

**ETHICAL LEADERSHIP IN THE LIMPOPO PROVINCIAL PUBLIC SERVICE OF  
SOUTH AFRICA: AN IMPERATIVE FOR GOOD GOVERNANCE**

**By**

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## **DECLARATION**

I, Angeline Thivhilaeli Singo declare that the study entitled **Ethical Leadership in the Limpopo Provincial Public Service of South Africa: An Imperative for Good Governance** hereby submitted by me at the University of Venda for the Doctor of Administration has not been previously submitted by me for a degree at this or any other university; that it is my original work and all the resources used herein have been indicated and duly acknowledged.

Signature-----

Date:-----

**A.T SINGO**

## DEDICATION

This study is dedicated to my family; my husband, Mr M.E. Singo, children, Kennedy, Takalani, Patricia and Mutali, daughters in law, Maude and Barbara and grand children; Muade, Mukona, Mutshidzi, Uranga, Murendeni, Mubvafhi, Vhugala and Rokunda. Special dedication to my late friend Norah Fulufhelo Machaba who encouraged me to enrol for this degree. I would not forget my late father, Sampson Maseda who always told me that a hero is the one who conquers her own dreams than enemies.

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## ABSTRACT

The study reviews and assess the impact of ethical leadership in promotion of good governance in the Limpopo Province in South Africa. Since the inception of the province in 1994, the provincial government witnessed an alarming statistics of unethical behaviour within its echelons. The media reports is frequently dominated by negative news of ethical transgression within the province's public institutions. The reports on fraud and corruption scandals ranges from conflict of interests which manifest itself through payment of ghost workers, tardiness, weak institutions, lack of accountability and honesty by senior and subordinate public officials. In 2011, some of the provincial government's departments were placed under "*Administration*", meaning the control of province by the National Treasury. The placement of the departments under administration confirms the public perception that the province is engulfed by ethical challenges which result to poor governance of the province. The findings from the study confirm that although the province attempted to put strategies to minimise acts of unethical behaviour in the province, there is still a concern of ethical transgression that is ongoing and unabated.

The study adopted the mixed methodology research design for data collection. The senior public managers and subordinate public officials were sampled as the population for the study. The aim is to assess the pivotal role that senior public managers as leaders play in fostering the organisational performance, hence good governance through modelling behaviour. The findings of the study assist to respond to the concern of why transgressions of ethical conduct occurs despite progressive legislative frameworks were introduced to promote good governance. The study recommended an Integrative Model of Ethical Leadership, which takes into account the integration of virtues, deontology, utilitarianism to achieve ethical competency skills. The study findings concluded that ethical leadership is a key to restore the integrity of leadership for quality service delivery.

Keywords : ethics, ethical leadership, leadership, good governance, morals

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## LIST OF ACRONYMS USED

ACTT	Anti Corruption Task Team
ANC	African National Congress
AG	Audit General
ASPA	American Association of Public Administration
SPSS	Statistical Package for the Social Sciences
CCMA	Commission for Conciliation, Mediation and Arbitration
COC	Code of Conduct
COSATU	Congress of South African Trade Union
CPI	Corruption Perception Index
DGs	Director Generals.
DPSA	Department of Public Service and Administration
IEC	Independent Electoral Commissioner
IoDSA	Institute of Directors in South Africa
EU	European Union
GEAR	Growth, Employment and Redistribution Strategy
GPI	Global Perception Index
HOD	Head of Department
MEC	Member of Executive Committee
NACS	National Anti-Corruption Strategy
NPC	National Planning Commissions
NDP	National Development Planning
NPM	New Public Management
NPS	New Public Service
OECD	Economic Co-operation and Development, a United Nations Organisation,
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PDA	Protected Disclosure Act

PDF	Public Disclosure Framework
PFMA	Public Financial Management Act
PRECCA	Prevention and Combating of Corrupt Activities Act
PSACS	Public Service Anti-Corruption Strategy
PSAMA	Public Service Administration Management Act
TBVC	Transkei, Bophuthatswana, Venda and Ciskei
WPTPS	White Paper on Transformation of Public Service
UN	United Nations
USA	United States of America

## CHAPTER 1

### INTRODUCTION

#### 1.1 BACKGROUND TO THE STUDY

According to Denhardt and Denhardt (2006:15), the social learning theory regards ethics as social phenomena which occur in social contexts where the relationship between role players is an important factor. Ethics are viewed as a set of moral principles or values that direct the behaviour of public officials in terms of what is wrong and what is right. Ethics are based on moral values, how an individual conceptualises moral principles in an ethical manner and how such morals influence individual behaviour within a given situation. Rabindra, Mendonca and Kanungo (2007:14) assert that the 21st century era is characterised by an increasing decline of ethical standards in public institutions worldwide. The era witnessed a heightened awareness by governments to strengthen ethics and their role in public service governance. The advent of the high profile ethical scandals, such as the Enron and Watergate scandals in the United States of America in 1970s, led to a global clarion call for governments to re-visit the role of public administration ethics in promoting good governance.

Naidoo (2012:656) asserts that South Africa, like the rest of the world, is affected by the erosion of ethical values in its public institutions. There is a heightened perception of unethical behaviour due to an alarming increase in ethical transgressions by public officials. Kanyane, Houston and Sausi (2013:130) indicate that, generally, the South African public service features challenges of poor governance, lack of accountability, lack of transparency, incompetent and under-qualified public officials, increased corruption, massive failures in planning and co-ordination, budgeting and implementation. The findings from various literature reviews (Naidoo, 2011:655;

Thoms, 200:421) concur that local, provincial and national public institutions are engulfed by poor governance due to leadership crisis. Ethical challenges are common in all three levels of government. This has resulted in the South African government arguing that unethical practices within public institutions are for a factor in the rise of moral crises which culminate with poor governance.

