is a two way conversation between the participants and the interviewer which helps in obtaining precise information (Zikmund, 2003). In this type of interview, the researcher has more options or chances of judging the quality of the information received on an ongoing basis, encouraging the interviewee to answer the questions or using any visual signs to communicate (Folwer, 2002). Based on these advantages, the research relied on face to face interviews. These interviews can take place in

a number of situations, for instance, at work, home or wherever it is deemed suitable (Zikmund, 2003).

The interviews in this study were conducted at work places of the participants. The interviews lasted at least 60 minutes to 90 minutes based on how the participants were answering the questions. It should be noted that animosity of participants which is a requirement for conducting interviews came forth throughout the study. In certain instances, general and opaque responses were given by participants. This approach was adopted in order to maintain privacy of sensitive data about organisations under study. A field work diary was maintained, whereby an entry was made before each interview and after in order to observe, and link the data to a paradigm. This is indicated in table 4.3 below.

Table 4.4 Fieldwork schedule

Pseudo nym	Date	Place	Location	Organisation	Length	N/V
United Nations						
P7	13/02/2014	Work	UNDP, Headquarter	United Nations	90 Minutes	**Notes**
P8	20/02/2014	Work	UNDP, Headquarter	United Nations	120 Minutes	**Notes**
P9	16/06/2014	Work	UNDP, Headquarter	United Nations	90 Minutes	**N/V**
P10	30/09/2014	Work	UNDP, Headquarter	United Nations	120 Minutes	**N/V**
P11	30/09/2014	Work	UNDP	United Nations	90 minutes	**N/V**
African Union						
P12	14/04/2014	Work	AU- PAN Africans Parliament	African Union	90 Minutes	**Notes**
P13	28/04/2014	Work	AU- PAN Africans	African Union	60 minutes	**N/V**

			Parliament			
P14	08/09/2014	Work	AU- PAN Africans Parliament	African Union	120 minutes	**Notes**
P15	25/09/2014	Work	AU- PAN Africans Parliament	African Union	90 minutes	**N/V**
P16	25/09/2014	Work	AU-PAN African Parliament	African Union	60	**Notes**
Tanzania						
P17	10/02/2014	Work	Dar-es-Salaam, Tanzania	President's office, Public service management	120 Minutes	Notes
P18	17/02/2014	Work	Dar-es-Salaam, Tanzania	Prevention and Combating of Corruption Bureau (PCCB)	90 Minutes	N/V
P19	25/02/2014	Work	Dar-es-Salaam, Tanzania	President's office, ethics secretariat	120 minutes	N/V
P20	03/03/2014	Work	Dar-es-Salaam, Tanzania	President's office, public service Management	120 minutes	N/V
P21	10/03/2014	Work	Dar-es-Salaam, Tanzania	Commission for Human Rights and Good	90 Minutes	N/V

				Governance		
P22	24/03/2014	Work	Dar-es-Salaam, Tanzania	State House-Good governance Coordination Unit	60 minutes	N/V
P23	27/03/2014	Work	Dar-es-Salaam, Tanzania	Tanzania National Audit	60 minutes	N/V
*South Africa*						
P1	07/04/2014	Work	Pretoria, South Africa	Department of Public Service and Administration	120 minutes	N/V
P2	21/04/2014	Work	Pretoria, South Africa	Public Service Commission	90 minutes	N/V
P3	12/05/2014	Work	Pretoria, South Africa	Auditor General	120 minutes	N/V
P4	26/05/2014	Work	Johannesburg, South Africa	Commission for Human Rights and Good governance	60 minutes	N/V
P5	30/06/2014	Work	Pretoria, South Africa	Presidency-Monitoring and Evaluation		N/V
P6	18/08/2014	Work	Pretoria, South Africa	Department of Public Service and	120 minutes	N/V

				Administration		
				Mauritius		
P27	29/04/2014	Work	Pretoria, South Africa	Embassy of Mauritius residing in Pretoria, South Africa	90 minutes	N/V
P28	23/06/2014	Work	Port Louis, Mauritius	Ministry of Civil Service and Administrative Reforms	120 minutes	N/V
				Botswana		
P24	25/08/2014	Work	Pretoria, South Africa	Embassy of Botswana residing in Pretoria, South Africa	90 minutes	N/V
P25	02/09/2014	Work	Pretoria, South Africa	Embassy of Botswana residing in Pretoria, South Africa	120 minutes	N/V
P26	23/09/2014	Work	Pretoria, South Africa	Embassy of Botswana residing in Pretoria, South Africa	120 minutes	N/V

4.8 DATA COLLECTION PROCEDURES

In doing a qualitative research, data is usually collected from multiple sources. Yin (2003) identified a number of sources where data can be collected, these include documents, records, interviews, observation and artefacts. McNabb (2008) pointed only three sources namely documents, interviews and observations. Data was gathered through semi-structured interviews. The data used for the study were from two sources, namely, interviews and documents, though the interview was the main source. The participants were interviewed on ethics and governance in the public sector. The information received was analysed and reported.

4.9 TRANSCRIPTION, NOTE TAKING AND RECORDING

When conducting an interview there are a number of ways of retrieving data and storing it. This can be done through note-taking, recording and transcription. Arksey and Knight (1999) favour tape recording because of its ability to keep the researcher concentrating on what is said. More so, it increases accuracy of data collection as noted by Patton (1990). However, in order to conduct a tape recorded interview, one needs to seek the approval from the participants. Recording does not eliminate the need to take notes (Patton, 1990). In certain instances, it may be best to do both note-taking and recording especially in cases where the interviewer may need to refine the questions. In situations where recording is not allowed, note-taking becomes the only viable option. Arksey and Knight (1999) are of the view that when making notes, the interviewer should devise his/her on shorthand or customised speedwriting. This strategy helps in writing most of the information said by the participants, although in certain cases, it can be prone to misrepresentation when analysing. Furthermore, Arksey and Knight (1999) suggest that immediately after the interview, the interviewer should expand on what was said before details are forgotten. Therefore, these suggestions were taken into consideration during interviews and after, so as to collect data and meet the study objectives. In cases where permission was offered, tape recording was done in combination with note taking. The recordings were transcribed into a word document for analysis using the NVivo software.

4.10 INTERVIEW BIAS

During the interview process, there is a possibility that the process may suffer from bias which can reduce the validity of the findings. This can be reduced by using simple, short, clear and precise questions, and reducing ambiguity or slang language (Choi and Pak, 2005). Therefore, the interview process followed a similar structure where clear, precise questions were asked to the participants in order to avoid vague answers. In certain instances, 'probes' were used to retrieve more data. Easterby- Smith *et al.,* (2002) note that 'probes' can be used as a technique to sharpen responses. This can be achieved by repeating questions, building on incomplete questions and offering the interviewee ideas or suggestions to think about. It should be noted that 'probes' should not lead the participants, but, leave the questions open and unbiased. The techniques mentioned were used throughout the interview process where it was necessary, and this improved the participants' responses.

4.11 METHODS AND APPROACHES TO DATA ANALYSIS

The list of approaches considered appropriate for the study included case study, phenomenology and thematic content analysis. However, based on certain strengths and weakness of the methods, one was preferred over the others.

The qualitative case study was deemed appropriate and suitable to be used to conduct a study on ethics. The research was not based on studying individual experiences nor positing a theory or studying any culture. It was based on understanding the ethics and governance grounding public sector in different countries in relation to AU and UN standards. Leedy and Ormrod (2005) noted that a case study is appropriate for studying a phenomenon not properly known or understood. Similarly, Berg (2009) points that a case study is a method that involves systematically collection of adequate information about a phenomenon to permit a research to effectively understand how a subject operates. Furthermore, the approach is capable of studying simple to complex phenomenon and can employ multiple means for data collection (Berg, 2009). McNabb (2008) noted that a case study is popular due to its flexibility. However, although the method looked appropriate for this study; its shortfall was that it would have made it difficult to compare case studies per each country considering that geographically position and geo politics are dissimilar.

The phenomenological approach focuses on the need to understand people`s perception, perspectives and understanding (Leedy & Ormrod, 2005). The method tries to understand an individual`s experience of an event or tries to describe what is common to those experiences (Creswell, 2007). Data is collected using narratives, in-depth interviews and personal experiences with the idea of finding a meaning for certain behaviours (McNabb, 2008). Therefore, given that this study does not focus on personal experiences and behaviour, utilising a phenomenological approach was inadequate, hence, the inappropriateness of the method.

Thematic analysis is a widely used, although poorly documented qualitative method (Braun & Clarke, 2006). The method is for identifying, describing, analysing and reporting themes of patterns within a data set in detail (Braun & Clarke, 2006). One benefit of thematic analysis is flexibility (Braun and Clarke, 2006). Hence, it can provide rich and detailed and yet complex account of data, and interpret various aspects of a research topic (Boyatzis, 1998). Therefore, thematic analysis can report experiences, meanings and reality of participants, events, realities, meanings and experiences (Braun & Clarke, 2006). Based on these advantages, the method was chosen because of its flexibility and ability to pick up certain themes in a data set. However, the only shortfall of the method is that it is misunderstood in higher levels of analysis (Braun & Clarke, 2006) making it prone to criticism. Nonetheless, the aforementioned benefits of using a thematic analysis outweigh the reported shortfalls.

Two methods are used to identify themes or patterns in thematic analysis. These are, namely, inductive approach and theoretical deductive approach. Deductive approach starts from general to specific. The researcher begins with a theoretical consideration, then hypothesis formulation, which leads to the data collection and testing of the hypotheses. This approach is usual suitable for quantitative strategy (Bryman & Bell, 2007). On the other hand, inductive approach is whereby a research seeks to code data without trying to fit it into a pre-existing coding frame. The inductive approach is usually used in qualitative research (Bryman & Bell, 2007).

This research tries to access factors that govern ethics and governance in the public sector. Thus, the deductive approach is not suitable for this study due to its non-exploratory nature. Hence, the inductive approach is the most suitable for this study as it helps in exploring general patterns or themes relating to ethics and governance in public sector. Exploratory

study is often used when little is known about the problem or when it is ambiguous. Robson (2002) notes that an exploratory study is suitable where there is a lack of sufficient theory and concepts to describe, analyse and explain what is going on. According to Braun and Clarke (2006), in this method, the thematic analysis allows for a rich description of the data set related to a broad research question, thus, enabling the research question to evolve through the coding process. However, in the inductive approach, the analysis is analyst driven and focuses on a more detailed analysis of specific data, coding for specific research question (Braun & Clarke, 2006). Therefore, in this study the inductive approach was favoured based on its ability of allowing rich description of the data set.

4.11.1 Thematic analysis process

The study adopted an inductive thematic analysis method. Thomas (2006) states that an inductive approach is used to condense extensive raw data into brief a format, create understandable links between objectives of the research and outcomes and develop a framework of the causal structure of the processes that arise from raw data. The inductive thematic analysis follows six phases:

1. First, there was familiarisation with data including transcription, reading and re-reading material. The researcher read the transcripts more than twice in order to ensure familiarity as suggested by Braun and Clarke (2006) in order to gain insight and search for the meaning and patterns in the data set. A broad literature review was done in this step. This was done to help the researcher to sensitize to potential themes embedded in the data that may not have been identified without having to do so (Braun and Clarke, 2006);

2. There was then the generating of initial codes or systematic coding of features relevant to the research questions across the whole data set and paraphrasing of ideas emerging from the data and looking for connections. Boyatzis (1998) notes that codes are labels using few words that are conceptually meaningful to the data. This stage began after the researcher familiarised himself with the data. This step is the first analytic step in thematic analysis, as the data is organised into meaningful groups (Braun and Clarke, 2006). Basically, coding depends on whether the themes are data driven or theory driven. Hence, coding can be done using a software or manually. In

this study, line by line coding was found to be suitable. This process encouraged a thorough detail and attention to each line, thus, capturing almost every detail. Different texts and segments were highlighted using different colours following Braun and Clarke (2006);

3. Searching for themes collating codes into themes and gathering all codes relevant in the text followed. A theme represents a patterned response or meaning within the data set. It can arise within the data set;

4. Reviewing themes to check their suitability of the document extracts and creating a thematic map was done next;

5. Thereafter, naming and defining themes by refining and generating clear definitions for each theme was performed. This entailed looking for names within each theme to ensure closeness to the data;

6. Lastly, production of the report occurred by selecting relevant extracts to illustrate themes and relating them back to the research questions and literature. Braun and Clarke (2006) advise researchers to relate themes to research questions as opposed to their importance to quantifiable measures. Characterization and identification of themes began early in this study and continued throughout. A number of potential themes were identified through reading transcripts and evolved entirely throughout the coding process. Codes were in certain instances included under more than one theme. Upon completion of the coding. The process was done using a qualitative software called NVivo.

4.12 COMPUTER ASSISTED QUALITATIVE DATA ANALYSIS (CAQDAS)

In order to efficiently retrieve data and manage it systematically, a computer software package was used. Such a software helps in assisting with the data analysis process. The software is not an alternative to researcher's effort and skills, but it is viewed as a means of enhancing the rigour of qualitative studies (Bazeley, 2007). Pope *et al.,* (2000) note that it encourages proximity of researcher with the data. Due to these reasons, the data was transcribed into a Microsoft word document then later on exported to a qualitative software NVivo-10 for analysis.

4.13 ISSUES OF QUALITY IN QUALITATIVE RESEARCH

Creswell (1998) notes that quality in qualitative research remains a complex and an emerging area, hence, the argument that the research lacks scientific rigour emerges. There has been a considerable debate on issues of validity, reliability and generalizability in qualitative interpretive approach (Stenbacka, 2001). Whilst the standpoint of some researchers in argument of lack of depth in qualitative methods is taken into consideration, the inherent feature of exploratory research is that there is no consensus amongst scholars on how to measure validity, reliability and generalizability.

4.14 VALIDITY

There are variety of methods to ensure that research remains as realistic as possible. Joppe (2000) suggest that validity is whereby the research measures that which it was intended to measure. Mays and Pope (2000) suggest ways to improve validity of results from different methods of data collection. These are as follows:

- Being aware of factors of the research that may have influenced the way in which data was collected, for instance, researcher and participants' characteristics;
- Taking into consideration participant data that may be in contradiction with other data;
- Taking a variety of perspectives throughout the research process; and
- Asking participant to validate the researchers' interpretations.

4.15 RELIABILITY

Reliability of the findings in any study is an important indicator of a well-conducted research. Joppe (2000) defines reliability as the extent to which results are consistent over time and remain accurate in representing a population under study. If the results can be reproduced by the same methodology, then the instrument is considered reliable. In qualitative research, determining reliability can be challenging considering that the data collected is based on face to face situations and semi structured questionnaires. Thus, the same data can be prone to different interpretations. In order to demonstrate reliability in qualitative research, it is important to carefully describe each of the processes involved in the study. Lewis and Ritchie

(2003) are of the view that reliability is achieved if the research is done in a systematic way, ensuring that any interpretations provided are supported by data. In this study, the issue of reliability was addressed in order to reduce any biasness in the results. This was done by conducting an interview setup where participants could feel, portray their experiences, clarify any vagueness or ambiguities with participants, and report the findings in a systematic manner with reference to existing literature.

4.16 GENERALIZABILITY

Qualitative studies are not considered generalizable in the traditional sense, and some qualities of the research have an inherent value. Morse (1999) states that if qualitative research is considered not generalizable, then it is of little use or insignificant and hardly worth noting. However, Ritchie and Lewis (2003) point that there are number of ways that can help in generalizability of a study. One way is to generalise one particular study context to another. This can be done when reporting the research in a 'thick description' of the research process and a setting is provided (Geertz, 1978). Similarly, generalizability can be achieved if there is a clear demonstration that the sample is a true reflection of the population under study, and conclusions drawn are a reflection of data provided by participants (Lewis and Ritchie, 2003). In the context of this study, the data collected was used appropriate and fully to help in the interpretation of the results. The use of an inductive thematic analysis process helped to reveal the deeper meaning of responses. Furthermore, the research was scrutinized by applying a research design that fully captured what the study sort. Quality was maintained through the research process and demonstrated throughout this thesis.

4.17 ETHICAL ISSUES

Although the study was not aimed at studying humans in general, issues of ethics need to be taken into consideration when eliciting data. Babbie (2007) identifies ethical issues in research as follows: informed consent, right to privacy and protection from harm. Protection of humans is making sure that no one is harmed through participation in the survey. Leedy and Ormrod (2005) stated that risk involved should not outweigh those involved in everyday living. Therefore, the researcher must reveal every detail that can prejudice or cause losses to the participant beforehand. The following ethical considerations were done throughout the research process:

1. *Voluntary participation*- Participants participated voluntarily without any cohesion. This means the participant had the choice to pull out of the interview if they felt uncomfortable;

2. *Informed consent*- enough information and assurances on participation in the interview was provided to all participants in order to allow them to understand the implications of taking part in the study;

3. *Confidentiality*- participants' anonymity and the organisations they worked in was maintained by the researcher who used pseudonyms throughout the study. The data extracted was used for this study only;

4. *Genuinely and responsibility*- in reporting the findings of the study, the researcher acknowledged the sources of data, accuracy of the findings was ensured irrespectively of whether they were in contradiction to the expected outcomes;

5. *Non Harm*- any activity that would have caused embarrassment, harm, pain, discomfort, stress and others were avoided throughout the research;

6. *Objectivity*- the researcher acted openly, truthful and avoided dishonesty throughout the study;

7. *Respect*- the researcher considered the rights of the participants as governed by the country constitution and a statute governing rights.

4.18 CONCLUSION

In this chapter, the methodology and procedural process followed in conducting this study were presented. A thematic analysis approach was identified as the suitable research strategy based on reasons which were afore-mentioned. The chapter further described the methods that were used for data collection and data analysis as well as the justification for choosing those methods. The methods were deemed suitable for a thematic analysis study. Furthermore, research ethical issues guiding the study were stated. The next chapter presents the findings of the study.

CHAPTER FIVE: FINDINGS

5.0 INTRODUCTION

In Chapter four, an elaboration pertaining the study research design and methodology was given to justify the manner in which data was gathered and handled in this study. This was done to make sure that this chapter provides the necessaary details regarding the analysed data as outlined in the next sections. The chapter begins by discussing the demographics of the sample that was chosen, then proceeds to discuss and provide the coding frames used for the thematic analysis process. It then illustrates and discusses four main themes and associated subthemes that emerged fom the analysis. The themes are presented in a form of inductive approach which allowed the participants feedback to shape the emergence and organisation of themes. Therefore, to demostrate this process, respondents' ideas were engrossed in the tilte of the themes. This leads to the evaluation against the main research question of the study.

5.1 DEMOGRAPHICS DETAILS

This section presents the demographics of the sample. The issues that are discussed include: the organisations were the particpants work, education, experience, age and position held. The reason for this is to give an overview of the type of particpants that helped to shape this study. More so, in order to be able to answer the research questions of the study, the partciapnts were carefullychosen as stated in Chapter 4.

5.1.1 Participants organisation

The breakdown of the sampled participants was based on the organisations the participants were working for. A total of 64 participants were public service officials from three countries namely, South Africa, Mauritius and Tanzania. The breakdown of the sample of the officials per country was given in Chapter 4, and 18 % of the respondents came from the United Nations Offices in Africa, and the other 18 % from the African Union. Figure 5.1 shows the results.
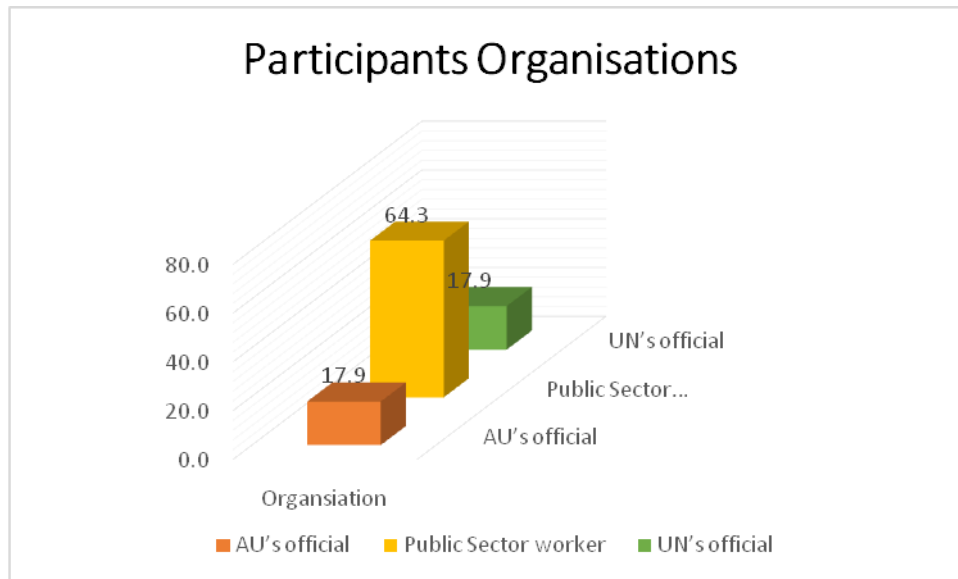
Figure 5.1 Participants organisation or sector

5.1.2 Qualifications of the participants

The education levels of the respondents are shown in Figure 5.2. The majority of the participants (54 %) possess a Masters' degree qualification followed by an undergraduate degree (18 %) The sampled population had a minimum of an undergradute level. This meant that regardless of the country, it was evident that when it comes to high positions, the minimum that is accepted is an undergraduate degree. Furthermore, regardless of country background, the officials were equally literate because of the demanding jobs they do in handling public affairs.
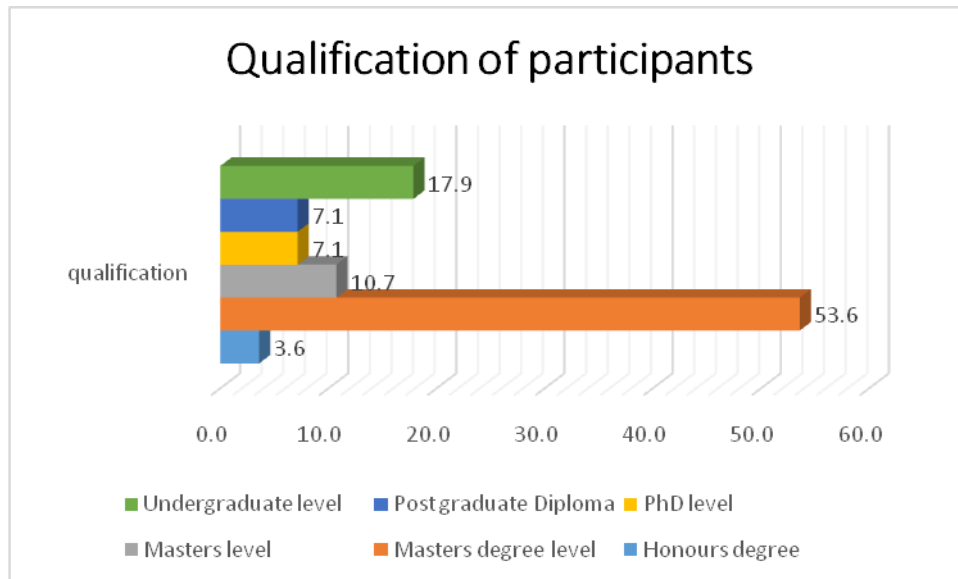
Figure 5.2 Qualifications of participants

The sampled participants revealed that in the AU, the minimum qualification was a Masters'
Degree with the highest as a PhD. Yet, in UN and the public sector, it was Masters' degree
with the minimum being an undergraduate degree.

5.1.3 Distribution in the sample according to age

Of the sample, 54% of the respondents were aged between 40 and 50 years; 36 % were aged
between 51 and 60. The age range showed that the majority of the sampled respondents (90
%) were over the youth age group. According to the United Nations definition, a youth is
someone aged between 18 to 38 years. Therefore, it was evident that in working for public
instutions, experience is one of the crucial things needed to take a position. The sample
revealed that most people were approaching retirement age of 65. The distribution of
respondents by age is shown in Figure 5.3.
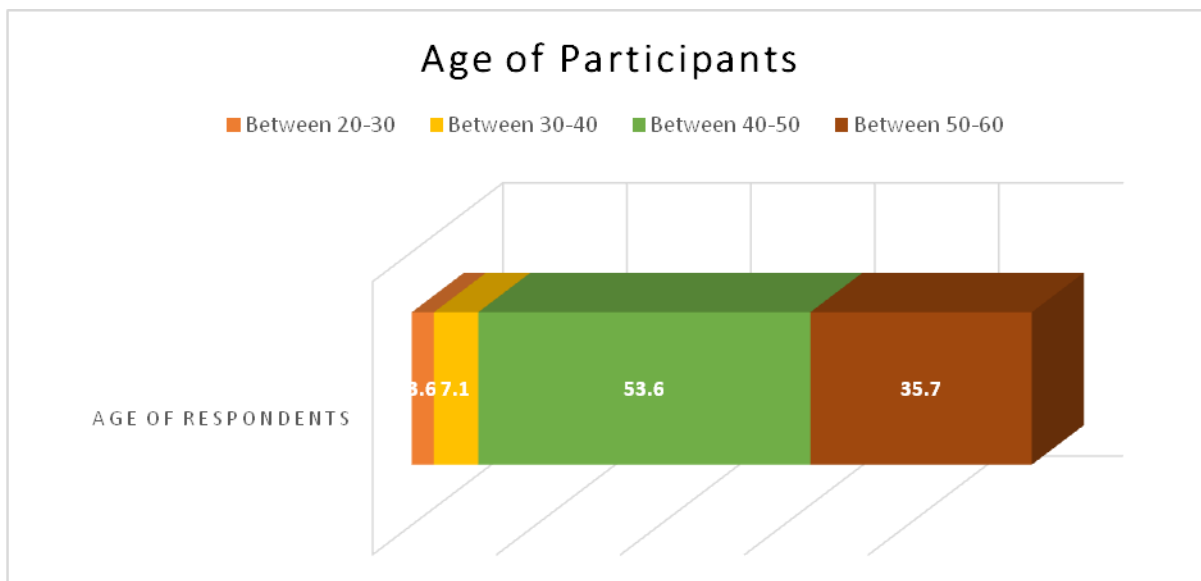
Figure 5.3 Age of participants

A breakdown of age by organisation or sector revealed that most respondents who were aged beween 40 and 50 years were from the public sector and those aged between 30 to 40 years were mainly from the AU and UN only. The breakdown also revealed that people aged 20-30 years were from the UN only. This is shown in Figure 5.4.

Figure 5.4*: Age distribution by organisation or sector*
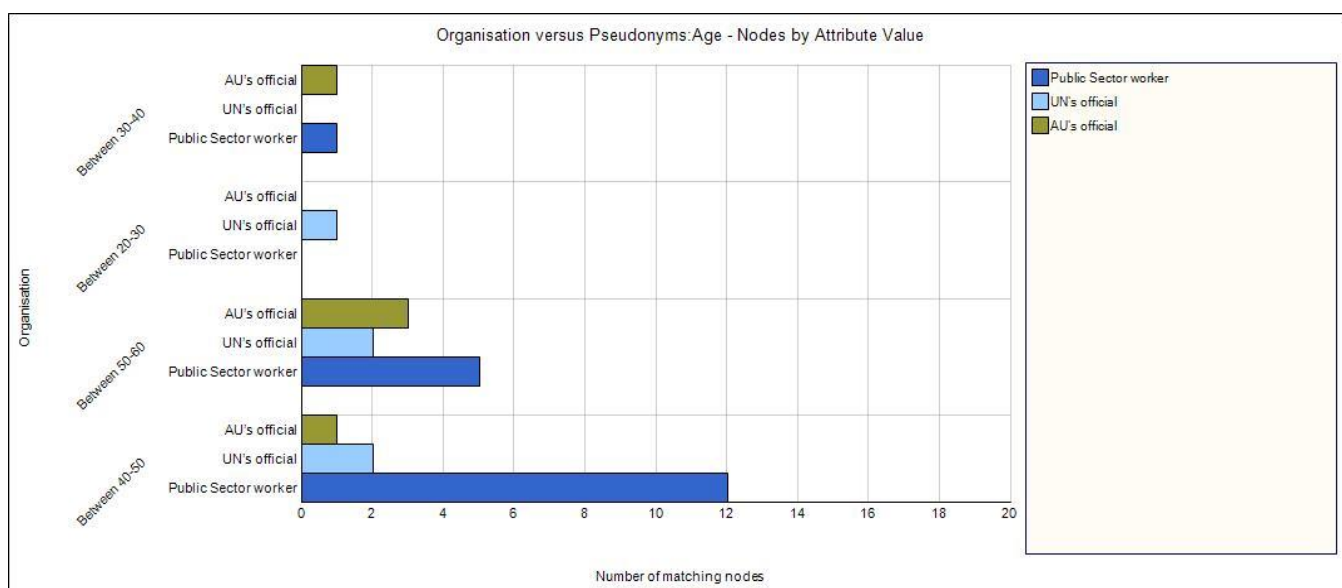
5.1.4 Distribution according to current position

Figure 5.5 shows the distribution of respodents by position. A total of 89 % of the respondents are in seniour administartion position, 4 % in junior position and 7 % were administrators.

Figure 5.5: *Participants by Position*
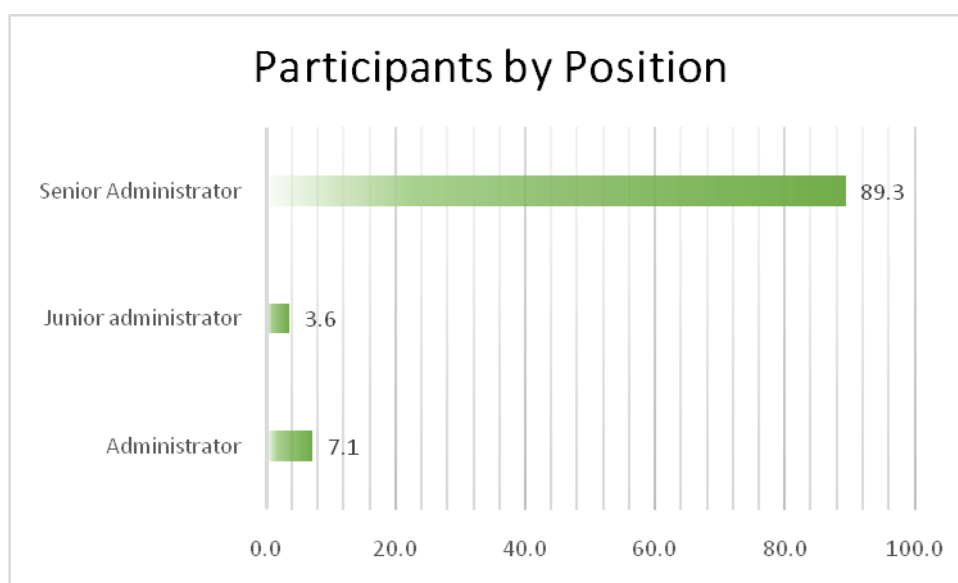
Figure 5.6 shows a breakdown of position by organsiation or sector. Most respondents on senior administration were from the Public sector followed by the AU. Junior administrators were from the UN only, and administors were from the AU only. The sampled population revealed that Senior administrators were from UN, AU and public sector.

Figure 5.5: Breakdown of participants by age and organisation
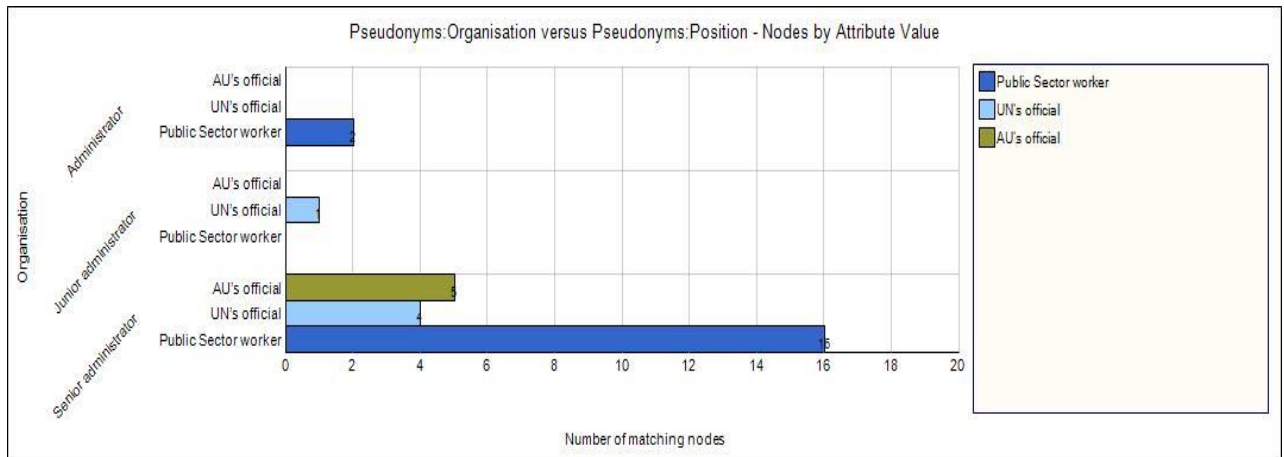
5.1.4 Experience in working in the Public Sector

A total of 25 % of the respondents had over 5 years' experience working in the public sector or AU and UN; 17 % had 3 years' expericence, and 14 % had 6 years' expericence. The findings of the study revelaed that at least every participant had experince of over 3 years working in the public sector. Figure 5.6 shows the otcome.

Figure 5.6: *Experience of participants*
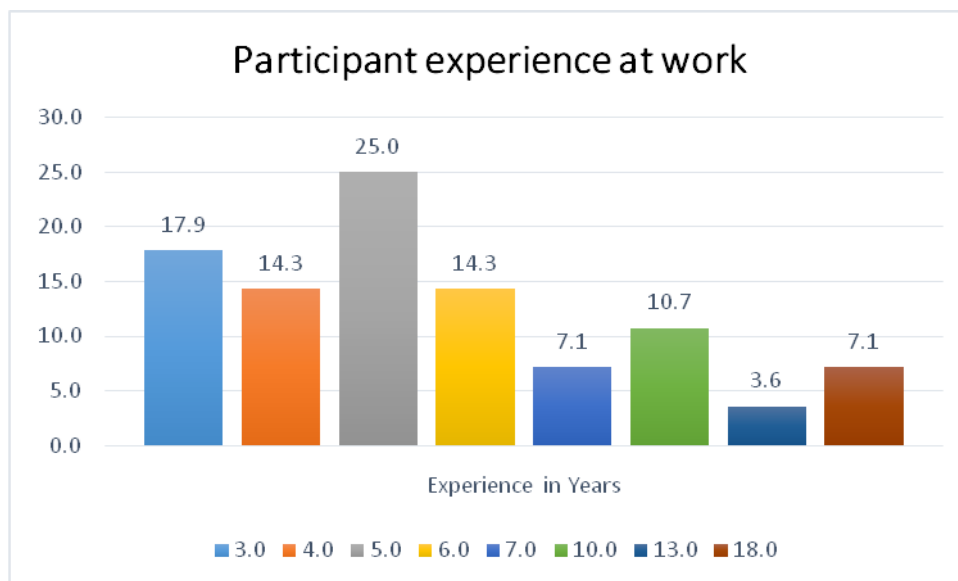
5.2 THEMATIC ANALYSIS

As explained in Chapter 4, themes were developed following the process of: reading the transcripts to get common responses and noting of significant words that related to research questions. Based on this, the researcher referred back to literature and research questions to develop six major themes.

The six major themes reflected the research questions with literature consideration. AU and UN systems, corporate governance and ethics, and understanding of ethics in public sector. As the data collection progressed, the following themes emerged within governance and ethics:

5.2.1 Theme 1: Ethics a part in governance
　　　5.2.1.1 Subtheme 1.2: Rules abiding
5.2.2 Theme 2: Effectiveness of AU and UN systems
　　　5.2.2.1 Subtheme 2.1: Overhaul of the AU system
5.2.3 Theme three: Disciplinary role
5.2.4 Theme Four: Ethical guidelines and standards influence on public sector
　　　5.2.4.1 Subtheme: Professional and support system
　　　5.2.4.2 Subtheme: Effectiveness of AU
5.2.5 Theme five: Member states adherence to the UN/AU ethical conduct
　　　5.2.5.1 Subtheme: Member states relating to ethical policy and guidelines of UN/AU
　　　5.2.5.1Subtheme: Extent of adherence to AU/UN guidelines and rules
5.2.6 Theme Six: Implementation gaps in ethical guidelines within member states

All the themes and sub themes from the interviews are presented in the forthcoming section. A list of quotations from the participants is appendixed. Every discussion of the themes is supported by the relevant quotes from the participants. The participants' responses have labels such as (P7); this means the response written was from participant number seven according to the interview schedule that was presented in Chapter 4. The participants statements are grouped according to the organisation or institutions where they are from. This was done in order to have a clear comparison between the UN/AU and the public sector

participants' quotes. By so doing, this study aims to fulfil the core objectives as set in Chapter one.

5.2.1 Theme 1: Ethics a part in governance

This theme emerged in response to the questions about the role played by UN/AU system in governance. Participants were not of a similar view with regards to how their organisations function. In conducting the interviews with the AU and UN officials who occupied senior posts in those organizations, the researcher simply asked them to briefly summarize their background. Upon completion of the summaries, the researcher then asked them to describe their understanding of governance. The researcher did not mention ethics in that question so as to see if it was going to feature in their answers. Generally, a number of officials described the typical features of governance according to their understanding, although ethics was not raised much. The most dominant feature was about setting goals for the organization and monitoring them. The responses were similar to what was noted by Macintyre (1984) who stated that striving for excellence is the same as striving for ethics or to be ethical. Hitherto, Moore (2005) notes that carrying out a task or activity well is equal to being ethical. Solomon (1992) states that ethics are intrinsic to business as the whole point is to realise the mission and vision of the organisation.