Under the Constitution of the Republic of South Africa, 1996, South Africa is divided into nine provinces. The provinces are, namely Gauteng, Limpopo, North West, Mpumalanga, KwaZulu-Natal, Eastern, Western and Northern Cape provinces. The Limpopo province, which is the focus of this study, has experienced gross ethical challenges in its governance. Since the inception of the province in 1994, the governance system within the public institutions has been beleaguered by unethical practices such as corruption, fraud, bribery, amongst others. Media gives regular adverse reports on governance, resulting in the integrity of the government within the provinces being compromised. The province has dominated headlines as one of the most corrupt provinces in the country whose leaders continue to deplete its resources.

Managa (2012:2) argues that the increased acts of poor governance can be traced back to the era of apartheid. The province inherited some of apartheid's inequities which pose challenges to structural reforms due to separate development. The creation of Bantustans, namely Transkei, Bophuthatswana, Venda, and Ciskei (TBVC), resulted in uneven public service delivery across provinces in South Africa. The Limpopo Province comprises the public services of former homelands such as Gazankulu, Venda and Lebowa. The homelands were characterised by fragmented structures, cultural differences and public administrations which were designed along ethnic lines. During the rationalisation of the public service during the transformation process in 1994, the province inherited challenges posed by apartheid which affected its governance. Although the Provincial Development Corporation Act, 1994 (Act 5 of 1994) attempted to minimise the divergent cultural influences, the process of integration became one of the major challenges that confronted the Office of the Premier. Maphunye (2007:7) adds that, despite the government's efforts to address challenges of apartheid, the legacy provided a fertile ground for maladministration, lack of co-ordination, lack of transparency, inefficiency, lack of trust and commitment

witnessed in public service today, as well as the problem of administrative capacity, another factor which promoted the fertile ground for corrupt activities. Habtechmichael (2009:162) concurs with Maphunye (2007) when he argues that, although the analysis of unethical conduct within the public service focuses on the post-apartheid era, the background of apartheid, as one of the contributors of corruption, is important. Kanyane (2000:15) also re-affirms the aforementioned perspective, pointing out that the condition of apartheid systems contributed to the corruption and maladministration that are dominant in the public service.

Chipkin and Gilbert (2012:103) opined that corruption and other unethical behaviour within the provinces cannot be discussed in isolation from the political culture under the homeland system prior to 1994. The corruption that was prevalent before 1994 continues in the post-apartheid era. Furthermore, Chipkin and Gilbert (2012) remind scholars, researchers and public administration practitioners that “*without the history lens of public sector, one cannot understand why other initiatives succeed or fail, we cannot practice the art of the possible*”. The transformation process of the public service resulted in the integration challenges which contribute to weak co-ordination due to a shortage of skills, particularly at senior management level, largely affected service delivery at provincial levels.

Mafunisa (2003:87) argues that, in the South African public service, the leadership category of senior management consists of director generals, chief directors and directors. Senior public managers are responsible for the administrative functions of public institutions, as well as implementation of policies. Government and society alone cannot promote and enforce ethical behaviour solely based on promulgation of legislative frameworks; the commitment of senior public managers is subject to scrutiny. This study assumes that senior public managers must set the tone of morality at the top, since they are perceived, by their subordinates as moral persons, managers and leaders.

It is within this background that the behavioural conduct of senior public managers is assessed and analysed to foster good governance in the public service.

## 1.2 PROBLEM STATEMENT

Since 1994, the Limpopo provincial government has experienced massive ethical challenges in various facets of its governance. This problem was noted in the Twenty-Year Review Report of South Africa 1994-2014, which identified the province as one of the provinces with poor quality, lack or uneven public service delivery. This was despite the fact that public-service transformation had taken place in 1997. Furthermore, the report suggests that uneven public service delivery, apart from apartheid policies of separate development, is also linked to unethical conduct by public officials. It was evident from the report that the prevalence of corruption in some departments was due to moral bankruptcy and a lack of professionalism in the case of individuals. The province was associated with poor institutional performances characterised by financial mismanagement. For the past two decades, corrupt activities came in the form of awarding tenders, a process which was surrounded by controversy, nepotism, favouritism and lack of necessary skills to deal with unethical crisis (Department of Public Service Administration Report, 2014:25).

Mafunisa (2003:87-94) raised a concern about the introduction, in 1997, of a Cadre Policy and Development Strategy by the ruling party, the African National Congress (ANC). The policy worsened the state of inefficiency and service delivery within the public service in the province. Cadre deployment to senior appointments was based on allegiance to party and not on merit; the cadres lacked administrative expertise and experience. Although the intention of the policy was to redress shortages of senior management skills, it undermined the professionalism of the public service, an ethical value for responsive service delivery. Kanyane, Houston and Sausi (2013:134) point out that the cadre deployment policy has posed serious challenges for the Public Service in South Africa. This has resulted in an ethical dilemma on how to deal with the policy and the effects thereof. Some of the causes of poor governance that riddle the province are partly blamed on Cadre Deployment Policy and partly on the Sunset clause. The Sunset clause provides for the integration of former homelands public

officials into a single public service. This resulted in conflicts as different values applied to different public services before 1994. The deployment of unqualified and unskilled staff negatively affected competency of the public servants, and, in turn, the quality of service delivery.

Munzhedzi (2014:699) also argues that the area that was mostly characterised by maladministration in the Limpopo Province was the procurement section, which was associated with corrupt activities. The procurement section experienced violation of supply management regulations, over expenditure, incompetence and negligence. From 2008 to 2011, the provincial leadership failed to address challenge of conflict of interest as perpetrated by some senior public managers and the subordinate public officials. The gross manifestations of unethical behaviour led to the total collapse of service delivery within the province due to inability to render basic services. The outcome of this collapse were service delivery protests which led to unions, civic organisations and opposition parties calling for the resignation of the provincial leadership.

Similarly, a PhD study by Mafunisa (1988), entitled, *Developing a Positive Work Ethic in the Public Service with Special Reference to the Northern Province*, revealed that the Limpopo public service was faced with challenges of good governance in the area of work ethics. Some of the unethical behaviour included unnecessary leave of absence, negligence, playing of cards during working hours, and gross incompetence, which threatened the professionalism of public officials. Public expectations of quality service were affected by the negative work ethic. Mafunisa's study argues that the challenge is that perpetrators of the unethical conducts were mostly done at top level by some senior public officials (Mafunisa, 1998:97).

Munzhedzi (2012:700) points out that acts of unethical conduct by senior public managers and public officials led to the intervention of the Provincial Treasury in the Limpopo Province. Five (5) departments, namely the Department of National Treasury, Department of Health and Social Development, Department of Education, Public Works and Infrastructure, and the Roads and Public Transport, were placed under

*Administration.* This intervention led to the province being administered from national level, an attempt by the national government to save it from total collapse. The five departments that were put under *administration* were major providers of core services which were important for quality service and the wellbeing of society. The National Treasury issued stringent austerity measures to curb further unnecessary expenditure. This decision, which resulted in insufficient allocation of funds to departments, worsened the problem of service delivery.

Mafunisa (2007:261) highlights common unethical activities that are ongoing in the Limpopo Province as theft of assets, mismanagement of funds, unauthorised expenditure, unauthorised deductions, irregular appointments and promotions, irregular awarding of tenders, misuse of state vehicles and petrol cards, unpaid salary claims, cheque fraud, unfair dismissals, non-compliance with service standards and illegal issuing of permits, driver's licences and identity documents. The aforementioned list attests to the fact that, although the *Administration* of province was lifted, unethical practices within the provincial public service continues. Naidoo (2011: 655) argues that, since the new democratic dispensation in South Africa, government has enacted numerous legislative and anti-corruption frameworks. Despite an array of legislative and anti-corruption policies and frameworks, public institutions in South Africa continue to experience unethical conduct by its public officials, particularly senior public managers.

Malan and Smit (2001:15) argue that on-going maladministration and corruption result in the misappropriation of resources, which, in turn, has an adverse effect on the socio-economic developmental agenda of the province. The abuse of authority has a detrimental effect on institutional performance; it results in low staff morale, weak institutional control, brain drain, incapacitated and incompetent work force due to loss of skills and competency. Increased public perception of corruption leads to erosion of public trust and confidence. This threatens the legitimacy of the government in power as it affects its integrity. Lack of institutional capacity has left many public institutions inadequately staffed, resulting in a deterioration or lack of service delivery. Unethical leadership undermines the 1996 Constitution and government's efforts to fight

corruption. Corruption and other unethical practices are costly to the provincial government due to litigation costs.

### **1.3 SIGNIFICANCE OF THE RESEARCH**

Firstly, the findings of the study will benefit the Limpopo provincial government by providing in-depth insights on ethics, competency skills of ethical leadership and how ethical behaviour impacts on the role of public officials. Sama and Shoaf (2007: 39) argue that the comprehension of ethical leadership is one of the integral concepts of management, which are critical to understanding the fundamental drivers of ethical failure or success in the public service profession. Senior public managers would be able to identify systematic threats of unethical conduct as well as manifestations of such behavior and how to address them through recommended strategies. They will have knowledge on what constitutes ethical leadership and unethical leadership, and the implication on the perceptions of followers.

Secondly, the study will impart knowledge which will increase senior public managers' ethical competency skills towards different ethical perspectives that will assist them when making value judgements. Subordinate public officials will be able to understand that public administration is a field of action which also calls for their commitment and knowledge in achieving professional excellence. They will be able to respond to public demands and interests in order to deliver service in an efficient and ethical manner. In addition, the public will be made aware of their rights when interacting with public officials during service delivery.

Lastly, the study is of academic importance to researchers and scholars who have an interest in ethics, governance, corruption, conflict of interest and the role of leadership. Although there is an ample literature about ethical leadership, there is a gap between knowledge and implementation of existing legislative frameworks as mechanisms for promotion of good governance. Education and training on the development of ethical

leadership require a holistic approach in the integration of philosophical theories and ethical competency to enhance the morality of leadership. The field of public administration will also benefit through paying attention to the role of ethics as one of the key values that have direct implications on the administrative behaviour and decision making of public officials in public service governance.

## **1.4 STATEMENT OF HYPOTHESES**

Hypotheses of this study are as follows:

Ethical leadership promotes employee productivity to support institutional performance.

Ethical leadership is associated with good governance.

There is a link between unethical leadership and poor governance.

## **1.5 OBJECTIVES OF THE STUDY**

### **1.5.1 Main Objective**

The main objective of the study is to determine the role of ethical leadership in promoting good governance in the Limpopo public service.

### **1.5.2 Specific Objectives**

The objectives of this study are provided below:

- To explore the implication of ethical leadership in institutional performance;
- To identify the manifestations of unethical leadership in the Limpopo public service.
- To examine the effectiveness of existing mechanisms in fighting unethical conduct by a leader.
- To recommend strategies that senior public managers can adopt to deal with ethical challenges.

## 1.6 RESEARCH QUESTIONS

The study attempts to answer the following research questions:

- How does ethical leadership contribute to positive institutional performance?
- What is the implication of ethical leadership in the promotion of good governance?
- What are the challenges faced by public service leaders in dealing with ethical dilemmas in decision-making?
- How does the personal conduct of a leader influence his/her relationship with followers?
- Why, in the midst of legal and institutional instruments, does corruption still prevail?