The following *verbatim* phrases illustrate the most responses received:

UN

P7. *UN legal frame work.*

P8. *lnternational treaties and conventions which includes issues like human right instruments which look out to address inclusion , diversities, vulnerabilities , disabilities , inequalities sexual harassment, different faiths etc*

P10. *Specific regulations which includes UN vision and values, accountability, integrity and professionalism.*

P11. *UN ethics office that is all UN employees have to declare conflict of interest, assets declaration beyond civil servants employment on their business, money all these they have*

> *to declare. Governance is just following rules and regulations laid down by the UN.*

The quotes above are from respected and experienced officials from the United Nations amongst those interviewed in the study. Their responses communicate their views on governance. However, in their responses only one talks of ethics. Does it mean they do not see any link between ethics and governance? For example, participant P11 states that *governance is following specific rules and regulations laid done by the UN and values.* Surprisingly, ethics is never mentioned explicitly. The same question is posed to the AU officials, and these are the responses:

AU

P12. African charter on the values and principles of administration (p1)

P13. They are many but one of such mechanism is the reestablishment of the African peer review mechanism (APRM) to promote governance and ethical issues among member states

P14. Refer to (AU website on public sector ethics also AU charter African charter, values and principles of public service, anti-corruption charter, SADC protocol)

P16. Emphasis on the value of the AU through respect for diversity and team work, transparency and accountability, integrity and impartiality, efficiency and professionalism, sharing knowledge and information and thinking African above all

---

Some of the interviewed participants related to the AU system of governance as guided by the African Charter which emphasises on values and principles of public administration as pointed by participant (P14). Similarly, P3 relates to the AU website where the African Charter guidelines, values and principles of public services are quoted. However, P16 states that governance emphasizes on the values of the AU and putting Africa above everything else. Such quotes seem to be in tandem with Rossouw's (2006) assertions with regards to what constitutes ethics.

Rossouw and Sison's (2006) survey on governance models tried to find a relationship between business ethics and corporate governance. The study discovered that ethics is associated with governance in two ways: ethics of governance (that is non-explicit but gleaned from analysing corporate governance principles or directives) and governance of ethics (whereby organisations govern their ethical performance through the use of codes of ethics, ethics audit) (Rossouw, 2009). Both organisations, UN/AU, seem to be having a guideline of conducting business using set measures. All the participants from both organisations seem to concur with Rossouw and Sison's (2009) ethical dimension because they both use ethics of governance which is not explicit but found in governance principles and directives. Similarly, both organisations apply what is termed *governance of ethics* by means of ethics audits, codes of ethics and ethics training as seen in Rossouw (2009). Both the AU/UN officials should observe high ethical standards throughout their governance.

It was very interesting to note that when AU/UN officials were asked about their understanding of governance, most officials referred to the UN/AU guidelines and rules of governance. They spoke of relying on such mechanism in order to gauge how they abide to rules of governance and ethics. The following subtheme emerged from the discussion:

- Rules abiding.

5.2.1.1 Subtheme 1.2: Rules abiding

This section is based on the responses that were received from the officials of the AU and UN with the regards of what they perceive as governance from other staff members working in their organisations. The most notable subtheme that emerged is the issue of rules abiding citizen. In other words, in order to be part of these organizations, one should start within oneself to be a rule-abiding individual who is always guided by principles. If violation occurs, you are supposed to be prepared for punishment. The following are extracts from the participants at the UN on how they relate to rules and guidelines of the UN on ethical conduct and governance:

UN

They abide by the rules and guide lines because they all rely on rules and regulations. As diversities of UN, for international workers they normally comply but for the local staff it varies. That means they have some unethical issues once they are caught by audit they are dismissed. They are governed by rules so they abide by the rules. The same rules, same enforcement systems of dismissing them if they go different according to the audit of UN from audit committee who audits the whole organization (external auditors and internal auditors) there after they send the report to the committees. (P8)

There are many corrupt UN officials for example, the World food Programme officials such as Mr. X. UN workers are ethical and majority are in line with the ethical policies. There are certain people within the UN governance who have a lot of power and there is no doubt that they abuse this privilege for example security council. (The five permanent members) (P10)

Staffs adhere to the highest standards of efficiency, competency and integrity. Through UN code of conduct and the charter keep officials accountable to it, through staff regulation and rules, The UN charter and the secretary general bulletin or administrative instructions to keep staff accountable(P.11)

Some participants were of the view that most UN officials do abide by rules and guidelines set in the organisation. Therefore, if caught doing unethical things, you are immediately dismissed when the UN audits send the recommendations to the committee. P10 states that there are many corrupt officials within UN, although lower ranked workers are ethical and in line with policies. He further states that there is an abuse of power because certain officials from permanent member states do not face the same outcome as other officials from non-permanent member states of the UN. Hence, they abuse that privilege by being involved in unethical things. P11 notes that staff adhere to highest standards of efficiency, competency and integrity by following the UN code of conduct, UN Charter and secretary bulletin as guidelines. Furthermore, he states that the staff is always accountable.

The following are extracts of AU officials on how the staff adheres to AU rules and guidelines:

AU

There is no clear cut between AU policy guides with the top officials. What are there are policy guidelines which direct all workers of Au and members states. The conducts of AU workers reflect on who is chairing the AU. If the chairperson country is lazy also the workers of AU will be lazy.If officials of AU do not have the system of showing the transparency of what they are doing its also impractical trace the ethical conduct because there is no openness, transparency , accountability what they are doing their issues. (P12)

Through officials guidelines and directive and evaluation reports. They try to adhere to the policies, although some how poor. (P13)

Refer to website on code of ethics for regulating officers for AU (P14)

There is a code of conduct which applies to all AU Officials and staff members, irrespective of their location, categories and/or duration of their appointment. AU staffs are required to report conflicts of interest or failures to follow the Code of Conduct to appropriate authorities. (P16)

The participants stated that AU staff does adhere to rules and guidelines of set by the organization. P13 states that officials or staff follow official guidelines and directives, as well as having evaluation reports to trace their progress in following the guideline and rules of the AU. Although, he criticizes the process as moderate and somewhat a poor method of monitoring the staff, participant P14 referred to the website as having the code of ethics regulating AU officers. Similarly, P16 reinforces what was said by P14 on the code of conduct and ethics. He further states that AU staff reports any conflict of interest and failures to follow the Code of Conduct. P12 disputes that there are guidelines and rules for officials, although he admits that the same guidelines are only applicable to AU members' states and their workers. He further states that conduct of AU is linked to the Chairperson, for instance,

if the chairperson is lazy so will the staff of AU. He closes by stating that there is no system of tracing officials since they do not produce anything concrete that can be used to trace their conduct or accountability.

Therefore, it can be seen that the UN governance system has a better mechanism of tracing their staff or officials on issues of following rules and guidelines stated in the UN Charter. On the other hand, the AU governance system is dependent on the power vested in the Chairperson position as the main driver for checking their officials or staff. Some participants raised concern on how the AU carried its governance role. Almost all the AU participants had negative views about the governance of the AU. Yet, the UN participants felt as if UN was imposing on them. One participant questioned the role of the AU in governance because it cannot manage its own affairs. The issues raised included transparency, accountability and weak control mechanism.

5.2.2 Theme 2: Effectiveness of AU and UN systems

This theme emerged when it was discovered that a number of participants were very keen to discuss the effectiveness of both UN/AU systems of governance. The following were responses from UN officials pertaining the issue of effectiveness of the systems.

UN

Very effective in the sense that they are enforced that if you break them you will be dismissed. (P7)

The participant highlights the effectiveness of the UN system by stating that failing to follow the standards leads to dismissal, which is the harshest punishment that one can encounter. The dismissal is meant to scare any official who may try to manipulate the system to their favour. However, participant 8 gives a different view by stating that the system is not very effective based on the issues of lacking central authority. He further reiterates the use of a central authority by stating that they play a role in the implementation and operation of the organization.

Not very effective because no central authority. Yet, the central authority and binding agreements play a key role in the implementation and operation of the organization and international treaties (P8)

Participant 9 stated that they are effective based on the point that implementation and policy alignment are ongoing. This means the implementation of guidelines and rules is an ongoing process, hence, the participant claims that the system is effective

They are effective, no point of being not effective (P9).

Implementation and policy alignment are on -going challenge (P11).

The same question was posed to the AU officials. The following key-in-text phrases are used to identify their perceptions with regards to effectiveness of the AU governance system.

AU

People who are working on that are ministers for public service in each country on the so called the conferences of Africa ministers for public services/ civil services. It started in 1994 in Morocco focus on the development of the public sector up to the present we have now annual forums called CAFRAD. There are some themes of combating corruption and there are some effectiveness but the impact are not more tangible. (P12)

They have helped to poster openness and accountability at state level (P13)

Moderately effective (P14)

The AU is just 10 years old but these values are consolidating fast. (P15)

The officials at the AU stated that the system is moderately effective with the exception of certain countries. P12 reports that since its inception, the AU has greatly improved because there are strategic conferences meant to identify the problems affecting the AU system of governance. Every member state sends a minister to the conference so as to give feedback on what other member states are doing in order to improve governance. P13 states that the AU system of governance has led to openness and accountability at state level because each member state reports on the progress they make to the organisation. Yet, P15 notes the AU is

still a junior organisation although it is improving each day. The responses received from the officials led to the generation of another subtheme on some measures that they believe might be of use to the AU. The following section discusses the proposal.

5.2.2.1 Subtheme2.1: Overhaul of the AU system

The participants made suggestions on what could be done to improve the AU system of governance. P13 points that political will to improve the system should be of prime importance to instil this change. He points that the secretariat of the AU are retired officers who need to be replaced first in order to make it easy to follow up issues. Secondly, funds to implement certain programmes are also limited, this, in turn, affects progress. The situation is left at the mercy of the chairing country which decides on the issue. Therefore, this also leads to poor prioritization of programmes. P14 suggests that people should be involved in the review process, although the current challenge is how governments implement the APRM reports. Yet, P15 notes that clear governance that removes conflict of interest maybe a catalyst to the improvement of the system, because conflict of interest leads to unethical behaviour, which in turn affects how the organisation is governed. Lastly, P4 points to the issue of time as being important. He suggests that time should also be considered in the process for change to be achieved.

AU

1. Political will that is the AU public service ministers have signed the agreement it means they can work on it.

2. The instruments are collective directives that means they encompasses more things

3. Its African owned that means all are originated from African environment.

1. The secretariat of AU in most cases are retired officers so even following up of the critical issues seems to very slow

2. Funds to implement the functions and implementing the work are very limited so it means it needs more funds due to numbers of programmes. As results the matter is left on the hands of the host country who chair the prescribed year.

3. Poor prioritization of the programmes

4. Limited capacity that means human resources, coverage, ability to force issues to

---

happen, ability to run programmes, sluggish implementation of the programmes (P 13)

Involvement of the people in the review processes. May be the challenge now is how government implements the recommendations from APRM reports (P14)

Clear leadership; the one who does not engage in unclean business. Conflict of interest that is personal gains (P15)

They are not forced but learned through interaction in a diverse Multicultural environment. The fact that they are learned supposes a time which is also not enforced (P16)

5.2.3 Theme 3: Disciplinary role

Participants were then asked about the disciplinary role played by their organisation in cases of unethical conduct. The following were the responses from UN officials:

UN

Any allegation raised against by officials through the use of UN staff survey which used to survey all staff all over the world financially and other services. The Global Staff Survey (GSS) reports when comes out every staff has to come out and adopt the recommendation. But whatever allegations, responses from any staff the office have to have an action plan to address the problems to all staff. GSS have an instrument to complement other instruments like legal frame work, international treaties and conventions, conflict of interest assets declaration and other specific regulation (P7)

Participant (P7) states that if an allegation is raised for any misconduct through the use of UN staff survey that looks deeper into issues of ethical behaviour, the office of that staff needs to have an action plan in dealing with the allegation. This is done by using a number of instruments such as the UN legal framework and any declarations that seek to address the challenge. P12 points to the UN code of ethics as the guideline that is used in addressing misconduct by UN staff. The participant further states that the process should be effective in demonstrating the non-tolerance of unethical behaviour.

According to the UN code of ethics. Demonstration of UN values and principles, expression of vested powers. Demonstrating effective action in dealing with unprofessional as well as unethical behaviour (P12)

AU

The AU officials stated that the governance structure is not able to trace unethical conduct of its officials. P12 states that in terms of finance, the governance structure does have a loop-hole in that it cannot trace its officials when going for a mission or if travelling on business. Therefore, in instances of misconduct with regards to finances, it is quite hard to trace it.

AU

The governance structure is not open to the extent of tracing unethical conduct of its officials. The governance in terms of finance has a loop hole of monitoring the proceeding, benchmarking of professional issues or matters or even if they are traveling for official matters there is no chance for monitoring the activities properly. (P12)

Periodic evaluations and official complaints(P13)

Reports by staff or whistle blowing.(P14)

Participant (P13) stated that the organisation uses periodic evaluations and official complaints received from staff members in order to identify any misconduct that may have been done.

5.2.4 Theme Four: Ethical guidelines and standards influence on public sector

This theme explores the perceptions of the participants about the role played by UN and AU in enhancing public sectors of member states as well as making member states aware of their rights in helping to make the governance system work and improve their sectors. The following subtheme emerged:

- *Subtheme 4.3.4.1: Professional and support system*
- *Subtheme 4.3.4.2 Effectiveness of the AU*

5.2.4.1 Subtheme 4.1: Professional and support system

One of the participants mentioned the fact that the UN system supports the member states to develop national rules, guidelines and improve capacity building. In its quest to offer member more support, the UN always has a monitoring and evaluation team that keeps track on progress made by member states in implementing recommendations. The participant claimed that the system is very effective in a sense that the guidelines and rules are enforced. In situations where there are violations or breach, expulsion may be the only option left. However, P10 states that the system is moderately effective because certain member states have a lot of power within the organisation making it hard to enforce certain decisions, based on the precedence set by those countries. The participant notes that the UN system has influenced the governance system because at certain times, member states that violate certain guidelines are isolated.

> **UN**
> *The UN systems supports member states to develop the national rules, guidelines protocols, charters whether regional and support public service to implement to build capacity of public service of the member states, to build policy architecture, human resources planning for management and leadership development, designing management systems for the public services, develop participation and feedback in public service as well as monitoring and evaluation. Very effective in the sense that they are enforced that if you break them you will be dismissed (P.8)*
>
> *Moderate in influencing public sector (P10)*

A similar question was posed to the AU official on the role the organisation has in influencing public sector of member nations. Participant 13 notes that the AU system is influential to certain extent. He further gives an example of Algeria as being one of the countries to have benefited from the AU system of governance. Similarly, South Africa has championed what is stipulated in the ethical guidelines and aligned it to its public sector. This is further seen by the creation of an office of the Public Protector who, in turn, monitors the mismanagement of public funds. Furthermore, in instances of misconduct, the Public Protector can lodge a complaint to the relevant arms of the state in order to persecute the perpetrator.

AU

There are guidelines, charter that member states are required to do and to some extent they are influential. For instance Algeria was championing Africa charter while South Africa was champing innovation of public service that means what is stipulated on ethical guide lines there is no direct link to what is supposed to be linked /doing, but some countries are doing well example Botswana, South Africa, Mauritius and Tanzania. South Africa has the system that helps people to have access to the public services and if the services are not working for the public there is public protector who investigates the complaints of the people on the ground there is access to information Act, there is courts and other mechanisms which are independent on its functions. (P13)

Similarly, the participant (P11) stated that the AU code of conduct sets values and guidelines which can be adopted by member states, although there is no enforcement or mandate to do so.

The AU Code of Ethics and Conducts set out values and principles to guide the conduct and behaviour of African Union staff members and officials. Any AU Member State that wishes to adopt it, or parts of it, is free to do so. No Member State is however, mandated to adhere to it (P11).

5.2.4.2 Subtheme 4.2: Effectiveness of AU

This theme emerged as a number of AU officials where claiming that in a way, the AU system of governance has an influence on member state public sectors. P12 stated that the use of APRM and conferences has improved the effectiveness of AU to its member states. He further cited that anti-corruption and ethics are usually set by bodies like the AU, SADC, and ECOWAS. These regional bodies report to the AU. Therefore, it can be concluded that AU is effective. To second that is P14 who states that the use of APRM helps in identifying governance gaps by accessing performance of member states. The participant believes that the introduction of APRM helps member states of the AU to implement certain policies that would not have been implemented had it not been introduced.

AU
1. *AU is effective e.g. APRM*
2. *Conferences of public services ministers i.e. they meet twice per year, this shows that AU are effective in public service sector because they work on the parameters of AU.*
3. *Post conflict and reconciliation agenda. This work under AU frame work (PCRD)*
4. *anti- corruption and ethics to the public sector is AU mechanism, SADCs, ECOWAS public sector set all parameters for framework (P12)*
1. *The APRM recommendations are always implemented because of the presence of political will.*
2. *By assessing their performance and showing them governance gaps(P14)*

P15 noted that the AU has been very effective in influencing growth of public sector in member states. He states that the AU traces various indices like the Corruption Index which is used to measure corruption in a state. These indices are said to be helping member states to measure how they can reduce wastages of public funds and improve governance. Furthermore, the AU makes use of the Mo-Ibrahim index that rewards any African Head of state who shows exemplary governance and better usage of public funds. The participant also raised the issue of the APRM as one of the mechanisms used by AU to impact change in member states, as well as offering consultation in case where there is need.

By tracing various indexes including; Transparency international, Corruption perception index, Mo-Ibrahim index, African peer review mechanisms and by providing consultancy (P15)

However, participant P16 notes that although AU has been instrumental in building public sectors in member states, it only takes a leading role in making polices. Yet, the implementation of those policies is dependent on member state countries. Therefore, the effectiveness of the AU in influencing member states is dependent on the members themselves.

The AU takes the lead in making policies passed as Decisions, but the Implementation and domestication of such Decisions rests on Member States and Regional Economic Communities (RECs). (P16)

5.2.5 Theme 5: Member states adherence to the UN/AU ethical conduct

This theme emerged when a question was posed to UN/AU officials regarding whether member states were following any guidelines and rules set by those organisations. The following are extracts from the interviews that were held:

UN

1. UN charters and protocols are international ones.

2. UN member states have to adopt the charter and domesticating the charter. The process of domestication is the country's duty.(P7)

It depends on how ethical the UN is in the respective country and if the country office plays an important role .(P8)

The gap is on domestication of conventions, citizens are the ones who monitor the implementation. Is not the UN business rather is the court system or citizens within the respective country. Depends on the citizens.(P10)

The participant stated that when it comes to adherence of ethical conduct by member states, the UN Charter and protocol should be adopted, but, it is not the duty of the UN to monitor this. P11 and P13 point to domestication being the country's duty. Yet, P12 says it depends on how ethical the country is and its visibility on UN matters. All the participants are of the view that domestication of policies and guidelines is not UN business.

The same questions on members' adherence to ethical conduct were posed to AU officials. The following are the extracts from the interview.

AU

There are more than 80% of members' states to adhere to AU ethical conducts. For example APRM, NEPAD, AU charters and all 54 countries are signed to AU protocols.