## 1.7 DELIMITATION OF THE STUDY

The study sought to enhance ethical leadership in the Limpopo public service with specific reference to the Limpopo provincial government departments. Limpopo is divided into five (5) districts, namely Capricorn, Sekhukhune, Vhembe, Waterberg and Mopane. Only one Capricorn District was sampled for the study. The district has eleven (11) departments, namely; Health, Education, Public Works, Roads and Infrastructure, Transport, Economic and Environmental Affairs, Home Affairs, Provincial Treasury, Social Welfare, Agriculture, Safety and Security. The study focused only on five departments, namely Education, Transport, Health, Public Works, and Roads and Infrastructure that were put under “*Administration*” by National Treasury in 2011. Letters requesting permission to carry out the study were sent out to the aforementioned departments, and only two departments, namely Education and Transport, responded on time. These two departments served as units of analysis for this study. The researcher was motivated by the fact that the provincial districts and their departments shared common ethical standards and challenges. Therefore, the findings of the study would be generalised to other districts and departments which did not participate in the study.

## **1.8 LIMITATIONS OF THE STUDY**

Ethical leadership is a sensitive subject as it focuses on personal behaviour and relationships with followers. Some respondents were reluctant to disclose information for fear of victimisation. In some instances, others did not want to print their names on the consent forms as they did not want to divulge their names. The researcher addressed their concerns by adhering to ethical guidelines as approved by the University of Venda and the confidentiality and anonymity of the respondents was taken into consideration. The evaluation of the role of leadership and public officials is subjective; some public officials might be influenced by emotions due to varying situations within the departments, thus compromising the objectivity of the study. Responses can be biased or they might favour a particular point of view depending on the relationship between the leader and subordinate public officials. To protect the integrity and validity of the report, the researcher indicated to the participants that the research was meant for scholarly research only. As such, the researcher was able to allay the respondents' fears and, in turn, elicited participants' responses.

## **1.9 DEFINITIONS OF CONCEPTS**

The following concepts are defined to enhance understanding of the study:

### **1.9.1 Leadership**

Smit and Cronje (2002: 278) define leadership as a process of directing the behaviour of others towards the accomplishment of the organisation's goals. It involves taking the lead to bridge the gap between formulating plans and reaching goals, meaning that leaders translate plans into reality. Leadership refers to the process of carrying out responsibilities, as effectively as possible, to create an institutional environment which encourages growth and development, and to direct and influence employees to

achieve the organisation's purpose. This definition profiles the leader as the enabler and facilitator, who uses authoritative power and ability to influence and direct the performance of others towards the achievement of institutional and/or collective goals.

### **1.9.2 Ethics**

Radhika (2012:23) argues that ethics in public administration are not a temporary concept but a reality. Ethics, in public administration, are regarded as standards, norms, legal regulations and social values that guide and regulate the behaviour of public officials. Thus, ethics set standards about what is good or bad. Ethics deal with the character and conduct of individuals, by looking at the good or bad, right or wrong behaviour. These standards are applied in the personal and professional life of public officials in their quest to advance the mandate of the government to citizens.

In this study, ethics deals with the behavioural conduct of public officials and political office bearers and how they affect followers, are examined within the context of public administration. This implies that public officials will be able to understand what is expected of them and how to respond ethically in support of professional values within the public service.

### **1.9.3 Ethical Leadership**

Brown and Trevino (2006:596) refer to ethical leadership as the demonstration of normatively appropriate conduct through personal actions and interpersonal relationships, and the promotion of such conduct to followers through two-way communication, re-enforcement, and decision-making. This definition connotes that leadership is a position of influence within public service, which requires a leader to

be a moral person and a moral manager who must model the appropriate and acceptable ethical behaviour to followers. The manner in which a leader communicates with followers at interpersonal and professional level must reflect ethical values where respect, empathy, transparency and accountability are the norm. Furthermore, ethical leadership should be measured in terms of decision making, implementation of such decision and how it affects followers.

Therefore, ethical leadership is the integration of virtues, deontology, utilitarianism, and professional ethics to acquire competency skills which seek to benefit followers, institutions and society by living in accordance with normative values acceptable to institutions, followers and society.

#### **1.9.4 Good Governance**

Madue, Tsolo and Ramoabi (2014:879) contend that good governance entails efficient and effective use of power and resources, constitutionalism and rule of law, justice and equity, electoral and participatory democracy to redress the abuse of resources. Good governance involves far more than the power of the state or the strength of political will. The rule of law, transparency, and accountability are outcomes of the democratisation processes which are not only driven by effective leadership, but also by the involvement of the community or citizens in the form of participation. Good governance espouses elements of accountability and transparency.

In South Africa, the evolution of good governance is detailed in Kings' Reports I-IV on Corporate Governance. The first report was developed in 1994. King I – III Reports served as a benchmark for corporate governance for South Africa in the past 22 years. The reports were aimed at companies listed in the Johannesburg Stock Exchange (JSE). In 2016, the King Committee and the Institute of Directors in South Africa (IoDSA) updated these reports and came up with the King IV Report. Although all reports advocate for the role of ethical leadership to achieve good governance incorporations, King IV adopts an expounded approach of good governance to be

across all corporations, organisations and public sectors. The objective of the King IV Report is to make governance more accessible and relevant to a wider range of organisations than before. According to Reddy and Badal (2016:1-4), public service's good governance can be measured using King IV's principles such as responsibility, accountability, fairness and transparency.

Nienaber (2016:1-4) defines good governance as an exercise of ethical and effective leadership by the governing body. The King IV Report on Corporate Governance associates good governance with effective leadership. Ethics are regarded as principles, norms and standards that promote and guide the conduct of corporate activities. The governance is based on three elements, namely (a) practice, (b) principles, and (c) outcomes. These elements are interrelated, meaning that they exist side by side and cannot be separated to achieve good governance. Principles 1.1 to 1.3 of the King's Report espouse that the leader must set the tone and lead ethically and effectively, ensuring that the organisation's ethics are managed effectively; he/she is responsible for stakeholders' interest.

Kanyane and Sausi (2015: 29) argue that there is a link between governance and effective service delivery. The discussions on the role of governance on *Reviewing State-Owned Entities' Governance landscape in South Africa* indicate the importance of good governance and institutional sustainability. The aforementioned authors further expound the definition of good governance to go beyond compliance to legislation framework to include the role of leadership. The article provides an inclusive definition of governance as constitutional, legal and administrative arrangements by which governments exercise their power as well as the related mechanisms for public accountability, rule of law, responsibility, effectiveness, transparency, ethics, integrity and participation. The definition of good governance as alluded by Kanyane and Sausi (2015) is aligned to the evolution of good governance as depicted in King IV Report on Corporate Governance of 2016. This definition implies that good governance is not only about legislations and rules, it also involves the role of leadership to create a legitimate, effective and efficient framework for the conduct of public policy. Unlike the King I-III Reports which were rule based, King IV Report is principle-and outcomes-based. The rule based principles focus more on compliance to rules and less on

individual conduct. The King IV Report has 16 principles consolidated from King III's 75 principles. The principles as outlined in the report, require the leadership to behave morally in accordance with the defined corporate rules and values. Part 5.1 of the King IV Report (2016: 43-45) particularly outlined the importance of leadership in institutionalisation and maintenance of ethical culture in organisations. The principles regulate the relationship between the Leadership (governing body), Ethics (organisation's ethics) and Corporate Citizenship (purpose of institution in responding to stakeholder's needs). The following three principles focus on the integrity of leadership in promoting good governance:

- Principle 1 : *Leadership*

Governing body should embody ethical characteristics which is perceived as ethically sound. Members of the governing body are expected to live by example, reflecting a conduct that conforms to the highest standards of ethical behaviour. The King IV report emphasise integrity, competence, responsibility, accountability, fairness and transparency as ideal characteristics for leadership to set the ethical tone at the top.

- Principle 2 : *Organisational ethics*

The principle expect the governing body to manage ethical infrastructure to achieve ethical culture which is responsive to organisational sustainability. The governing body should approve codes of conduct and ethics policies to serve as organisational guide. The governing body should ensure that the stakeholders interest, both internal and external are included in the codes and policies of the organisation, including the needs and interest of the broader society. The codes of conduct and policies should be included in training and the employee induction programmes. The principle further recommends sanctioning of members who breach the organisation's ethical standards. Leadership is expected to implement and oversee protected disclosure or whistle-blowing mechanisms as part of their responsibility. The mechanisms are regarded as integral to protect the rights of internal, external stakeholders and broader society in reporting practice of unethical behaviour to the governing body.

- *Principle 3 : Responsible corporate citizenship*

The governing body has an obligation to provide oversight on the role of the organisation and effect to others. The organisations are required to act within the prescribed norms of the Constitution of South Africa, 1996 to regulate relationship between employees, external stakeholders and society. The value of responsible corporate citizenship is achieved through the effective performance of the organisation and how it is perceived by its stakeholders.

The principles of King IV Reports have a major influence on the South African public service under the Auditor General's mandate. Good governance is regarded as the outcome of ethical culture, performance and value creation, adequate and effective control and trust, good reputation and legitimacy. Good governance is about effective leadership, assessed in relation to structures, systems and procedures of State-Owned Entities (SOEs), public service and corporates. The outcome of good governance is assessed from the point of human factor and statutory framework aimed at promotion of organisation's ethical culture, good performance, effective control and legitimacy

### **1.9.5 Ethical Competency**

According to Cooper and Menzel (2013:4), ethical competence is a design approach to ethical reasoning, responsibility, decision-making skills, and organisational development. Ethical competency is the basis on which the leader can build and maintain a reputation for being a moral person. Competencies allow the leader to apply various skills and knowledge to become an effective ethical role model to followers. In the public service, government discharges an array of functions to meet the needs and interests of the electorate which put it in power. Senior public managers are expected to make judgmental decisions in their daily routines.

This implies that, apart from being a leader, ethical competence is an essential skills to reflect the moral value of the entity. In the public service, administrative ethos is not only about theoretical knowledge, but it is also linked with the understanding of laws, codes and guidelines that define the behavioural conduct of a leader.

## **1.10 THE IMPORTANCE OF ETHICAL VALUES IN PUBLIC ADMINISTRATION**

In the public service, ethics function as a moral guide for subordinate public officials, senior public officials and the public on how to reflect on moral possibilities. Ethical values premised on relationships which seek to influence the behaviour of individuals to conform with the acceptable moral standards. Within the public service, ethics provide a systematic reflection on morality through reasoning and practice. Cooper (2006:2) and Denise (1992: 6) argue that ethics involves the examination and analysis of the logic, values, beliefs and principles. Radhika (2012:23) views ethics as a long-term concept that contributes immensely to the domain of public administration. Moreover, public officials cannot be agents of state without rules and normative values that guide their moral worth. This means that, while morals prescribe what ought to be done, ethics prescribe and ask what is meant and why. Without morals, values and principles, there would be no meaning to the purpose of public service. The American Society of Public Administration (ASPA) organised a series of conferences in a bid to find ways to deal with the perception of corruption that overwhelms public service institutions. Different keynote speakers cited the resuscitation of public service ethics as central to dealing with conflict of interests, such as codes of conduct, the role of personal values and regime values (United Nations, 2000:95).