> *(P12)*
>
> *On average level though it depends on political will of an individual nation(P13)*
>
> *Poor, AU ethical conduct is a standard and Member States are encouraged to be guided by it but it is not enforced. The AU is not a super national State and cannot force any of its Decisions on a Member State who have liberty to take what they want. (P14)*
>
> *There are two things here one being that most of the orders is replacement of one order to another, and second is that weak mechanisms for making sure that unethical behaviour has stopped. Another thing is unity and collective focus to unethical conducts of all public sectors to all African countries for example why Zimbabwe is not member of APRM. There is different interpretation of ethics between countries to country for example the conflict of interest do differ from one country to another though the country may implement anti-corruption. (P16)*

The AU participant believed that member states have been making efforts to abide by AU ethical conducts. Participant P11 claims that more than 80 % of member states adhere to AU ethical conducts. This is done by adopting policies such as NEPAD, APRM and AU Charter, to name a few. He further asserts that any member state that is a signatory is supposed to adhere to ethical conduct. However, participant P12 states that on average, members do follow ethical conducts of the AU although this choice is dependent on the political will of the member state. P13 claims that although the AU ethical conduct is standard to it each member state, it is not enforced. In other words, member states of the AU are sovereign, hence, the decision taken is not influenced by the AU. He further states that the AU lacks power in enforcing any decision that may need to be followed by member states. Thus, the participant concludes that member states' adherence to AU ethical conduct is poor. Similarly, P15 raises the issue of AU orders being given to member states for implementation. He asserts that the AU gives a new order on top of another order, therefore, it becomes hard to trace if any improvement has been done on unethical behaviour within member states. He further gives a scenario about interpretation of ethics within member states; what is termed *ethical* in one state may be unethical in another state. Therefore, issues of ethics are subject to interpretation by member states. The participant gives Zimbabwe as an example of a country

that does not abide by the APRM because it is not a member, although it is a member of the AU.

5.2.5.1 Subtheme 5.1: Member states relating to ethical policy and guidelines of UN/AU

In South Africa, a number of participants claimed that the country was relating well to AU/UN guidelines. P1 noted that South Africa has already domesticated a number of AU policies in the public sector, for instance, the African Charter, Open Government Partnership and many other policies which are in line with good governance. More so, these policies are aimed at reducing misconduct in public entities and unethical behaviour from government officials. P12 points that SA has a national framework that spells out clearly what exactly needs to be done in order to be accountable to the public. He further points that disclosure frameworks have helped South Africa to improve its governance in that government officials are required by law to surrender anything that may lead to a conflict of interest that can ultimately affect how public funds work. The participant referred to the integrity and anti-corruption regulatory framework that is found in certain legislation such as the PFMA, PAIA, and the Prevention and Combating of Corruption Act (PCCA), the Protected Disclosure. He further stated that the government of SA launched a Public Sector Anti-Corruption Unit (PSACU) which focuses on monitoring and investigating corruption cases that are reported by other government departments in order to ensure that disciplinary measures are imposed.

S.A

South Africa has domesticated some of the UN/AU polices on ethics such as African chapter on values and principles of public service and administration and multilateral, open government partnership (OGP) which all guide the country own ethics policies that affect officials behaviour. The PAM bill is also aimed at regulating conduct of officials.(P2)

Have in place national integrity frame work / strategy
Sound human resource management practices
Disclosure frameworks, PFM,PAIA
Code of conduct(P3)

> *The UN convention against corruption requires the conduct of ethics which are almost the same with countries directives. The Au charter is also in line with country's directives(P5)*
>
> *Administratively leadership has been captured by political leadership. In other words politicians normally dictate what administrative leaders should do.(P6)*

However, participant P2 had a divergent view pertaining on how he sees the government. He stated that although SA has been very successful in domesticating a number of AU/UN directives and policies this has not been well with certain politicians. These politicians have an influence on how the administration of the nation implements programmes. Hence, certain ethical guidelines that may incriminate those politicians of any misconduct or embezzlement of public funds are usually prevented from being implemented. This, in turn, means that the same people who are supposed to drive in the implementation of those policies are the ones working against their implementation. It is quite evident that without any reservation, South Africa has managed to benefit immensely from AU/UN ethical polices and guidelines, and continues to lead by example in the African continent. South Africa established new ministries in their government to fulfil guideline of good governance. The Department of Performance and Monitoring Evaluation is one arm of the government that was created to try the bring in accountability and transparency in the government.

TANZANIA

Participants from Tanzania claimed that the ethical conduct and guidelines used by the UN and Tanzania complement each other. Therefore, they claimed that Tanzania is a signatory to a number of UA/AU policies and has created a number of domestic policies to reduce cases of mal-administration of public funds and unethical conduct from government officials. Participant P17 states that the Tanzania government has been successful in setting up infrastructure that supports the UN/AU policies, and the country has been successful in identifying gaps. However, P19 claims that there is a big problem because many government officials hardly follow those guidelines or rules instead, they act contrarily. Yet, P20 and P21 were of the same view that the policies complement the AU and UN.

TANZANIA

Since Tanzania is a signatory; it is doing well because of ethical infrastructures like prevention and combating corruption bureau, human rights and good governance to some extent political side. We have persuaded a several reforms in the country example anti-corruption, health sector reforms etc. All these strengthening ethic infrastructures. So certainly top officials comply with UN/AU policy and guidelines because they are permissive in nature for those who violate.(P17)

There is a big problem. Many if not some of them, their conduct are contrary to the ethical policy and guidelines of UN.(P19)

These two are related much and complement each other in a large extent.(P20)

There are universal public servants code of ethics/they seem to complement one another.(P21)

MAURITIUS

In Mauritius, the participants pointed that the country does follow the AU/UN guidelines on ethics since it was a member states, and it is mandated to follow these. Both participants P8 and P9 were in agreement with regards to the country following the guidelines, although one participant raised the issue of top officials not being questioned in situations where there is misconduct. The official stated that there are numerous cases were public officials embezzle public funds and because there is no political will to implement a number of UN/AU guidelines, it is very hard to prosecute those who are liable.

MAURITIUS

As member nations the country's top officials are bound to report on achievement. However, who will question them on whatever level of implementation and translation into reality.(P8)

As the member of UN/AU we normally follow their decisions.(P9)

BOTSWANA

Botswana was not facing challenges in following UN/AU guidelines as supported by the participants. As the leading country in governance in Africa, it was expected that they would not be facing challenges. Participant (P24) stated that a number of public entities do not face challenges in implementing UN and AU standards. This is made possible by the infrastructure within the public entities which supports policies relating to public protection according to participant (P26). Although, there are some cases where state owned corporations are found on the other side of the law. Furthermore, the country is rated highly in terms of governance in Africa, which means that a number of domestic policies are in sync with AU and UN mandates.

> *Botswana follows every guideline and standards set by the UN and AU. The implementation is well in line with the country track record of governance. (P24)*
>
> *The country is doing well in terms of implementation and following guidelines because of the infrastructure set by the government, which allows public entities to abide by laws (P26)*

5.2.5.2 Subtheme 5.2 Extent of adherence to AU/UN guidelines and rules

It was inferred that certain countries consider the AU and UN system of ethics and governance are imposed indirect to them. Therefore, they complied in order to avoid being punished or looked as a rogue nation. When country participants were asked how they adhered to UN/AU ethic and guidelines, and these are the responses:

South Africa

Participants one states that:

The APRM reporting obligations ensure that South Africa complies with obligation to improve ethical conduct in the services by dealing with corruption (P1).

He is convinced that South Africa does comply with obligations because of being a signatory to a system that was created in 2002 in order to address the issues of ethical standards and governance. The APRM has a reporting mechanism whereby signatory countries report back to other member states on how they address issues of ethics. Similar, participant 6 states that:

We are signatories to the UN/AU, but these provisions are not in our constitutions so indirectly we are following the UN/AU (P6).

This statement suggests that the participants believe that South Africa adheres to the mentioned system because of being a signatory to those bodies. At the same time, he acknowledges that certain guidelines that are found in UN/AU systems of ethics and governance are not related to the constitution. This means the participants believe that the Constitution is supposed to be the only document that guides how South Africa responds to its ethical problems than some guidelines for external bodies. Participant 5 believes that South Africa hardly adheres to the guidelines when stating the following:

Not very much in sense that member states does not adhere to UN/AU and it can be perceived that how things come from UN are not being done as per requirement (P5)

This quote sums that the participant believes South Africa is not following much of stipulated guidelines of the AU. However, participant P3 claims that the extent of following guidelines is highly based on the idea that the UN/AU have assessors who monitor compliance level.

The extent of adhering to UN/UA ethical conduct is very high because UN/AU has their assessors in the country that monitor the compliance level (P3).

This is another sign that reveals that the UN/AU systems forces countries to implement their guidelines in ethics and governance. From the participants' responses, there is evidence that some of them believe that the system is imposed implying that there may exist a scope of resistance against the implementation of certain guidelines.

TANZANIA

In Tanzania, the participants offered conflicting responses when questioned if their country relates well to AU/UN guidelines. P 17 claimed that the country's adherence to AU/UN guidelines depends on the resources offered for the implementation of those guidelines and policies. However, P6 notes that the level of adherence is moderate because Tanzania established a number of ethical frameworks although the gap is on the implementation. He further states that the issue of independence is affected by reporting to the President, which in turn, means everything is left at his discretion. In other words, the same institutions that are

supposed to be enforcing those frameworks report to the president, therefore, there is no independence in cases of unethical behaviour. Simply put, it is not easy to identify unethical conduct in institutions controlled by the Presidency because they report to him.

Fairly well depending on resources availability.(P17)

Moderate in the sense that we have the ethics infrastructure which is the condition to the member state. We have managed to establish several national ethics institutions but the only weakness is how to enforce and make it more functional because of the nature of the institutions themselves because UN/AU directs us to be independent, full funded, no interference but if you watched it critical they are not independent because these institutions are reporting to the president and they are not well resourced. (P19)

UN convention on ethics and corruptions.(P20)

To a large extent. (P18)

The policies related with AU ethical conduct because the country sign and ratify the AU charter therefore it adopted some of them.(P21)

The other participants had a similar view that Tanzania adherence to AU/UN guidelines is moderate. P9 also raised the issue of Tanzania being a signatory to the AU/UN, hence, they are partly forced to adhere to their ethical guidelines, although the issues of enforcement are limited to member states.

MAURITIUS

Two participants from Mauritius were interviewed in this study. When asked about their opinions pertaining their country's adherence to AU/UN guidelines, P27 stated that the level of adherence is moderate, although the country is working hard to follow the guidelines. He further stated that as a member of both the UN and AU, the country had no choice but to fulfil the guidelines or risk isolation. Similarly, P28 could not measure the level of adherence, but he stated that the country tries as much as possible to follow the guidelines.

Moderate, Mauritius is always trying to fulfil UN/AU guidelines (P27).

No idea but we try as much as possible to do it (P28).

BOTSWANA

Botswana participants, when asked about their opinion on adherence to guidelines from UN or AU, were very confident. Participant (P25) and (P26) had the same view that Botswana is up to date with following guidelines from the UN and AU. The participants were of the view that Botswana has a better culture compared to other African nations when it comes to public entities improvements. Furthermore, a number of policies were adopted by the government in order to reduce unethical behaviour in public entities.

Adherence is very high, especially on UN/AU guidelines (P25)

Botswana is always fulfilling anything from the UN or AU (P26)

5.2.6 Theme 6: Implementation gaps in ethical guidelines within member states

Participants from different countries were asked to identify the implementation gaps in fulfilling ethical guidelines within member states. The following were some extracts from the participants:

SA

Only enforcement and compliance due to implementation. However, South Africa has aligned AU/UN conventions to domestic policy (P1).

Reporting of ethics failures
Involvement of private sectors
Whistle blower protection (P2).

Resources are the problems that mean human resources and financial resources in the sense that to enforce laws needs capacity, education training etc (P5).

Awareness, public servants are not aware (P6).

They are not adhering to ethical code
Ignoring the adherence because there are not consequences of being unethical (P3).

The participants from South Africa were of the view that certain measures need to be taken in order to bridge the implementation gaps of member states. P1 notes that enforcement and compliance are still a challenge in bridging the gap in following UN/AU guidelines. However, P2 is of the view that the private sector should be involved and using whistle-blowing maybe another way of bridging the gap. P5 insists that in order to enforce the guidelines effectively, resources in form of human and capital are needed to create that capacity. Furthermore, if resources are available, it becomes easier to train people on how to follow guidelines. Similarly, P6 points that the public servants are not aware of a number of guidelines from the AU or UN. Therefore, they may not be adhering to their ethical codes because there are no consequences expected if there is any unethical behaviour.

In Tanzania, the participants identified implementation gaps as moderate based on APRM finding. They further stated that in order to bridge this gap, legal frameworks and institutions need to be independent. This means that the Tanzanian government may need to identify the implementation failures within their system of governance.

TANZANIA

The gaps are moderate according to African Pear Review Mechanisms (APRM)(P17)

Legal frame works and the institutions them self are not well independent (P19).

In Mauritius, however, the view was that international institutions need to communicate frequently with a number of countries on agreed protocols or policies. This, in turn, mean that every stakeholder needs to be aware of the expected goals that needs to be achieved. Participant (P28) was of the view that failure to inform people on the ground is one of the contributors to ineffectiveness of policies as well as gaps in implementation of policies and guidelines.

MAURITIUS

Whatever commitment is taken at international institution levels need to be communicated across countries and the population. Stake holders should be made aware of such commitments. However, when we feel that the government level people are not really informed, one can make sense of gaps and ineffectiveness. (P28)

BOTSWANA

In Botswana, participants (P24) and (P26) were of the view that implementation gaps on ethical guidelines are minimum next to none. One participant raised the point that resources are always channelled to support implementation of policies making it a swift process. Furthermore, the domestication of a number of polices makes it simple to implement guidelines considering that corrective action is imposed every time they are disturbances in the implementation process.

The gaps are minimum if not none, as the country strives to monitor implementation of policies and guidelines at every level, although, at lower levels it is hard to monitor (P24).

A number of AU policies or mandates have been domesticated throughput public entities. And resources are frequently channelled to support the implementation process. Therefore, l think the gaps are minimum as far as lm concerned (P26)

5.3 SUMMARY

The chapter focused on evaluating, interpreting and analysing the data that was collected through face to face interviews. A thematic analysis was also used to analyse and interpret the data that was collected from the interviews. The analysis process was conducted by first identifying responses that were of similar utterances. It is then that themes emerged from the data transcription. Every group of associated themes represented an organisation or institution to which participants belonged. It was worth noting that ethics and governance differs per state or organisation. For that reason, public servants are expected to promote ethics and good governance in their display of duty.

CHAPTER SIX: RESULTS DISCUSSIONS

6.0 INTRODUCTION

The previous chapter offered interpretations to the collected data. This was done using a thematic analysis process whereby responses were categorised according to themes. The most important objective of this study was to explore how the AU and UN system of governance influence public sector of member states. The previous chapter gave an analysis about the participants' responses with regards to how they view ethics and governance. Furthermore, a discussion of themes that emerged within the interviews was given. Thus, this chapter would cover the following: summarise the major findings; interpret the findings; discuss the importance as well as the relevance of the findings. The discussions will focus on mainly the themes that were identified in the previous chapter, although the scope of discussion is enlarged.

This chapter is set into three sections. Section 6.1 discusses the role of ethics in governance, Section 6.2 discusses ethical compliance as an indicator of good governance, and 6.3 discusses the effectiveness of AU / UN systems and challenges faced.

6.1 ROLE OF ETHICS IN GOVERNANCE

The role of governance in any state or institution is to create an enabling environment for its ctitizen, manage macro stability, establish rule of law and order, build infrastructure and deliver essential goods and services. Public sector governance is said to be about how things get done, as opposed to how the government makes decisions in political arenas (Lane, 2004). This is done by following guidelines, rules and regulations set out by the government or institutions. Cloete (1998) states that guidelines provides content values for ethos and culture of government, hence, enhancing governance in a democratic state. Observance of these guideline keeps legislatures from passing questionable enactments, officials from committing mal administration and government office bearers from misgovernment. Adamolekun (1999) argues that

'lt is reasonable expected that a public administration system that functions in an environment of transparent, with office bearers full aware that they will be held liable for the

action, is likely to more effective and efficient than one where office bearers are non-accountable to government'

From the interviews that were conducted throughout this study, ethics was not viewed in isolation to governance. Although they was no clear discussion with regards to ethics and governance during the interview process, a number of participants were of the view that you cannot be good in governance without being ethical. However, they was a clear recognition by those participants who worked for the UN for a significant periods of time that ethics was in fact inherent to good governance. Most participants showed a major weakness in the understanding of ethics as a means to governance as shown by in text extract from participant (P11)

'According to UN ethics office all employees have to declare conflict of interest, assets. Governance is just following rules and regulations laid down by the UN'

The participant was of the view that ethics is when you disclose your property or assets so that you do not mix with the government resources. Furthermore, disclosure of assets was reflected as being ethical, although ethics goes deeper than disclosure. Throughout the interviews most of the participants were mixing disclosure of assets to being ethical. Perhaps this was partly contributed by the thin line separating ethics and governance. Some participants did not really understand what is ethics in full, thus, they was a lot of reference to the UN and AU website when asked a follow up question on how they understand ethics. As pointed by participant (P14) the following was said in response to the question about what is ethics:

'Refer to AU website for ethics guidelines and AU Charter'

This statement partly proved that those participants who frequently referred the interviewer to the website, could not explain ethics or governance in their own terms. A number of participants would refrequently refer the interviewer to the website for an insight in certain follow up questions. However, some participant had an idea of how ethics relates to governance. For instance, participant (P10) from the UN emphasized the challenge of separating ethics from governance by arguing that it is not possible to have good governance and be unethical. Therefore, failing to adhere to ethical guidelines can lead to be bad

governance, which may impact service delivery in the public sector. This observation is equally important because there has been an increasing investigation in the literature about the role of ethics in governance.

6.2 ETHICAL COMPLIANCE AN INDICATOR OF GOOD GOVERNANCE

One of the core values in any society or business setup is the promotion of an ethical culture. When dealing with the public sector the integrity displayed by the workers is a critical factor that affects service delivery. If they is dishonest in the execution of certain policies or guidelines then one can expect a decline in service delivery and misappropriation of state resources. According to the United Nations Development Programme (UNDP, 2000) good governance is described as consisting of accountability, transparency, participation, non-discrimination, alleviation of poverty and high standards of services. However, of late they has been a need for public servants to be ethical compliant when dealing with the public.

Ethical compliance is one measure that can be used to gauge the effectiveness of governance. As such, it is in two dimensions; through policies and guidelines to ensure public servants compliance, and the quality of systems used in assessing. The member states of the UN and AU have public sectors that employ a number of public servants that are expected to translate policy into service delivery. Therefore, ensuring that the public servants adhere to ethical guidelines is a good indicator of good governance, because unethical servants may misdirect state resources for their personal gains. One measure that has been frequently used by both the AU and UN to access good governance has been the adoption of a Code of Conduct, which guides employees of what is expected from them from an ethical point of view.