Senior public managers are required to take operational decisions which should reflect the morality of the institution. As such, ethics serve as a guide for making alternative choices based on good judgement. Prior to the 21<sup>st</sup> century, the role of ethics in public administration was sidelined in policy formulation and implementation due to the

argument by ethics scholars that ethics are subjective, and that they depend on the individual's perception. Given the heightened scandals and maladministration which regularly characterise public institutions, the role of ethics in public administration has become more relevant. Ethics in public administration are an important key aspect that is used to assess the moral worth of the government in power. Ethics demarcate the acceptable behaviour of public officials and political authorities by outlining appropriate standards for both professional and personal conduct. In public administration, ethics cannot be examined separately from ethos, ethical principles, values and ethical dilemmas in measuring the morality of public service.

### **1.10.1 Values**

Sindane (2011: 753) defined values as a set of enduring beliefs that are instrumental in influencing people's attitudes and actions. Values play critical role in the governance of the Public Service as public officials' behaviour, actions and interactions are influenced by a number of normative expectations. In South Africa, Chapter 10 of the Constitution of the Republic of South Africa outlined basic democratic values that must serve as a framework for public administration. The values are, namely equity, representativeness, responsiveness, transparency, efficiency, professional standards, accountability, good human resource management and they are a requirement to achieving a development-orientated public administration. Public managers are expected to perform their duties in conformity with prescribed values. Conteh and Roberge (2014:181) point out that, every public policy, because of its normative nature, implies a value judgement. These values influence the relationship between senior public officials and the stakeholders, that is in terms of leader-follower exchange. Values relate to ethics as they determine what is right or wrong, whereas ethics attempt to answer what is right or wrong in terms of action taken. In the domain of public administration, Schminke, Ambrose and Neubaum (2005:139) contextualise values as central to an individual's behaviour. The values can influence the individual to act ethically or unethically. According to

McCarthaigh (2008:22), values and ethics are used interchangeably, but are not actually the same. Ethics are about determining what is wrong and right, whereas ethical choice is based on what kind of values govern the public service when making judgemental decisions. Makrydemetres (2002:13) describes values as a foundation for the good morality of institutional culture.

This implies that the values of South African public institutions promotes the public interest of the society. Violation of regime and bureaucratic values purports poor governance. Ethical leadership is about decision-making being evaluated based on the notion of advancing common values of the society. Senior public officials are required to ascribe to values as an appropriate framework for providing guidelines for quality public service delivery. Failure to respect values lead to corruption which erode the same values that the government seek to fulfil.

### **1.10.2 Public Service Ethos**

McCarthaigh (2008:11) refers to ethos as *inner character*; it deals with the deeper matters of conscience. Ethos is described as a collective term and shares common origins with ethics. Although ethos and ethics are interrelated, there is a distinction between the two concepts. Ethos comprise of ideals and character, meaning they are a philosophical soul of the integrity of the entity embodied within the culture of an entity. Salminen and Mantysalo (2013:167) define ethos as the principled framework for action, which describes the general character of an organisation, but which, and more importantly, should also motivate those who belong to it. An ethos is perceived as a particular spirit of an administrative culture, inner disposition or morality that prescribes the ethical culture of an environment. According to the Organisation for Economic Co-operation and Development (OECD, 1996:14), ethos is the total sum of the ideals that define an overall culture in the public service. Ethics encourage public service officials to do that which one ought to do at work, whereas ethos requires public officials to commit themselves in a special way. Ethos require public service officials

to go beyond ethics, this requires orientation of personal virtues for the will to act. Public ethics are a moral system belonging to a particular school of thought and they have to do with the application of moral values to people's behaviour. Ethics in the public service are concerned with guiding judgement, whereas ethos is concerned with looking at the public service's character and the manner in which it performs its task.

### 1.10.3 Ethical principles

Minja (2011:10) postulates that principles relate to human behaviour and that they reflect norms expected of each of us by the rest of the society. Public officials are expected to operate within prescribed ethical principles which reflect universal values and define acceptable standards on how public officials should behave. Ethics without principles are not tangible, they should be defined in conjunction with principles to give effect to its practicality. Principles are tangible and quantified ethics seem to have long effect on individual and group behaviour. Ethical leadership is defined in collaboration with prescribed moral values and constitutional principles. These ethical principles are honesty, fairness, justice, trust, respect, benevolence, courage, self-discipline, accountability, responsiveness, representativeness, professionalism among others. They are like values, which are passed down from generation to generation and have become a norm. In the public service, ethical leadership principles of maintaining efficient and professional public service with high ethical values are passed down to individuals through training and awareness. Principles clarify standards to be taken to measure if the ethical value has been achieved.

McCarthaig (2008:11) contends that principles represent fundamental beliefs which should not be violated, and the statement of principles may contain many values; they are general laws or rules that provide a guide for action. Cooper (2006:22), in his book, *The Responsible Administrator*, discusses the importance of principles with regards to values. For instance, the value could be "treat others as you would want to be treated", while the principle could be *treat others as you would want to be treated*

*by showing respect or courtesy.* This is an indication that principles allow the fulfilment of values, set conditions and qualifications that provide a rule of conduct for values. Principles are a pre-requisite for setting up guidelines for action, without principles, values are not specific enough to direct senior public officials in decision making.