A Code of conduct for public servants and a good system for assessing ethical conduct are key determinants of ethical compliance. The former aims to make public servants professional in any state resources or instil discipline, yet the later tries to identify compliance. This two when working together ensure good governance. Rossouw and Van Vuuren (2010) notes that a code of ethics should include reasoning for the code, the desired ethical values, principles and standards. Therefore, it was noted from the interviews that although each organisation or institution has a code of ethics in place, the strength of it is on compliance. As one UN participant (P16) puts it this way:

'Through the UN code of conduct and the UN charter keeps officials accountable to it'

The above statement summed the general view help by a number of participants with regards to compliance of the code of conduct. It was quiet evidently that the compliance part in any set up was the most determinant of governance. Similarly, the UN and AU participants' countries held a same view about compliance, although a number of them pointed to the issue of domestication of UN/AU code of conducts or ethics. The most pressing issue was the domestication of ethics guidelines and adoption in member states, participants were of the view that member states do not adopt the whole code of ethics, instead, they add their own guidelines as it suits. As one participants (P12) puts:

'Member states on average, they follow the UN/AU guidelines, although this depends on the political will of an individual nation'

This view was held throughout the interviews because it was quiet critical that for any policies or protocol to be domesticated, political will should be at maximum. In this case it was also raise that member states decisions are greatly influenced by domestic politics to a larger extent. If a government in power does not want to be incriminated based on the same code of conduct that it wishes to implement, the viable option is to discard it. This was the norm in a number of countries in Africa. One participant from Tanzania stated the following:

'Many if not some of them, their conduct are contrary to the ethical policy and guidelines of the UN' (P.11)

The statement was one of the observation which confirms that a number of public servants hardly adhere to the guidelines and policies of the UN. This was not shocking considering that a number of corrupt countries are found in Africa. Therefore, such statements were expected within the interview because of the magnitude of corruption that is happening in a number of member states. Similarly sentiments were echoed by participants from South Africa who stated the following:

'The administrative leadership has been captured by the political leadership'

The participant was referring to the high levels of corruption in a number of government departments in South Africa. They was a feeling that the state is mainly run by politicians

281

who dictates what should be done and how? This kind of situation meant that ethical compliance was degraded at the expense of politicians who will do everything to avoid being prosecuted. The participant went further to give examples were the public servants have failed their duties. He gave an example of the Department of Defence that used public funds to upgrade a Presidential compound without following guidelines. The findings of misappropriation of funds were further confirmed by the Public Protector, who then concluded that the president duly benefited from public resources. Therefore, it can be seen that political will shapes how ethical guidelines and rules are followed in a state. Similarly, the Mauritius participants echoed same statements about their government:
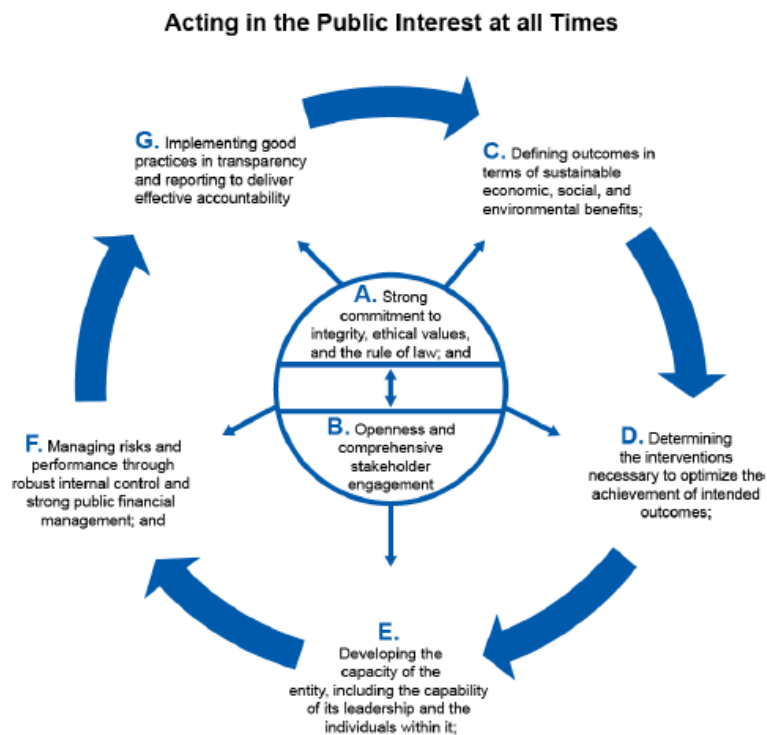
'As a member nation the country officials are bound to report on achievements. However, who will question them on the level of implementation and translation into reality' (P.5)

Such a statement shows discontent with the current events regarding the issues of ethical compliance. The participant was sure that the compliance part was a thorny issue that was hard to deal with, considering that the UN/AU do not have a mechanism of making the country comply with its ethics guidelines. In order to deliver good governance in the public sector, it is imperative that both individuals and government bodies act in the public interest at all times and follow rules and regulations. The International Federation of Accountants (IFAC) (2013) gives good governance framework on acting in public interest at all times. According to the Framework given in Figure 6.1, seven steps are required in fulfilment of good governance. For the purposes of this study, an extract of certain stages of the Framework is used to discuss the participants' responses.

Stage A involves strong commitment to ethical values, rule of law and integrity. This step involves utilising public resources efficient by putting ethical values upfront, and consideration of the rule of law. Therefore, the government should take lead to demonstrate integrity to its citizens. This can be done by staff or government leaders taking a stand on ethics and rule of law adherence because the public expects them to have a certain conduct with their resources. Similarly, ethics should be embedded in a number of policies, procedures and actions. This can all be done through Code of Conduct as cited by a number of participants that were interviewed. They admitted that the use of a Code of Conduct helps in monitoring behaviour of the public servants. However, the issue of ethics evaluation was

one of the challenges facing many public institutions. According to the Framework, good governance included the commitment to integrity, ethical values and rule of law.

Figure 6.1 IFAC Framework on public governance

Acting in the Public Interest at all Times

G. Implementing good practices in transparency and reporting to deliver effective accountability

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits;

A. Strong commitment to integrity, ethical values, and the rule of law; and

B. Openness and comprehensive stakeholder engagement

D. Determining the interventions necessary to optimize the achievement of intended outcomes;

F. Managing risks and performance through robust internal control and strong public financial management; and

E. Developing the capacity of the entity, including the capability of its leadership and the individuals within it;

Source: IFAC (2013)

These requirements were revealed throughout the interviews by the participants. Participant (P8) stated the following:

'Good leaders abide by rules and guidelines because they rely on rules and regulations'

This statement was in support of what was identified by the IFAC framework with regards to good governance. Stage E of the framework points that developing capacity of the entity, including its leadership, is a crucial stage to achieving good governance. Similarly, participants raised the issue of lack of capacity within the AU as said by participant (P13):

'There is limited capacity in human resources, ability to run programmes, ability to force issues and sluggish in implementation of programmes'

This statement was in response to a follow up question on the ability of the AU system to help member states run their public sectors. It was evident from a number of participants that the UN is very constrained in helping member states in developing capacity in their public entities. Development of capacity in public sector means a creation of right structures and leadership, as well as right skills that will help in achieving efficiency. This means that their public sector entities should be structured in a way that their staffing and governance structures help in achieving the desired goals. On the other hand, the UN seems to be able to support member states in creating capacity for their public sector so as to address challenges faced when running public entities. This was raised by participant (P8) when he stated the following:

'The UN system supports member states to develop national rules, guidelines protocols, and support public service to implement to build capacity of public services of member states……' (P.8)

According to the framework, Stage F points that in order act at the public interest all times, one needs to manage risks and performance through internal controls and strong financial management. Perhaps this may be termed as one of the important stages in achieving good governance. Public sector entities face a number of challenges that may affect the achievement of their objectives. These challenges include mechanisms of monitoring of performance and service delivering within public entities. This means the mechanism should provide the governing bodies with regular service plan delivery and progress in programmes or projects. The interviewed participants from the UN and AU were of the view that a number of mechanisms used in monitoring performance of employees or staff as well as member states were partly ineffective, especially with regards to ethics. A UN participant stated that the organisation uses a staff survey called the Global Staff Survey (GSS), This survey is meant to access how the staff or employees followed guidelines and rules set in their offices. In situations where misconduct is detected, the staff is punished. However, in the AU, one participants claims that *'the governance structure of the AU is not open to tracing unethical conducts of its officials' (P12).* This response gave a clue of how the AU

system has a loophole in monitoring performance of its employees or officials. The participant further stated that *'the governance in terms of finance has a loop hole of monitoring proceedings'*; this was usually witnessed when AU officials are travelling for work related jobs or issues. He further claims that the organisation may be losing a lot of money due to that gap. As pointed by IFAC (2013), a strong mechanism in performance in the public sector is a necessary tool in achieving good governance. From the responses received from the AU participants, it was clear that the organisation needs to redraft a number of strategies for ethic compliance and evaluation.

6.3 EFFECTIVENESS OF UN AND AU SYSTEMS

In conducting interviews, one of the themes sought the effectiveness of relationship between the AU/UN systems of governance on member states public sectors. The effectiveness of both organisations in dealing with employees and member states came under scrutiny from the participants. This theme was explored in distinct questions. The first one was the effectiveness of AU/UN system of governance in member states. The second was a subtheme on effectiveness of the AU. This subtheme was motivated by the need to access how the case study countries related to the AU.

The participants from the UN were of the view that the UN system of governance was very effective in dealing with internal matters as well as with member states with regards to ethics. The main argument was that on its own, the UN system is well managed and can deal effectively with internal matters such as misconduct or discipline. The participants stated that implementation of policies and policy alignment were an ongoing process, as noted by participant (P11) when he said:

'Of cause the implementation of policies and policy alignment were on going, meaning that the organisation is effective in governance and ethics. Once caught doing wrong you are dismissed from the organisation'

Such a statement cemented what was said by other participants with regard to the UN system in dealing with employees and member states. However, participant P8 was of the view that the system does not have central authority when it comes to governance. In addition, as such

the implementation of agreements is a problem to member states although, the UN mechanisms of dealing with ethics were adequate to a certain extent.

The participants from the AU were all in agreement that the organisation is weak and not effective in dealing with internal or external matters with regards to governance and ethics although the union has been having a number of facilitation workshops and conferences for public servants and staff. This was observed by participant (p12) when he stated:

'Ministers for public service in each country meet for the Conferences of Africa Ministers. Although, there are some effectiveness, the impacts are not tangible'

However, this did not boil down well with other participants. It was a common view that although the AU system of governance has improved, a lot needs to be done in terms of governance and ethics infrastructure. This was highlighted when participants added their voice by suggesting that the AU needs an overhaul. The participants were of the view that if AU is overhauled and aligned to the UN system, a number of objectives can be achieved. The most notable suggestion was the issue of political will that is of prime importance if ever the organisation is to make notable progress. This was highlighted when participant (P13) stated:

'Political will is the key, AU public ministers signed agreements so general it should work'

This statement was in response to a follow up question that asked how political will can be achieved by member states. The participants noted that signing a document was the first step that highlighted some commitment to the repositioning of the AU. The participants from the AU noted that without involvement of people who make up the government, the goals of a better AU are unattainable. UNECA (2002) states that political will is one of the most crucial elements in the development of national integrity. Furthermore, ethical leadership is a pre-requisite to combat corruption that has affecting a number of African countries.

They was a school of thought suggesting that having clean leadership was the key to achieving goals set for the by the organisation. One participant then defines clean leadership as follows:

'Clean leadership is someone who does not engage in unclean business and has no conflict of interest' (P15)

In other words, the participant was saying that clean leadership is when someone has ethics. Therefore, in order to have an effective public sector, the leadership needs to be exemplary and be clean with public resources. Good governance and ethics from member states contributes to an effective AU. Apart from these suggestions, another issue that was raised by participants was shortage of financial resources within the AU. This has undoubtedly, led to a slow implementation of certain projects or programmes within the organisation. Participants were all in agreement that funds limit or delay certain programmes, which, in turn, reduce the effectiveness of the organisation. This was pointed by participant (P15) when he stated:

'Funds to implement functions and work are limited. Therefore, this means the matter rests on the host country'

The fact that the matter rests on the host country means that a number of programmes for the AU are dependent on member state contributions. Thus, political will becomes the decisive factor in making sure that certain programmes are done. As highlighted before, political will is necessary when implementing policies or programmes. Kofi Annan, once a Secretary General of the United Nations once stated that:

'Good governance is perhaps the single most important factor in eradicating poverty and promoting development' (UNU, 2002)

This statement was said in relation to good governance in public sector. Similarly, Rotberg (2002) once stated that a well-governed state and government delivers and adheres to the rule of law, and respect political freedom. Furthermore, effective government also nurtures strong institutions that help in the growth of a country.

6.4 THE REGULATORY ROLE

During the interview process a number of participants raised this theme. They indicated that the obvious role of the AU and UN was to regulate how member states operate in service delivery to their citizens. This means if member states are failing to serve their citizens, then the regulatory role comes into place, and this implies penalties and correction procedures can be seen as institutional pressure. There was an outcry on the effectiveness of the regulatory role played by these two organisations. Participant (P12) from the UN stated:

'The UN demonstrates effective action in dealing with unprofessional as well as ethical behaviour'

This observation from the study indicates that the approach of the UN is more coercive than discursive in the sense that when UN staff or member states act in an unprofessional way, they are disciplined. Becht *et al*. (2002) claimed that there are two reasons why regulatory bodies need to intervene. The first reason is that if the organisation designs rules, the rules may not be efficient as these rules are for parties involved. Secondly, if rules are designed by an organisation or institution, they may want to change or break them. Therefore, this justifies a regulatory role. In other words, the UN plays the regulator between member states and its citizens. In certain instances, member states violate the same rules or regulations they enact in pursuance of a certain objectives. According to the findings from the study, participants agreed that the UN plays a regulatory role, although they pointed that the powers of the organisation are limited to permanent member states like Russia, Britain, United States, China and Germany. Participants (P10) points that:

'They are certain people within the UN governance who have a lot of power and there is no doubt that they abuse this privilege, for example, security council'

The participants were discussing the regulatory role of the UN with regards to unprofessionalism within staff or member states. Although there were some reservations on the effectiveness of the UN in dealing with staff from Security Council, it was evident that the organisation was effective in exerting pressure to non-compliance countries. However, the AU participants stated that the organisation plays an observer role. This means that the organisation observes if their staff adhere as well as member states to rules and regulations. An in-text extract from participant (P12) states:

'AU staff are required to report conflict of interest or failures to follow the code of conduct to appropriate authorities'

According to this statement, the participant was highlighting that the organisation does not have an effective mechanism of monitoring its staff or officials, hence, it was relying on the offender to report him/herself, which in any case, seems to be impossible. Therefore, it can be

summed up that the UN has a better mechanism in regulating the conduct of its staff ad member states as compared to the AU.

6.5 CHALLENGES FACED THE AU AND UN IN FOSTERING GOOD GOVERNANCE AND ETHICS TO MEMBER STATES

To promote good governance, well-functioning legislatures are fundamental. In the context of the public sector, constitutional institutions from the governance structure are needed. These institutions are expected to promote transparency, accountability and coherence to the government. This, in turn, relates to improvement in public sector management.

South Africa

South Africa is characterised by a vibrant economy with a prosperous mining sector a leader in the production of diamonds, platinum and gold. The mining sector calls for a number of corporate governing matters such as environmental and labour relation issues. It should be however, noted that South Africa approaches governance from an angle of helping previously marginalised societies. The thematic areas of corporate governance covers four major areas that encompass promoting an enabling environment and effective regulatory framework of economic activities, ensuring that corporates highly esteem human rights, environmental sustainability and social responsibility and promotion of good business ethics that ensure treatment of all stakeholders, consumers, communities and suppliers in a fair and just manner.

In review of the above statutory obligations on governance, South Africa proved to be seriously challenged in adhering to its commitment in the recent Marikana Mining incidents where scores of employees were abused by the state apparatus. Many lost their lives just because of exercising their right of demonstrating against low wages, thus exposing a serious gap between governance on paper and in practice. It is also reported in the 2014 Public Protector report that many South African government departments are characterised by significant irregularities that call for transformation. In the case of the SABC scandal of the irregular appointment of Mr. Hlaudi Motsoeneng, management and the SABC Board, financial mismanagement at the SABC involving the spiralling of financial expenditure, the prosecutor alleged that it was a corporate governance failure on the South African

Broadcasting Corporation (SABC) and highly condemned the undue interference by the Minister and Department of Communications (2014: 3)

It is imperative to note that ethics are the legislation and upholding of good conduct by public officials for the sustenance of good governance and service delivery. The White Paper on the Transformation of the Public Service 1994 proposed a code of conduct in South Africa as a crucial component to enhance high standards of ethics and Professionalism. Doorsgapersad (2010: 5) quotes Democratic Alliance Report saying:

> *" major problem facing many municipalities is the small revenue base in the poorer areas. This is largely a structural problem that cannot be blamed on councillors and municipal officials. However, all efforts to overcome this stumbling block are being undermined by three key factors that are wholly avoidable: corruption, financial mismanagement and the appointment of senior officials solely on the basis of political connectivity and/or employment equity considerations. Municipal Managers tend to be under qualified, overpaid and consequently do not perform" (DA, 2010: 1).*

The extract from the DA report reveals that in South African municipalities, local government has become virtually synonymous with illegal tendering practices, unauthorised loans to councillors and, in some cases, outright looting.

Mauritius

Mauritius has emerged with a strong competitive economy and has demonstrated good ethics and governance cutting across politics, economy and the society (UNDP, 2014). Benefiting from wide-ranging structural reforms since 2006 and sound macroeconomic management during the global economic crisis, Mauritius in 2013 overtook South Africa to become the most competitive economy in sub-Saharan Africa, although emerging challenges in governance and structural bottlenecks in education are a concern for investors. Having the region's best business environment and most competitive economy, Mauritius is well placed to build on the progress it has made by participating in the global industry and services value chains. Good governance requires effective management of state institutions and embraces state and non-state actors such as civil society and the private sector. Geidion (2014:5) states

that the core principles and practices of good governance include the rule of law, respect for human rights and legitimate exercise of state authority based on the consent of the governed. It also includes accountability, transparency, integrity and responsiveness of the political and administrative system in addressing the needs and concerns of the people. Despite the transition to democracy in most African countries, the performance, credibility and outcomes of Africa's elections are not even across the continent.

The idea of good governance entails with it 'democratic governance', which is concerned with electoral competitiveness, political freedom and human rights, legitimacy of the government and elimination of discrimination and relations with other countries. Among few African states, Mauritius and South Africa have demonstrated democratic elections such that the ruling elites were voted out of office with relatively free and fair elections. Nonetheless, in the large majority of African states, the political change that occurred in the early 1990s was not sustained by the elections held in the past two decades. Rather, elections were often manipulated by the incumbents to maintain their hold on political power. These regimes are neither democratic nor fully autocratic. Some observers call them 'electoral authoritarian regimes', while others refer to them as 'hybrid regimes', or characterise the system as 'competitive authoritarianism' or 'semi-authoritarianism' (Geidon 2014:11).

Botswana

Botswana is one of the internationally hailed countries for upholding ethics and governance in Southern Africa as well as maintaining a stable economy and openly criticising of human rights abuse and poor governance in other African states as in the case of Zimbabwe. Botswana has substantiated its commitment to good governance by opening an Ombudsman office in 1997. This country is also built upon a solid political platform, natured by late Seretse Khama who ruled the country immediately after the post independent era and has also manifested a tolerance and a disciplined political culture. Ayeni (2002) supports this observation by stating that, Botswana's record of performance has been made possible to a large extent, by the quality of its public administration, the calibre of people employed in it, and the appropriateness of the institutions and processes put in place.

However, the UNCCR (2014:39) reports that it was until 2004, there was no specific code of corporate governance in Botswana, although most listed companies have close links with South Africa and so seek compliance with South African governance standards guided by the King report. All companies are expected to comply with international accounting standards and this is regulated by the Botswana Institute of Accountants. It is noted, as well, that the country does not have a special legislation that addresses commercial disputes and that it still has to appoint an independent regulatory body. The African Development Bank crafted the governance profiles of Botswana and the Kingdom of Swaziland and Botswana is highly commended in the report. The performance of Botswana on the World Bank's ease of doing business is still falling below the required index and therefore, the country is encouraged to engage in legal and legislative reforms to improve its ranking.