#### **1.10.4 Ethical Dilemma**

According to Denhardt and Denhardt (2006:127), ethical dilemmas are inherent in public administration. Therefore, ethics guide public officials' reasoning in dealing with the dilemma. Ethical dilemma occurs when public officials in their daily operations are confronted with conflicting ideas when making choice for a judgemental decision. The challenges come when the values of an individual leader clashes with institutional values or values from the executives. Senior public managers are torn between satisfying the self or executives or doing what is right for the democracy. In some instances, an ethical dilemma is perpetrated by relatives or friends when they require an individual in a position of authority to return a favour in the form of kickbacks, nepotism or bribery. Schoeman (2014:200) contends that an ethical dilemma serves as a *wake-up call*, which tells the actor the significance of the issue and the decision. In most situations where there is an ethical dilemma, the morality of the consequences clashes with the morality of rights and duties. A moral dilemma is based on ethical intuition, which is choosing between one's convictions of doing well against the external pressure of doing what is not morally right. Thomson (2008: 423) remarks that an ethical dilemma can exist where there is no question of illegal activity being involved; it exists where one tries to weigh which principle is more important at the level of commitment. Ethical dilemma arises when the influence process involves creating enthusiasm for a risky strategy, or when not everyone will benefit or when some benefit at the expense of others. Maserumule (2007:158) analysed how the integration of the public service in South Africa during transformation contributed to ethical dilemmas for both director generals and ministers. Ethical dilemma can contribute to poor governance due to conflictual obligations.

## 1.11 THE INFLUENCE OF PUBLIC ADMINISTRATION REFORMS ON ETHICAL LEADERSHIP

Cohen and Eimicke (1998:1) provide a contemporary view of the evolution of public service ethics prior to the 21<sup>st</sup> century. Furthermore, comparative studies done by Ekhtor (2012:93) and Pevkur (2007:16) concur that public ethics in various western countries, such as Germany, Britain, France, Denmark, Estonia, Portugal, Australia and the United States of America, have undergone tremendous reforms, and this has implications on public service values. The following administrative reforms influenced the evolution of ethics in public administration:

### 1.11.1 Reform Era (1883-1971)

During the Reform Era, in the United States (USA), Woodrow Wilson advocated for a separation of public administration from politics. The publication of Wilson's essay on *The Study of Administration* laid a foundation for the Reform Era in reaction to the spoils system in USA. The spoil system contributed to the general decline in moral standards due to a rise of mass political parties. The focus of the Reform Era Movement was on the politics-administration dichotomy, which called for the separation of political influence from public administration. Wilson maintains that public administration operates outside the influence of politics as public policies were said to be independent of politics.

In 1900, Frank Goodnow, in his publication, *Politics and Administration* supported Wilson's idea of total separation of administration from politics. It was argued that politics and administration are not interlinked and this contributed immensely to the neutrality of public official matters policies (Cohen and Eimicke, 1998:2). The Reform Era witnessed the rise of professional codes of ethics as one of the determinants of ethical behaviour and adherence to acceptable standards within the public service.

The codes of ethics regulate the relationships between politicians and administrators. Goodnow suggests that, instead of political interference, the relationship between the bureau and the legislature should be improved, in the interest of the public. In 1968, Mosher, another proponent of the Reformed Era, published a book called *Democracy and the Public Service*. Mosher also supported the dichotomy of separating public administration from politics. He argued that, in the public service, appointments should be on merit and not through political affiliation or patronage; this should be the foundation of a democratic government. It was also argued by the Movement that most public decisions have a high ethical content, therefore, decision making must be open and transparent to protect the integrity of publicness (Tahmasebi & Musavi, 2011:130).

Maserumule (2007:155) raised a concern about the politics-administration model adopted during the transformation of the public service in South Africa. He saw it as a source of conflict between director generals and ministers. Director-generals had more powers than ministers and this resulted in abuse of power, particularly in the area of appointment of senior public managers. Director-generals were expected to provide policy leadership during implementation, while the ministers were supposed to monitor conformity with the ideals of transformation. Maserumule further argued that officials cannot achieve management, policy or programme control unless there is political control by political authorities in the administration of the public. The politics-administration dichotomy contributed to some of the leadership crises faced by the public institutions in South Africa. This conflict, in some departments, led to the brain drain of expertise and lack of timeous response or poor quality public service delivery.

### **1.11.2 New Public Management Paradigm (1971-1987)**

In the USA, a group of public administration theorists and practitioners made radical reforms on public administration due to the globalisation theory. This reform resulted in a philosophy called *New Public Management* (NPM) to replace the Reform Era. Separation of politics from administration was regarded as impractical due to the nature and scope of public administration. The NPM paradigm proposed that an

administrator is first responsible to him/herself through self-actualisation. The NPM rejects the top-down approach characterised by rules which public officials require to remain neutral. Instead, the paradigm advocates for greater visibility of democratic governance and accountability of individualism within the administrative branch of the government (Cohen & Eimicke, 1998:3).

Mubazingi and Theron (2011:11) indicate that NPM is embedded in the South African public service reforms. The development of the White Paper on Transformation of Public Service (WPTPS), in 1995, in South Africa, adopted some of the values of the NPM. Cameron (2009:911) also indicates that, although the WPTPS was introduced with good intentions, it contributed to leadership challenges in South African public institutions. Some of the manifestations of unethical practices in the South African public service at national, provincial and local levels, are due to outsourcing of services to private partnerships.

Farazmand (2002:130) also argues that ethics in the public service were narrowly defined by the model which affected public administration values. Conteh and Roberge (2014:22) concur with Farazmand (2002:130) that the NPM contributed to management crisis in public institutions as the model undermines public administration values in favour of the market-driven paradigm. Ekhaton (2012:91) also contends that most ethical dilemmas faced by the public service today, is partly due to the introduction of the NPM model. The model serves as a hybrid of opportunism through the introduction of private-public partnership through the outsourcing of services.

In South Africa, the model had negative implications on the transformation of public service. The features of business like model brought along challenges of unethical conduct. Unfortunately, the implementation of the model did not align with the ideals of the White Paper on Transformation of Public Service in support of efficient and effective public service delivery. Furthermore, the model was criticised for not being ideal for developing countries, like South Africa, due to the outsourcing of public services, which result to conflict of interest which is against the advancement of social equity.