Tanzania

Many governments in the recent years have been putting measures to promote good governance and ethics. At independence in 1961, Tanzania, committed itself to fighting the three identified major national enemies, namely, poverty, ignorance, and diseases (Chachage, 2003). Tanzania is often lauded as one of the most stable and peaceful countries in Africa in the post-colonial era (Bjerk, 2010). It is noted that Tanzania, after gaining independence, formed a multi-party system thereby promoting democracy. Tanzania is playing an increasingly important role in SADC but is also a member of the East African Community (EAC) together with Kenya and Uganda. Furthermore, the spill-over from conflicts in Burundi, Rwanda and the DRC, particularly in the form of large-scale influx of refugees, ensures that Tanzania is also part of the Great Lakes security complex. Angola, after emerging from a devastating civil war in 2002, has entertained (unrealistic) ambitions of challenging South Africa's hegemonic position within SADC, but has also extended its security interests into both the Great Lakes and West Africa (Nieuwkerk et al,2013:20)

Tanzania was the first African state to establish the institute of ombudsman in 1965 which was the permanent commission of enquiry and thus became the fore-runner of the idea which was later adopted by many post-colonial African states committed at good governance. The commission embarks on regular outreach activities involving conducting regional and district tours, conducting public meetings and holding talks. The commission uses electronic and

print media to conduct public awareness campaigns. It also runs some public hearings and inquiries into some specific human rights and good governance issues. Tanzania has an enviable record of good performance in the stead of governance and administration. Leadership under President Julius Nyerere avoided excess of abuse of human rights, nepotism and corruption. The successors of Nyerere have followed in his footsteps, although there are reported cases of corruption which are being vigorously tackled (Kiragu, 2002).

There is an outcry on the government's repressive stance on freedom of speech and assembly to the extent of closing down newspapers and magazines that criticise the state. It is reported that there has been incidences of excessive force used against journalists (Reporters Without Borders, 2013). Despite the government's anti-corruption efforts, Tanzania continues to suffer from rampant corruption. UNDP (2002: 62) reports that Tanzania has not ratified the following international instruments: The Convention Against Torture, The International Convention on the Protection of the Rights of Migrant Workers and Members of their Families. At the regional level, Tanzania has not ratified the Protocol to the African Charter on the Rights of Women in Africa. Corruption is cited as one of the major constraints for doing business in the country (World Economic Forum, 2013).

6.6 SUMMARY

The chapter offered a discussion on issues ranging from the difficulties in separating ethics and governance as well as the effectiveness of the AU and UN systems of governance in addressing issues of ethics faced in public entities of member states. The participants noted that the system were moderate effective in persuading member states to adhere to ethical guidelines and rules. Equally, it was noted that the enforcement stage was the hardest part for the AU/ UN because of member states' sovereignty. The discussion offered a picture on how the two institutions functions with regards to ethics and governances. For these reasons, it is important that member states adhere to AU and UN system of governance to improve their public entities, as shown by Botswana and South Africa leading in democracy and governance.

7.0 INTRODUCTION

The aim of this study was to analyse the role of ethics and governance in public services in an AU and UN perspective with the following countries used as case studies: South Africa, Mauritius, Botswana and Tanzania. The previous chapter discussed the findings of the study in relation to the objectives that were set beforehand. Therefore, this chapter offers a summary of the main findings of the study and recommendation or suggest for future studies, as well as implications of the study, thereby contributing to a body of knowledge on ethics and governance in public sector.

7.1 SUMMARY OF THE MAIN FINDINGS

The purpose of this section is to discuss the findings of the studies in relation to the objectives that were set forth. This in intended to bring the true meaning of the findings to the surface with regards to answering the research questions.

7.1.1 Objective 1: Explore how UN and AU employees understand the role of ethics and governance

The study successful examined the UN and AU system of governance. It can be concluded that the systems are almost similar when it comes to issues of ethics and governance. However, the AU system of governance is still lagging behind as highlighted by the participants. From the information that was gathered, it was pointed that when it comes to monitoring of ethical compliance, the AU was very weak in dealing with offenders as compared to the UN. This was compared using the expected outcomes from a misconduct deemed unethical. At the UN, the offender is expected to receive harsher punishment, yet, at the AU, the system relies on the offender confession to act upon the misconduct. This makes the AU system very weak in monitoring employees conduct, thus, making it less effective in dealing with unethical issues done by employees.

7.1.2 Objective 2: Explore how ethical compliance can be a good indicator of good governance for UN and AU.

Although, they were country cases where it was hard to monitor issues of ethics because of the interference of the government, the member states of both the AU/UN were all adhering to ethical guidelines and standards to a great extent. Some countries were finding it hard to domesticate guidelines agreed upon, for instance, Tanzania was facing more challenges in domesticating a number of guidelines from the UN and AU. As highlighted by the participants, politicians have an impact in the adherence of UN/AU guidelines and standards. In situations where the politicians feel they will be incriminated, the easiest route is to avoid implementing those guidelines. Therefore, countries that were good in ethical compliance showed good governance. For instance, Botswana showed that improving ethical compliance using government policies that punish non-compliance can improve governance. Thus, Botswana is ranked high in Africa on issues of governance and ethics according to the World Bank governance indicators, as well as, Ibrahim governance index. In South Africa, although public entities were complying with ethical guidelines, corruption was high. A number of public servants were identified by the public protector as having unduly enriched themselves with public resources. At the same time, ethical compliance was noted to have increased because of the South African government's appetite in requesting evaluations for public servants.

Thus monitoring of ethical compliance, to a greater extent, might have an influence on governance as proven in Botswana. Yet, in South Africa, it can be said to be partly contributing to good governance because public protests are on the increase due to poor service delivery.

7.1.3 Objective 3: To explore the effectiveness of AU in UN systems in dealing with ethics and governance of employees, and member states

The participants concluded that both the AU and UN systems were moderate in terms of governance and ethics. This conclusion was based on the effectiveness of the system in dealing with issues of unethical conducts as well as governance. They concurred that it was necessary for these organisations to offer their employees more exposure to ethics and governance workshops that would improve their governance. The UN and AU systems are

partly connected because these are institutions that are run by member countries. Therefore, the problems that are usually encountered within the UN system of governance boil down the AU. However, the participants noted that the AU system has a lot of shortfalls that makes it very ineffective in dealing with cases of ethics conducts for employees as well as member states. Therefore, there were suggestions made by the participants, as discussed in Chapter 5. It was quite interesting to note that a number of employees in those organisations stated that it was easy to manipulate the systems for personal gains because the feedback mechanism in dealing with unethical behaviour was very poor, especially for the AU. The participants pointed out that good governance is hard to achieve if issues of ethics are not dealt with properly. The study also found out that most AU/UN officials were adhering to ethics guidelines and rules as set by the organisations. Furthermore, adhering to guidelines did not mean that employees and member states were not doing some unethical behaviours that impacted on governance. Some participant claimed that UN bosses were involved in a number of unethical behaviours and misusing public funds for their personal gains. However, the fact that they were from big countries like the USA or permanent member states made it hard to put them under disciplinary action, thus making the UN system moderate in dealing with unethical behaviour from both employees and member states. Other participants were not willing to reveal that the offices were the misconduct was happened because of fear of reprisal or losing their jobs.

7.1.4 Objective 4: Examine if member states of the UN and AU adhere to ethical standard and guidelines set by the two organizations

According to the participants of the countries that were under study, they do adhere to UN and AU ethical conducts. The participants claimed that their countries were member states in the two organisation, and as a result, they are forced to follow a number of policies and protocols in running their public sectors. However, the participants were very critical of the role of UN and AU in the enforcement of ethical conducts and guidelines. They stated that both organisation cannot force a member country to follow their guidelines, thus, leaving the implementation process to be at the mercy of politicians. In Tanzania it was pointed out that the President office is involved in implementation of certain ethical guidelines adopted from UN and AU. As a result, the policies have not been effective because in cases where the same

people who want to implement those guidelines are incriminated, it becomes hard to implement them.

7.1.5 Objective 5: To identify challenges faced by the AU and UN in fostering good governance and ethics to member states public entities

The participants from the member states under study were of the view that implementation gaps in ethical guidelines or standards do exist in their countries. In South Africa, it was pointed that the private sector is not involved in the implementation processes of ethical guidelines, although the economy is made up of over 60% private sector. This meant that as long as the private sector is not involved in the implementation stages it becomes hard to have a buy in from people. It was also revealed that the public sector do work or trade with the private sector. Most of the problems of unethical conduct involve public officials or servant working in cohorts with the private sector. Therefore, in order to have a success story, it would be worth involving the private sector as well. Similarly, in Tanzania members claimed that the implementation gaps were moderate because the country was already aligning a number of polices with AU or UN directives. In Mauritius, the participants were of the view that in order to bridge the implementation gaps, it was necessary to involve the public as well. There was a view that the government was acting alone without informing the people on certain standards. This, in turn, led to a low level of implementation because some public servants will not be aware of the ethical standards and governance issues. Botswana was facing a few challenges with regards to implementation of ethical standard and guidelines.

Therefore, challenges facing African nations with regards to implementing ethical standards and guidelines are multi-dimensional in each nation. The challenges depend on a number of factors within a government setup.

7.2 CONCLUSION

This study was set out to explore an in-depth understanding of the UN and AU system of ethics and governance and how they influence public sectors of member states. The AU system of governance has partly failed to meet the objectives of member state in that its influence in their public sector is very limited and moderate in effectively dealing with ethics

and governance. Dishonesty and corruption are some of the major reasons that have made the AU system less effective in addressing public concern of member states. The AU officials do not have a proper report mechanism for their ethical conduct. However, in the UN the feedback mechanism in dealing with unethical issues suffers from interference from permanent member states. The study indicated that in order to achieve good governance, ethics is a vital component of an effective system. The findings showed that a number of countries have failed to implement UN/AU ethical guidelines in their public sectors. The study also showed the importance of having good ethical infrastructure in order to promote an environment that is conducive for sustaining ethical practices with member states.

7.3 LIMITATIONS OF THE STUDY

Each and every study has limitations which should be taken into consideration in order to understand its context. The following is a list of limitations encountered within the study, specifically during data collection stages:

- In conducting interviews, a purposive sampling technique was used, and this might have led to some experts who would have contributed immensely to the study being excluded. This happened when the interview has been booked and then the participants withdraw. This might have limited the maximisation of data collection;
- It was very difficult to have access to some public servants or officials due to their ever changing schedules when they needed to attend to emergency matters or meetings;
- The study only interviewed people who were on public offices or institutions. This might have disadvantaged the view of ethics and governance because the public are the victims of unethical conduct. However, they were not interviewed in the study to hear their side of the story, therefore, it should be noted that the main goal of the study was to explore how public servants or officials conduct themselves when serving people or representing the public.

7.4 RECOMMENDATIONS

Ethics and governance can never be viewed in isolation. Therefore, it is necessary for public servants to co-operate with guidelines and rules in order to do good governance. The

institutions and public servants have a role to play in achieving this. The following are the recommendations of this study:

7.4.1 United Nations

According to the participants that were interviewed from the UN, it seems like the internal process of ethics is well in place and offers little room for unethical behaviour. However, the first step is to re-examine the feedback mechanism of reporting unethical conduct within the UN. This means it should be easy to trace officials who mismanage public funds or any sort. Some participants claimed that it is dependent on who does what and when? Therefore, being impartial in reporting unethical conduct may serve well as an example for other member states to follow suit. The UN is the mother of nations, thus, leading by example in implementing a good feedback mechanism that helps to identify and punish officials found in the wrong side may ultimate lead to the adoption of such a system by member states.

Secondly, the UN audits seem to be taking a long time to be conducted. As a result this in turn affects the effectiveness of such audits. Frequent audits help to keep track of any unethical conducts. Similarly, the employees are supposed to be motivated in reporting both the positives and negatives. This will lead to a situation whereby transparency is achieved.

Most member states do follow UN guidelines but not wholly, they usually adopt some part of it. In order to have the majority of members' implementing those ethical guidelines, the input should be mainly from every member as opposed to dominant member states. This will have better buy-in from the governments from the developing world, which holds a majority of UN seats. However, with the current situation, they feel as if some of the things proposed are forced on them, as a result the buy-in is low.

7.4.2 African Union

In the AU, it was discovered that the organisation lack a number of means in tracking ethical conducts which in turn affect governance. The organisation struggles to keep check and balances of its employees with regards to ethics and member states. It is suggested that in order for the employees to be able to account for unethical conduct, a reporting scorecard should be made available to everyone. This scorecard would be having some form of questions that are rated in a Likert scale format, whereby members or employees of the same

department rank one another anonymously. This means that it becomes easy to trace officials who perhaps violated the ethical guidelines as a set by the AU. Furthermore, use of audit may also help in identify gaps on unethical conducts.

Similarly, in order for member states to adopt AU ethical guidelines fully, the organisations should develop their own system that can be easily followed by member states when reporting back to the organisation. It was raised that the AU does not have a mechanism of noting if member states implement guidelines. The main problem is that the AU on its own does not have a good reporting mechanism that can be replicated by member states. So in order to fix this problem the AU should improve on their reporting system and audits. It is further recommended that the organisation send its employees to workshops that train employees on how to govern and develop ethics. A number of participants from that organisation seemed unaware of what constitutes ethics and governance. Instead, they just pointed out that being incorrupt is similar to being ethical. Therefore, attending workshops and country engagements can serve well in formulating a new system that monitors ethics and governance.

7.5.2 Member states public sectors

In order for member states to be good in governance they should full adopt the AU/UN ethical guidelines to their respective countries followed by penalties (compliance) if they will not adhere to the required standards, though it is encouraged to refrain themselves pre-penalties as intrinsic mechanisms; this may act as benchmark to monitor their progress in implementing those guidelines. It was noted that the member states under study were adopting some of the guidelines, but it was also hard to implement them because the AU/UN cannot enforce anything. Apart from this problem a number of public servants were not aware of what constitutes ethics and governance. This means the government of those nations are not trying enough to improve their public sector with regards to good ethics and governance. Only South Africa was leading by example in enacting a number of institutions that deals with ethics and governance. As a result, the country has improved since the inception of the Public Protector, which is an office that monitors how public servants utilise public resources. The problems of corruption still occurs at both lower and high levels government structures though public protector normally tries to rectify the situation, this calls

for further mechanisms to deal with the problems. Therefore, member states can adopt a similar approach that was used by South Africa in enacting a Public Protector who is independent of any political party. If used properly, the office of the Public Protector helps in reducing unethical behaviour by public servants or officials.

Therefore, member states should learn to implement policies that are from the AU/UN. Because they save a guidelines to which nations can monitor their progress in public sectors so as to improve transparency and accountability.

7.6 SUGGESTIONS FOR FUTURE RESEARCH

This study was done in four countries, namely, South Africa, Botswana, Mauritius and Tanzania. Therefore, the findings can only be generalizable to the areas that were studied. Although, when generalising, it should be taken into consideration that the sample used cannot, in any way, represent the various government entities. However, it gives a glimpse of what may be happening in similar public bodies in those states. Therefore, suggestion of future research is that a study of a similar nature be done with a large sample of public entities and include the public as well in order to identify points of convergence and divergence. This may help in understanding what the public perceives as ethical and what governance is.

7.7 Summary

Ethic and governance seem to be interlinked, therefore, the AU and the UN have a major role to play in improving public sectors of member states. These organisations all have a different role to play towards instilling ethics and governance guidelines. The third (3rd) objective of this chapter was to provide a summary of the research questions that were set forth within the study. The chapter successfully provided discussions on how the objectives of the study were achieved, and gave recommendations. The study findings underlined the importance of ethics and governance among different institutions.

REFERENCES

Aidt, S. T. (2009). *Corruption, institutions, and economic development*. London: Oxford Universoty Press.

Aijala, L. et al (2000). Civil service Ethics: a study of the ground of civil service ethics, its present state and area of development. Working Group Memorandum, Personnel Department of the Ministry of Finance, Sweden.

Amundsen, I. (2009). Public Sector Ethics. University of Angola (UCAN) and the Chr. Michelsen Institute (CMI) (Angola and Norway).

Asian Development Bank Perspective. Manila: Asian Development Bank.

Ates, et al, (2009). Ethics and customer services in academic research on public ethics. Turkey: Ankara.

Auriacombe, C. (1999). Reflection on the "New Public Management. *Journal of Public Management*. 34(2).

Balakrishnan, J. (2012). Journal of the National Human Rights Commission. Vol.11

Bertucci, G. (2007). Public Governance Indicators: A Literature Review. Department of Economic and Social Affairs (UN), New York.

Bilhim, J. & Neves, B. (2005). *New ethical challenges in a changing public administration*. Lisbon: Social and political science institute.

Botha, H. J. (2005). *A theoretical study to determine the interrelationship between Governance and leadership*. MA thesis, University of North-West, Department of Business Management.

Bottorff, D. L. (1997); how ethics can improve Business Success. Quality Progress, 30, 57-60.

Bovens, M. (2007). New forms of accountability and the EU-Governance. *Comparative European Politics* 5: 104-120

Bovens, M. et al (2007). *Regulating Conflict of Interest for Holders 0f Public Office in the European Union: A Comparative Study of Rules and Standards of Professional Ethics for*

Holders of Public Office in the UE 27 and EU Institutions. Canada: The University of Helsinki and the University of Vaasa.

Bozeman, B. & Beck, J.T.B. (2007). Public values: An Inventory. *Administration and Society,* 39 (3)

Brady, F. (2003). Public administration and the ethics of Particularity. *Public Administration Review*, 63(5): 525-534.

Brammer, S. & Millington, A. (2005). Corporate reputation and Philanthropy: an empirical analysis. *Journal of Business Ethics*, 61 (1): 29-44.

Brien, A. (1998). Professional Ethics and Culture of Trust. *Journal of Business Ethics, 17 (4): 391-409.*

Brown, A. (2009). *Ronald Dworkin's theory of equality.* London, England: Palgrave.

Bruce, W. (1996). Codes of ethics and Codes of Conducts: Perceived Contribution to the practice of ethics in local government. *Public Integrity Annual CSG & ASPA*: 23-30

Burke, F. & Richter, W. (2007a). Ethics Foundation and Challenges. In: *Combating Corruption, Encouraging Ethics: A practical Guide to Management ethics,* Lanham, Maryland: Rowman & Littlefield Publishers Inc.

Caiden, G. (2000). *The essence of Public Service Professionalism in Promoting Ethics in the Public Service.* New York.

Cakata, N. W. (2011). Analysis of service delivery challenges in Eastern Cape Province of South Africa: the case of Mnquma Local Municipality (2005-2010). MA Dissertation, Faculty of Commerce and Management; University of Fort Hare.

Calland R. (1999). *The First Five Years: A Review of South Africa's Democratic Parliament* Cape Town: IDASA.

Campos, E. J. & Pradham, S. (2007). The many faces of corruption: Tracking corrupt individuals? Two types of organization-level corruption. *The Academy of Management Review*, 33: 685-709.

Chambers, S. (2003). Deliberative democratic theory. *Annual review of Political Science,* 6(1): 307-326.

Chapman, R. A. (1993). *Ethics in public service.* Edinburgh: University Press.

Cloete, E. P. (2013). A critical analysis of the relationship between political transformation and corruption. PhD thesis, Faculty of Humanities, University of Free States.

Cohen, A. K. (2005). *A general theory of subcultures*. London: Routledge.

Collins, P.D. (2012). *Introduction to the special issue: The Global Anti-corruption discourse-towards integrity management*. Birmingham: University of Nottingham press.

Cooper, T. L. (2006). *The Responsible Administrator: An Approach to Ethics for the Administrative Role*. San Francisco: John Wiley & Son.

Damaki, G. O. (2014). Standards and Practice of Corporate Governance in the Public Sector in Nigeria. *Journal of Contemporary Management*, Nigeria.

Daniel, A. (2011). *Business Ethics: Principles and Practices*. Oxford University Press.

DC: The World Bank Group.

De George, R. (2006). *Business Ethics*. New Jersey: Pearson Prentice Hall.

Demmke, C. (2004). *European Civil Service between Transition and Reform*. Maastricht: European Institute of Public Administration.

Der Ven, R. (2004). *What went wrong with Africa?* Amsterdam: KIT Publishers.

Dilsad, K. K. (2006). Consequentialist versus deontological ethical dispositions of Turkish banking sector manager: Comparing a public and a private bank. A thesis submitted to the graduate school of social sciences: Middle East Technical University.

DiMaggio, P. & Powell, J. (1983). The iron cage revisited: Institutional.

Directorate on Corruption and Economic Crime (DCEC). (2012). Annual report. Botswana.

Disoloane, V. (2012). Reception of a Code of Conduct at the Capricorn District Municipality in Limpopo Province. PhD thesis, University of South Africa, South Africa.

Dorasamy, N. (2010). Enhancing an Ethical Culture through Purpose-Directed Leadership for Improved Public Service Delivery: A Case for South Africa. *African Journal of Business Management*, 4(1): 56-64.

Economic and Social Council. (2006). Compendium of basic terminology in governance and public administration. Committee of Experts on Public Administration, Fifth session, New York.

Eimicke, W. & Cohen, S. (1998). *Trends in 20th Century United States Government Ethics.*. Columbia: School of International and public affairs.

Ekhator, E. O. (2012). Public Sector Ethics in the United Kingdom: An overview. *Inka*

Enon, J.C. (1998). *Education Research Statistics and measurent.* Uganda: Makerere University.

Enrich, L., Cranston, N. & Kimber, M. (2004). *Public Sector Managers and Ethical Dilemmas.* Queensland: Queensland University of Technology press.

Ermongkonchai, P. (2010). Understanding Reasons for Employee Unethical Conduct in Thai Organizations: A Qualitative Inquiry. Contemporary Management research, Chulalongkorn University. 6(2).

Erubani, M. & Young, I. R. (2003). Nigeria's corruption and related economic.

Es-salaam, Tanzania.

Examining the Paucity of leadership in Government, 81 (3).

Fourie, D.J. & Kakumba, U. (2008). Enhancing Local Government Systems and vulnerabilities at the sector level: New York, NY: World Bank.

Frey, B. & Osterloh, M. (2004). *Corporate Governance for crooks? The Case for corporate Virtue.* London: Oxford University Press.

Fritz, J. C. & Gyimah-Boadi, C. (2007). *Good governance, Aid Modalities and Poverty Reduction: Linkages to the Millennium development Goals and Implications for Irish Aid.* UK: Overseas development Institute.

Ganetsang, G. (2009). *Corruption in Botswana is becomingly complex*. Gaborone: The Sunday Standard.

Gensler, H. J. (2006). *Ethics: A contemporary introduction*. London: Routledge.

Gerxhi, J. & Musarj, A. (undated). Communication and ethical behaviour in the public service. *International Scientific Journal*.

Ghasia, H. (2010). Public service pay and incentive policy. Dar Es Salaam, Tanzania.

Gildenhuys, J. S. H. (1991). Ethics and the public sector: Speech and papers presented at the second winelands conference held at the University of Stellenbosch (1989). Cape Town: Juta.

Gildenhuys, J. S. H. (2004). *Ethics and Professionalism: The battle Against Public Corruption.* Stellenbosch: Sun Press.

Gilman, S. C. (2005). *Ethics Codes and Codes of Conduct as tools for promoting an ethical and professional public service: comparative Successes and Lessons*. Washington: World Bank.

Global Integrity. (2006). Project information Document: Appraisal stage, Accountability, Transparency and Integrity Project. Report No2054, Project IDP 070544.

Gundu, G. (2010). *Reflection on Public Service Dilemmas: Nigeria's Experience.* Canada: Commonwealth Association for Public Administration & Management (CAPAM).

Gwanzura, O. (2012). An Exploration of Ethical Conduct in the South African Public.

Hanekom, S.X. (1984). Ethics in the South African Public Sector. *Politeia,* 3(2).

Hartman, L. (2005). Perspectives in Business ethics. New York, USA: Mc Graw Hill.

Hartman, L. P. (2005). Perspectives in Business Ethics (3rd edition). New York: McGraw-Hill Irwin.

Harvey, D. (2009). *Social justice and the city.* Atlanta, GA: University of Georgia press.

Hassim, A. A. (2013). Project Governance: Ethical Decision Making in Project Procurement in the Malaysian Public Sectors. PhD thesis, Queensland University of Technology.

Hilliard, V.G. & Ferreira, I.W. (2001). Honouring a set of Global ethics for South Africa. *Journal of Public Administration*, 36(2).

Hosea, E. (2008). *Corruption in Tanzania.* Bombay, India: Cambria Press. http://www.searchwarp.com/swa383838.htm 5/07/2013.

Huberts et al, (2003). *The ethics of government and Business: What is valued most?* Netherlands: Virije University, Netherland.

Hyyrylainen, E. (2010). *Approaching Ethics and Integrity in Public Administration and Management Research from a citizen's view.* Vasaa: University of Vaasa Publication Unit.

Ijeoma, E., Nzewi, O. & Sibanda, M. (2013). *South Africa's Public Administration for Community Service.* Alice: Independent Service Delivery Monitoring Networks (ISDM) and University of Fort Hare.

Isomorphism and collective rationality in organizational fields. American Sociological Review, *48*(2), 147-160. Doi: 10.2307/2095101.

Jain, A. K. (2005). Corruption: A review. *Journal of Economic Survey*, *45*: 639-658.

Joel, B., Mjema, G., Mukandala, R. & Mushi, S., (2005). Political economy of Tanzania. Washington, DC: World Bank.

Jon, P. (2000). *Debating Governance: Authority, Steering and Democracy*, Oxford University Press

Joyce, P. (1990). *The rise and fall of apartheid*. Cape Town: Struik.

Kaduma, I.M. (2010). *Maadili ya Taifa na Hatma ya Tanzania: Enzi kwa Mwalimu Julius K.*

Kakabadse, et al (2003). Ethics, Values and Behaviors: Comparison of Three Case Studies.

Kang'ethe, S. & Rakhundu, M. (2010). *Exploring Religious Education*. Cape Town:

Kanyane, M. H. (2014). 21 Narratives of ethical dilemmas and their therapeutic resolutions in the 21st century. Wandsbeck: Reach Publishers.

Kaufman, D. (2007). *Myths and realities of governance and corruption*. Worldbank,

Kaufmann, D. Kraay, A. & Mastruzzi, M. (2008). Governance Matters VII: Governance indicators. World Bank Policy Research working paper, Washington D.C, USA.

Kaufmann, D. Kraay, A. & Mastruzzi, M. (2008). Where are we, where should we be going?

Kaufmann, D., Kraay, A. & Zoido-Lobatón, P. (1999). *Governance Matters.* Washington,

Kernaghan, K. (1996). The Ethics Era in Canadian Administration. Canada: Canadian Center for Management Development.

Kieh, G. K. (2007). Military rule in Liberia. *Journal of Political and Military Sociology*, 28, 327-342.

Kimberling, L. (2008). Ethical reasoning and Transformation Leadership: An investigation of public sector Leaders. PhD Dissertation, Capella University, USA.

Kinchin, N. (2007). More than writing on a wall: Evaluating the Role that Code of Ethics play in securing Accountability of Public Sector decision-Makers. *Australian Journal of Public Administration,* 66(1).

Kinicki A. & Kreitner, R. (2005). Organizational Behaviour (6th edition). London: McGraw Hill.

Kombo D.K. & Tromp D.L.A. (2006). *Proposal and Thesis Writing.* Nairobi Kenya: Pauline.

Koranteng, R. (2010). *Issues of Ethics and Professional Values.* Commonwealth Association for Public Administration & Management (CAPAM). United Kingdom: Commonwealth Secretariat.

Ladzik, J. & Eldridge B. (2009). *The Ethics of Capitalism*. London: Social Europe press.

Langford, J. W. & Kernaghan, K. (1990). Thinking about responsible behaviour in a responsible public servant. Halifax: Institute for Research on Public Policy.

Leana, C. R., Pil, F. K. & Pinto, J. (2008). Corrupt organizations or organization of

Lewis C. W. & Gilman S. C. (2012). *The ethics and challenges in the Public Services: A Problem-Solving Guide* (2nd edition). San Francisco: Jossey-Bass.

Lewis C. W. & Gilman S. C. (2012). *The ethics and challenges in the Public Services: A Problem-Solving Guide* (3rd edition). San Francisco: Jossey-Bass.

Longman.

MacCarthaigh (2008). Public Service Values: A discussion Paper No. 39. Institute of Public Administration, Ireland.

Madonsela, T.N. (2010). Corruption and Governance Challenges: The South African Experience. Paper presented at the National Conference on Corruption and Governance Challenges, Nigeria.

Maesschalk, J. (2004). The impact of new Public Management Reforms on Public Servants' Ethics: Towards a theory. *Public Administration*, 82(2): 465-489.

Mafunisa, M. J. (2000) (eds). *Public Service Ethics*. Kenwyn: Juta.

Mafunisa, M.J. & Maserumule, M.H. (2004). *Cases in Public Administration and Management: A South African Perspective.* Sandtown: Heinemann Mcmillan.

Maluka et al., (2010). *General Studies*. Dar-Es-salaam, Tanzania: Nyambari publishers.

Manning, N., Kraan, D.J. & Malinska, J. (2006). How and why should government activity be measured in "Government at a glance?" Draft Project on Management in Government, Organization for Economic Cooperation and Development, London.

Maseremule, M. H. (2011). Good Governance in the New Partnership for Africa's Development (NEPAD): A Public Administration Perspective. PhD thesis, University of South Africa.

Mbao, M. & Komboni, G. (2009). Promotion of good governance and combating corruption and mal-administration: the case of Botswana. *Journal of Human Rights*.

McDougle, L. D. (2007). *Understanding and maintaining Ethical Values in Public Sector through an Integrated Approach to Leadership*. San Diego: University of San Diego press.

Megone, C. (2002). Two Aristotelian approaches to business ethics. In Magone, C and Robinson, S. J. (eds). Case studies in Business Ethics. London: Routledge.

Menyah, D. (2010). *Ethics and Ethical Dilemmas in the public Service. Canada*: Commonwealth Association for Public Administration and Management (CAPAM).

Moilanen,T. & Demmke C. (2011). *Effectiveness of Ethics and good governance in Central Administration of EU-27: Evaluating Reform Outcomes in the Context of Financial Crisis*. Warsaw: European institute of Public Administration.

Moktan, K. & Nicoll, S. (2008). Governance and Sustainable Development: The

Mothusi, B. (2010). *The institutionalization of corruption in Botswana.* Gaborone: The Sunday Standard.

Mugenda (1999). Research Methods: Qualitative and Quantitative approaches. Nairobi, Kenya: ACT Press,

Mutahaba, G. (2005). *Pay reform and corruption in Tanzania's public service: Potential for public service pays reform to eradicate corruption among civil servants in Tanzania.* Dar Es Salaam: Tanzania: Nyambari publishers.

Mutahabwa, G. (1989). *Reforming Public Administration for Development.* West Hartfort, USA: Kumanina Press.

Nagiah, K. (2012). The Code of Conduct of the South African Public Service Compared with International Guidelines. MA Dissertation, University of Pretoria.

Nastase, A. (2012). Ethics Management and Individual Views Towards Ethics in the European Commission. PhD thesis, Central European University.

Njunwa, M. (2009). Governance Initiatives to Fight Corruption: Combating Corruption in Tanzania's Public Service: Success and Challenges. Mzumbe University: Institute of Public Administration.

Noor, A. (2008). Ethics, Religion and Good Governance. *Journal of Administration & Governance.*

Nyambari Nyangwine et al., (2010). *General Studies*. Dar-Es-salaam, Tanzania: Nyambari publishers.

Nyerere. Dar Es Salaam: Knowledge Printers and Publishers.

Nzekwe, et al (2014). Public sector and Corruption in Nigeria: An ethical and Institutional Framework of Analsis. *Open Jounal of Philosophy*, 4, 216-224.

Odemba, A.S. (2010). Corruption in sub-Saharan Africa: A phenomenological Study. PhD thesis on Business Administration, University of Phoenix, United States of America.

OECD. (1996). Ethics in Public Service: Current Issues and Practice. *Public Management Occasional Papers.* No.14

OECD. (1996). Ethics in the Public Service: Current issues and Practice. Public Management Occasional Papers No.14.

OECD. (2000). Building Public Trust: Ethics Measures on OECD Countries. PUMA Policy Brief No.7 of Agricultural Statistics.

Office of Public Service Values. (2003). Ethics Infrastructure in the Public Administration: Experience of Several Countries (Australia, Canada, Denmark, United States, New Zealand and United Kingdom). Canada.

Onike, R. (2008). Corruption and leadership in Nigeria. Accessed from

Osifo, O. C. (2012). The effects of Ethical Governance on Public Trust: A comparative Analysis of Anti-Corruption Policies and Procedures in Nigeria, Ghana and Cameroon. Vaasan yliopisto, Finland.

Pastras, P. (2011). Governance of tourism development in Athens: A strategic-relational approach. PhD thesis, University of Birmingham.

Pelizzo, R. & Stapenhurst, R. (2004). *Legislative Ethics and Codes of Conduct*. New York: World Bank Institute.

Peter, G. B. & Jon, P. (2000). Governance, Politics and the State. New York: St. Martin's Press.

Petit, P. (1989). Consequentialism and respect for Persons. *Ethics*, 100(1): 116-126.

Pevkur, A. (2006). Comparability of public administration systems and ethics management. Paper presented at the AGPA Annual Conference, Milan, Italy.

Pollit, C. (2003). The essential Public Manager: Public Policy and Management. London: Mcgraw-Hill Education.

Processes towards Accountability: The Case for External Control Agencies in Uganda. *Journal of Public Administration*, 43(1): 121-135.

Raga, K. & Taylor, D. (2005). Impact of Accountability and Ethics on Public Service Delivery: A South African Perspective. Mini-forum: Advancing Public Service Performance, South Africa.

Rainbow, C. (2002). *Descriptions of ethical theories and principles*. Washington: Davidson College press.

Rawls, J. (1971). *A theory of justice.* Harvard: Harvard University Press.

Republic of South Africa (1994) Chapter 2 of the Regulations to the Public Service Act No 94. Pretoria, Government Printer.

Republic of South Africa. (1994). Chapter 3 of the Regulations to the Public Service Act No 94. Pretoria, Government Printer.

Republic of South Africa. (1999). Public Finance Management Act. Pretoria, Government Printer.

Republic of South Africa. (2000). the Promotion of Access to Information Act, Act No 2. Pretoria, Government Printer.

Republic of South Africa. (2000). the Promotion of Administrative Justice Act, Act No. 3. Pretoria, Government Printer.

Republic of South Africa. (2000). the Protected Disclosure Act, Act No. 26. Pretoria, Government Printer.

Republic of South Africa. (2004). the Prevention and Combating of Corrupt Activities Act, Act No. 12. Pretoria, Government Printer.

Rest, J. & Narvaez, D. (1995). Four Components of acting morally. University Library of Notre Dame. *Review of Economic Policy*, 25, 271-291.

Rose-Ackerman, S. (1978). *Corruption: A study of political economy.* New York, NY: Academic Press.

Rosenbaum, A. (1997). *Professionalism and ethical conduct for the public servant: Challenges for the 21ˢᵗ Century.* Brussels: International Institute of Administrative Sciences.

Rossouw, G. J. (2002). *Business Ethics in Africa.* Cape Town: Oxford University Press.

Rowson, R. (2006). *Working Ethics: How to be fair in a culturally complex world?* London: Jessica Kingsley Publishers.

Rubin, H.S. & Rubin, (1995). Qualitative interviewing: the art of hearing data. Sage Publication, London.

Salminen, A. (2006). Accountability, Value and the Ethical Principles of Public Service: The Views of Finnish Legislators. *International review of Administrative Science*.

Salminen, A. (2010). *Ethical Governance: A Citizen's Perspectives*. Vaasan Yliopisto: Finland.

SAS Institute. (2007). Implementing Accountability in the Canadian Government. SAS White Paper, Canada.

Savoie, D. J. (2003). *Breaking the Bargain: Public Servants, Ministers and Parliament.* London: University of Toronto Press.

Savra, J. (2007). *The ethics Primer for Public Administrators in Government and non-profit Organizations.* Sudbury, MA: Jones and Bartlett Publishers.

Schwartz, M.S. (2004). Effective cooperate codes of ethics: Perceptions of users. *Journal of Business Ethics*, 55: 323-343.

Scubert, R. I. (2007). A Christian-Ethical comparison of leadership styles in the west and in Tanzania and their impact on cross-cultural partnerships. Unpublished Masters' dissertation of theology, University of South Africa.

Sector: A Case of the Eastern Cape Department of Education (2009-2010).

Shleifer, A. & Vishny, R. W. (1993). Corruption. *Quarterly Journal of Economics*, *58*: 599-617.

Singer, P. (1994). *Ethics.* Oxford: Oxford University Press.

Sitta, S. (2005). *Integrity environment and investment promotion: the case of Tanzania*. Dar-

Snare, F. (1992). *Nature of Moral Thinking.* Florence: Routledge.

Soest, C. (2009). *Stagnation of miracle: Botswana's Governance Record Revisited: GIGA Research Programme; Legitimacy and Efficiency of Political Systems.* Germany: Hamburg.

South African Public Service Anti-Corruption Strategy. (2001). Pretoria: Government Printers.

Sukhatme, Pandurang V. (1954) Sampling theory of surveys with applications. Indian Society

Sullivan, J. D. (2009). The Moral Compass of Companies: Business Ethics and Corporate Governance as Anti-Corruption Tools. The international Finance Corporation, c/o the World Bank Permission Desk Office of the Publisher: Washington, DC.

Svara, J. (1997). The ethical Triangle: Ethical Foundations of Virtue, consequence, principle. *Acta Wasaensia,* 169: 45-46.

Thiel, A. (2009). Europeanization and the rescaling of water services: agency and state spatial strategies in the Algarve Portugal, *Water Alternatives*, 2 (2): 225-244.

UNDP. (2007). Capacity development Action Briefs: Case evidence on Ethics and Values in Civil Service Reforms. Capacity Development Resource No. 2.

UNDP. (2009). Human Development Report (HDI) Rankings. Available at http/undp.org.org/er/statistics accessed on 8/06/2015.

UNDP. (2010). The Real Wealth of Nations: Pathways to Human Development.

UNDP. (2014). Human Development Report (1990-2014): Sustaining Human Progress; Reducing Vulnerabilities and Building Resilience. New York, USA. Available at http://hdr.undp.org accessed on 16/06/2015.

UNESCO. (2003). Behaviour in the global context. Center for Human Rights Research and Development, 12(3): 99-123.

UNESCO. (2003). Ethics of Economic Development. New York: United Nations Development Programme.

United Nations Development Programme. (1997). Governance for Sustainable Human Development. New York.

United Nations. (1979). Code of Conduct for Law enforcement Officials General Assembly Resolution Doc A/34/196.

United Nations. (1996). International code of Conduct for Public Officials, Doc A/RES/51/59.

United Nations. (1998). Work of the Fourteenth Meeting of Experts on the United Nations Programme in Public Administration and Finance: Report of the secretary General, (E/1998/77).

United Nations. (2008b). Global program against money laundering. New York, NY.

UNODC. (2004). The Global Programme against Corruption: UN Anti-Corruption Toolkit. Vienna.

UNPAN, (2008). Ethics, Transparency and Accountability. Unpublished MA dissertation, University of Fort Hare.

Upagade, V. & Shende, A. (2012). *Research Methodology.* New Delhi, India: Schands and Company.

URT. (2005). Code of Ethics and conduct for the Public Service. Dar Es Salaam, Tanzania. Government press.

URT. (2008). Public Management and Employment Policy. Dar Es Salaam, Tanzania: Government press.

URT. (2011). Country strategy paper (2011-2015). Ministry of Finance and Economic Affairs Dar Es Salaam: Tanzania.

Vance, N. R. & Trani, B. V. (2008). The ethical grounding to 21st Century public leadership. *International Journal of Organization Theory and Behavior*, 11 (3): 373-383.

Villa, D. & Graycar, A. (2011). The loss of Governance Capacity through Corruption: *An International Journal of Policy, Administration and Institutions*, 24(3): 67-70.

Weiss, J. W. (2003). *Business Ethics: A stakeholder and Issues Management Approach.* Mason, Ohio: Thomson-Western.

Whitton, H. (2001). *Implementing Effective Ethics Standards in government and Civil Service.* Ohio: Transparency International.

Woller, G. (1998). Toward a reconciliation of Bureaucratic and Democratic ethos. *Administration & Society,* 30: 85-110

Wood and Rimmer, M (2003). Codes of ethics: What are they really, and what should they be? *International Journal of Values Based Management*, 16(2): 181-195.

World Bank. (2000). Can Africa Claim for 21st Century? Washington DC.

Zikhali, L.J. (2005). The Ethics of Transparency in the Public Sector. MA Dissertation, University of Zululand.

Zimmerman, J.F. (1982). *Ethics in the Public Service*. Westview: Press Boulder.

APPENDIX 1A: CONSENT FORM

University of Fort Hare
Together in Excellence

University of Fort Hare
Doctor of Philosophy (Public Administration)

RESEARCH TITLE: **AN ANALYSIS OF ETHICS AND GOVERNANCE PRACTICES IN THE PUBLIC SECTOR: A UNITED NATIONS AND AFRICAN UNION PERSPECTIVES**

PERSONAL DETAILS

NAME: EMMANUEL SHINDIKA
STUDENT NUMBER: 201316880

Dear Participant

I am a student at the University of Fort Hare in the Department of Public Administration. As part of my studies towards my Doctoral Degree in Public Administration, l am required to submit a thesis in partial fulfilment of the degree. This study is conducted under the supervision of Prof R Thakathi from the Department of Public Administration at University of Fort Hare.

My research examines the ethics and governance practices in the public sector, but, with special attention on the African Union and United Nations Systems. It is upon this background that a study that would question ethical standards and guidelines in those organisation. Furthermore,   issues of governance have been a dominant feature in a number of African countries. Thus, necessitating a study on this topic.

Therefore, l would like to arrange an interview with you. The interview will take an hour at most. I guarantee that the information received in the interview will be kept confidential.

Kind Regards

Emmanuel Shindika

APPENDIX 1B QUESTIONNAIRE

University of Fort Hare
Together in Excellence

INTERVIEW GUIDE

Kindly mark with an X next to a number on the following questions:

Country

South Africa	Tanzania	Mauritius	Botswana
1	2	3	4

Organisation………………………………………………………………………………

Position………………………………………………………………………………..

Age

18-29	30-39	40-49	50 plus
1	2	3	4

Gender

Male	Female
1	2

Qualification

Secondary level	1
Undergraduate degree	2
Honours degree	3
Post Diploma	4
Master's Degree	5
Doctoral Degree	6

Experience at work……………………………………years

Sample questions for UN officials

Main Question	Follow up
1. Can you tell me about yourself?	Background, where you from , education etc
2. Can you tell me a bit of your position and experience?	What is role and duties in the organisation? Challenges and opportunity in that position? Did you do any training when you were employed?
3. What does governance mean to you?	How do you describe it to a general person? How effective is governance in your organisation?
4. What do you understand by the word Ethics?	Give explanations pertaining its usage in your organisation? What are the ethical guidelines and standards? Do you employees adhere to them? How do you access ethical conduct from employees? How do ethical conducts influence governance?
5. How does ethics and governance influence public sector of member states?	How do you measure the influence, UN has over member states? To what extent do member states make changes based on your influence?
6. What are the implementations gaps of member states with regards to UN mandates?	How do you address those gaps? To what extent do

Sample 2 African Union officials

Main Question	Follow up
7. Can you tell me about yourself?	Background, where you from , education etc
8. Can you tell me a bit of your position and experience?	What is role and duties in the organisation? Challenges and opportunity in that position? Did you do any training when you were employed?
9. What does governance mean to you?	How do you describe to a general person? How effective is governance in your organisation?
10. What do you understand by the word Ethics?	Give explanations pertaining its usage in your organisation? What are the ethical guidelines and standards? Do you employees adhere to them? How do you access ethical conduct from employees? How do ethical conducts influence governance?
11. How does ethics and governance influence public sector of member states?	How do you measure the influence, AU has over member states? To what extent do member states make changes based on your influence?

12. What are the implementations gaps of member states with regards to UN mandates?	How do you address those gaps? To what extent do

Sample 3: Member states public servants

1. Can you tell me about your country and democracy?	How do public entities operate in general? Do they follow any government protocols and processes?
2. Does your country follow UN ethical policy and guidelines?	To what extent? And how do you measure the compliance of public entities to these policy and guidelines?
3. Does your country follow AU ethical policy and guidelines?	To what extent? And how do you measure compliance by public entities to these policy and guidelines?
4. What are the implementation gaps in ethical guideline and standards within you country?	And how do you solve them?
5. Do you think governance has improved throughout the years?	To what extent? What can be done to improve it?

APPENDIX 1C INTERVIEW TRANSCRIPTS OR NOTES

UN	AU
P7. UN legal frame work.	*P12. African charter on the values and principles of administration (p1)*
P8. lnternational treaties and conventions which includes issues like human right instruments which look out to address inclusion , diversities, vulnerabilities , disabilities , inequalities sexual harassment, different faiths etc	*P13. They are many but one of such mechanism is the reestablishment of the African peer review mechanism (APRM) to promote governance and ethical issues among member states*
P10. Specific regulations which includes UN vision and values, accountability, integrity and professionalism.	*P14. Refer to (AU website on public sector ethics also AU charter African charter, values and principles of public service, anti-corruption charter, SADC protocol)*
P11. UN ethics office that is all UN employees have to declare conflict of interest, assets declaration beyond civil servants employment on their business, money all these they have to declare. Governance is just following rules and regulations laid down by the UN.	*P16. Emphasis on the value of the AU through respect for diversity and team work, transparency and accountability, integrity and impartiality, efficiency and professionalism, sharing knowledge and information and thinking African above all*

Subtheme 1.2: Rules abiding

UN	AU
They abide by the rules and guide lines because they all rely on rules and regulations. As diversities of UN, for international workers they normally comply but for the local staff it varies. That means they have some unethical issues once they are caught by audit they are dismissed. They are governed by rules so they abide by the rules. The same rules, same enforcement systems of dismissing them if they go different according to the audit of UN from audit committee who audits the whole organization (external auditors and internal auditors) there after they send the report to the committees. (P8)	*There is no clear cut between AU policy guides with the top officials. What are there are policy guidelines which direct all workers of Au and members states. The conducts of AU workers reflect on who is chairing the AU. If the chairperson country is lazy also the workers of AU will be lazy.If officials of AU do not have the system of showing the transparency of what they are doing its also impractical trace the ethical conduct because there is no openness, transparency , accountability what they are doing their issues. (P12)*
	Through officials guidelines and directive and evaluation reports. They try to adhere to the policies, although some how poor. (P13)
There are many corrupt UN officials for example, the World food Programme officials such as Mr. X. UN workers are ethical and majority are in line with the ethical policies. There are certain people within the UN governance who have a lot of power and there is no doubt that they abuse this privilege for example security council. (The five permanent members) (P10)	*Refer to website on code of ethics for regulating officers for AU (P14)*
	There is a code of conduct which applies to all AU Officials and staff members, irrespective of their location, categories and/or duration of their appointment. AU staffs are required to report conflicts of interest or failures to follow the Code of Conduct to appropriate authorities. (P16)
Staffs adhere to the highest standards of efficiency, competency and integrity. Through UN code of conduct and the charter keep officials accountable to it, through staff regulation and rules, The UN charter and the secretary general bulletin or administrative instructions to keep staff accountable(P.11)	

Theme 2: Effectiveness of AU and UN systems

UN	AU
Very effective in the sense that they are enforced that if you break them you will be dismissed. (P7)	*People who are working on that are ministers for public service in each country on the so called the conferences of Africa ministers for public services/ civil services. It started in 1994 in Morocco focus on the development of the public sector up to the present we have now annual forums called CAFRAD. There are some themes of combating corruption and there are some effectiveness but the impact are not more tangible. (P12)*
Not very effective because no central authority. Yet, the central authority and binding agreements play a key role in the implementation and operation of the organization and international treaties (P8	
They are effective, no point of being not effective (P9).	*They have helped to poster openness and accountability at state level (P13)*
	Moderately effective (P14)
	The AU is just 10 years old but these values are consolidating fast. (P15)
Implementation and policy alignment are on - going challenge (P11).	

Subtheme 2.1: Overhaul of the AU system

AU

1. Political will that is the AU public service ministers have signed the agreement it means they can work on it.
2. The instruments are collective directives that means they encompasses more things
3. Its African owned that means all are originated from African environment.
1. The secretariat of AU in most cases are retired officers so even following up of the critical issues seems to very slow
2. Funds to implement the functions and implementing the work are very limited so it means it needs more funds due to numbers of programmes. As results the matter is left on the hands of the host country who chair the prescribed year.
3. Poor prioritization of the programmes
4. Limited capacity that means human resources, coverage, ability to force issues to happen, ability to run programmes, sluggish implementation of the programmes (P 13)

Involvement of the people in the review processes. May be the challenge now is how government implements the recommendations from APRM reports (P14)

Clear leadership; the one who does not engage in unclean business. Conflict of interest that is personal gains (P15)

They are not forced but learned through interaction in a diverse Multicultural environment. The fact that they are learned supposes a time which is also not enforced (P16)

Theme three: Disciplinary role

UN	AU
Any allegation raised against by officials through the use of UN staff survey which used to survey all staff all over the world financially and other services. The Global Staff Survey (GSS) reports when comes out every staff has to come out and adopt the recommendation. But whatever allegations, responses from any staff the office have to have an action plan to address the problems to all staff. GSS have an instrument to complement other instruments like legal frame work, international treaties and conventions, conflict of interest assets declaration and other specific regulation (P7) *According to the UN code of ethics. Demonstration of UN values and principles, expression of vested powers. Demonstrating effective action in dealing with unprofessional as well as unethical behaviour (P12)*	*The governance structure is not open to the extent of tracing unethical conduct of its officials. The governance in terms of finance has a loop hole of monitoring the proceeding, benchmarking of professional issues or matters or even if they are traveling for official matters there is no chance for monitoring the activities properly. (P12)* *Periodic evaluations and official complaints(P13)* *Reports by staff or whistle blowing.(P14)*

Theme Four: Ethical guidelines and standards influence on public sector

UN	AU
The UN systems supports member states to develop the national rules, guidelines protocols, charters whether regional and support public service to implement to build capacity of public service of the member states, to build policy architecture, human resources planning for management and leadership development, designing management systems for the public services, develop participation and feedback in public service as well as monitoring and evaluation. Very effective in the sense that they are enforced that if you break them you will be dismissed (P.8)	*There are guide lines, charter that member states are required to do and to some extent they are influential. For instance Algeria was championing Africa charter while South Africa was champing innovation of public service that means what is stipulated on ethical guide lines there is no direct link to what is supposed to be linked /doing, but some countries are doing well example Botswana, South Africa, Mauritius and Tanzania. South Africa has the system that helps people to have access to the public services and if the services are not working for the public there is public protector who investigates the complaints of the people on the ground there is access to information Act, there is courts and other mechanisms which are independent on its functions. (P13)*
Moderate in influencing public sector (P10)	*The AU Code of Ethics and Conducts set out values and principles to guide the conduct and behaviour of African Union staff members and officials. Any AU Member State that wishes to adopt it, or parts of it, is free to do so. No Member State is however, mandated to adhere to it (P11).*

Subtheme: Effectiveness of AU

AU

1. AU is effective e.g. APRM
2. Conferences of public services ministers i.e. they meet twice per year, this shows that AU are effective in public service sector because they work on the parameters of AU.
3. Post conflict and reconciliation agenda. This work under AU frame work (PCRD)
4. anti- corruption and ethics to the public sector is AU mechanism, SADCs, ECOWAS public sector set all parameters for framework (P12)

1. The APRM recommendations are always implemented because of the presence of political will.
2. By assessing their performance and showing them governance gaps(P14)

By tracing various indexes including; Transparency international, Corruption perception index, Mo-Ibrahim index, African peer review mechanisms and by providing consultancy (P15)

The AU takes the lead in making policies passed as Decisions, but the Implementation and domestication of such Decisions rests on Member States and Regional Economic Communities (RECs). (P16)

Theme five: Member states adherence to the UN/AU ethical conduct

UN	AU
1. UN charters and protocols are international ones. 2. UN member states have to adopt the charter and domesticating the charter. The process of domestication is the country's duty.(P7) It depends on how ethical the UN is in the respective country and if the country office plays an important role .(P8) The gap is on domestication of conventions, citizens are the ones who monitor the implementation. Is not the UN business rather is the court system or citizens within the respective country. Depends on the citizens.(P10)	There are more than 80% of members' states to adhere to AU ethical conducts. For example APRM, NEPAD, AU charters and all 54 countries are signed to AU protocols. (P12) On average level though it depends on political will of an individual nation(P13) Poor, AU ethical conduct is a standard and Member States are encouraged to be guided by it but it is not enforced. The AU is not a super national State and cannot force any of its Decisions on a Member State who have liberty to take what they want. (P14) There are two things here one being that most of the orders is replacement of one order to another, and second is that weak mechanisms for making sure that unethical behaviour has stopped. Another thing is unity and collective focus to unethical conducts of all public sectors to all African countries for example why Zimbabwe is not member of APRM. There is different interpretation of ethics between countries to country for example the conflict of interest do differ from one country to another though the country may implement anti- corruption. (P16)

Subtheme: Member states relating to ethical policy and guidelines of UN/AU

S.A	TANZANIA	MAURITIUS	BOTSWANA
South Africa has domesticated some of the UN/AU polices on ethics such as African chapter on values and principles of public service and administration and multilateral, open government partnership (OGP) which all guide the country own ethics policies that affect officials behaviour. The PAM bill is also aimed at regulating conduct of officials.(P2) *Have in place national integrity frame work / strategy* *Sound human resource management practices* *Disclosure frameworks, PFM,PAIA* *Code of conduct(P3)* *The UN convention against corruption requires the conduct of ethics which are almost the same with countries directives. The Au charter is also in line with country's directives(P5)*	*Since Tanzania is a signatory; it is doing well because of ethical infrastructures like prevention and combating corruption bureau, human rights and good governance to some extent political side. We have persuaded a several reforms in the country example anti-corruption, health sector reforms etc. All these strengthening ethic infrastructures. So certainly top officials comply with UN/AU policy and guidelines because they are permissive in nature for those who violate.(P17)* *There is a big problem. Many if not some of them, their conduct are contrary to the ethical policy and guidelines of UN.(P19)* *These two are related much and complement each other in a large extent.(P20)* *There are universal public servants code of ethics/they seem to complement one another.(P21)*	*As member nations the country's top officials are bound to report on achievement. However, who will question them on whatever level of implementation and translation into reality.(P8)* *As the member of UN/AU we normally follow their decisions.(P9)*	*Botswana follows every guideline and standards set by the UN and AU. The implementation is well in line with the country track record of governance. (P24)* *The country is doing well in terms of implementation and following guidelines because of the infrastructure set by the government, which allows public entities to abide by laws (P26)*

Administratively leadership has been captured by political leadership. In other words politicians normally dictate what administrative leaders should do.(P6)			

Subtheme: Extent of adherence to AU/UN guidelines and rules

SA	TANZANIA	MAURITIUS	BOTSWANA
The APRM reporting obligations ensure that South Africa complies with obligation to improve ethical conduct in the services by dealing with corruption (P1). *We are signatories to the UN/AU, but these provisions are not in our constitutions so indirectly we are following the UN/AU (P6).* *Not very much in sense that member states does not adhere to UN/AU and it can be perceived that how things come from UN are not being done as per requirement (P5)* *The extent of adhering to UN/UA ethical conduct is very high because UN/AU has their assessors in the country that monitor the compliance level (P3).*	*Fairly well depending on resources availability.(P17)* *Moderate in the sense that we have the ethics infrastructure which is the condition to the member state. We have managed to establish several national ethics institutions but the only weakness is how to enforce and make it more functional because of the nature of the institutions themselves because UN/AU directs us to be independent, full funded, no interference but if you watched it critical they are not independent because these institutions are reporting to the president and they are not well resourced. (P19)* *UN convention on ethics and corruptions.(P20)* *To a large extent. (P18)* *The policies related with AU ethical conduct because the country sign and ratify the AU charter therefore it adopted some of them.(P21)*	*Moderate, Mauritius is always trying to fulfil UN/AU guidelines (P27).* *No idea but we try as much as possible to do it (P28).*	*Adherence is very high, especially on UN/AU guidelines (P25)* *Botswana is always fulfilling anything from the UN or AU (P26)*

Theme Six: Implementation gaps in ethical guidelines within member states

SA	TANZANIA	MAURITIUS	BOTSWANA
Only enforcement and compliance due to implementation. However, South Africa has aligned AU/UN conventions to domestic policy (P1). *Reporting of ethics failures* *Involvement of private sectors* *Whistle blower protection (P2).* *Resources are the problems that mean human resources and financial resources in the sense that to enforce laws needs capacity, education training etc (P5).* *Awareness, public servants are not aware (P6).* *They are not adhering to ethical code* *Ignoring the adherence because there are not consequences of being unethical (P3).*	*The gaps are moderate according to African Pear Review Mechanisms (APRM)(P17)* *Legal frame works and the institutions them self are not well independent (P19).*	*Whatever commitment is taken at international institution levels need to be communicated across countries and the population. Stake holders should be made aware of such commitments. However, when we feel that the government level people are not really informed, one can make sense of gaps and ineffectiveness. (P28)*	*The gaps are minimum if not none, as the country strives to monitor implementation of policies and guidelines at every level, although, at lower levels it is hard to monitor (P24).* *A number of AU policies or mandates have been domesticated throughput public entities. And resources are frequently channelled to support the implementation process. Therefore, l think the gaps are minimum as far as lm concerned (P26)*