### 1.11.3 Reconstruction Movement (1987-1992)

The Reconstruction era focuses on the revamping of the public administration ethos to counter some of the effects of NPM. The main aim of the Movement was to come up with an ethical model that is inclusive and not only individualistic as advocated by the NPM model. The NPM emphasises the notion of accountability by senior public managers, which the Reconstruction Movement is against as it believes that no individual is responsible for institution-wide actions. The Movement insists that it is not appropriate for an individual to express the morality of the entire institution alone. It calls for a practical code of conduct which recognises individuals, institutions and regime values as other key players for public service delivery. Under this movement, public ethics are seen as acting responsibly towards one's fellow citizens and to the community at large. Ethics should be based on faith, trust, and loyalty; they should serve as a foundation for serving the community (Gawthrop, 1998:7).

Unfortunately, the Reconstruction Era also falls short in terms of application of public ethics due to that the Movement maintained the neutrality of the public administrative affairs. The neutral stance was regarded by Cohen and Eimicke (1998:6) as being impractical and unreal, because of the complex environment in which public administrations function. Dernhardt and Dernhardt (2015: 667) provided a critique analysis of Movement as public managers and subordinate public officials are not only supposed to carry out instructions from their superiors, but they too must use their own discretion when making decisions. When things go wrong in the institution, the leader is called to account. In this way, the role of senior public managers cannot be separate from accountability. The model's influence in public administration is that it saw the introduction of Codes of Conduct as guidelines for acceptable behaviour. Ethical behaviour is realised through the development of codes of conduct to regulate relationships among public officials, stakeholders, government and members of the public. In South Africa, the Public Service Commission introduced the Code of Conduct Manual to guide professional ethics in public administration.

#### 1.11.4 Re-invention of Government (1992-Present)

Osborne and Gaebler (1993), in their publication, *Reinvention of Government*, made a salient contribution to public ethics throughout the world. Under this reform, results and not rules were regarded as effective mechanisms to enable governments to work efficiently and ethically. The effectiveness of senior public managers, according to the Movement's view, would be addressed through performance measurement and programme outcomes. The Movement, instead of running public service like a business, advocated for an entrepreneurial public service where outsourcing of resources would also benefit the public. The Movement made a distinction between private and public by emphasising the accountability of public officials to political superiors through performance management. To achieve such an entrepreneurial concept, the public service should be more efficient and create a result-orientated government by doing more with less in public service (Kellough, 1998:7).

Due to its influence on performance management, the Movement has positive implications in today's public administration. In South Africa, the performance management system is regarded as one of the integral tools to assess the achievement of goals of senior public managers. The role of the performance management system is to enhance accountability for actions taken by senior public managers. With regards to ethical behaviour, performance management assists in identifying and understanding the strengths, weaknesses, threats and opportunities during programme implementation. Positive outcomes of performance management ensure job security, whereas negative ones connote poor performance and uncertainty in one's career. The performance management system is used as a benchmark for quality service delivery.

### 1.11.5 The Spirit of Public Administration Movement (1997 to present)

The American Public Administration Association (ASPA) conducted a study in 1996 on perceptions of 750 members about the integrity of public agencies. The findings revealed that ethics are a matter of concern among public management, academics and practitioners. Frederickson argues that senior public managers in the public service are expected by employees and the public to adhere to high standards and institutional values. In addition, values are at the heart of public administration and cannot be replaced. Therefore, public administrators cannot act in a neutral manner or be free from ethics. According to Frederickson (1997:157), the Spiritualism Movement believes that public spending should not be tightened as required by NPM. Instead, the Movement reviews the notion of tight spending as recommended by the Reinvention Movement; it argues that public funds should be allocated in an equitable and accountable manner for the sake of meeting public interest. The Spiritualism Movement argued that the Reinvention movement has a low regard for the importance of personal and constitutional values.

Cohen and Eimicke (1995:10) agree with Frederickson (1997) that individual public managers should accept responsibility for their public actions. Furthermore, their actions should be weighed against their personal ethics and that of the institution. The Spiritualism Movement emphasises that leaders who aspire to the movement's values are more sensitive to issues of morality. The movement argues that individual motivation should be intrinsic, and, as such, there is no reason for external rewards. Public officials are obliged to enjoy their work as part of doing good in serving others. The sources of Spiritualism are the universal values such as love, justice, respect, benevolence, truthfulness, impartiality, integrity, humanism and trust. The values are regarded as instrumental in avoiding scandals, which means that values promotes ethical behaviour. Johnson (2009:76) indicates that the movement's qualities of leadership are associated more with values of ethical leadership. Spiritual development equips the leadership to function as moral persons and also as moral leaders. The Spiritual Movement focused on caring, respect for employees and continuous motivation towards performance improvement.

### 1.11.6 The New Public Service Paradigm (1990s)

The New Public Service (NPS) is a new paradigm of public administration after the New Public Management. According to Dernhardt and Dernhardt (2015:664), NPS is an extension of citizenship that seeks an advancement of public interest. It describes a set of norms and practices that emphasise democracy and citizenship as the core basis for the existence of public administration. Its famous motto is *Serve rather than Steer*. This implies that people are the ones who have authority to articulate their needs and interests and not government. Public administrators are regarded as stewards of resources on behalf of citizens. Senior public managers' role should be to help citizens and their shared interests rather than an attempt to control or steer society in new directions that the citizens have no knowledge of. Although the role of NPM in influencing ethos in public administration was acknowledged, the NPS criticises the idea of treating citizens as customers, clients, voters or consumers.

The NPS advocates that public officials should see people as citizens rather than customers and not as a means to an end of consuming services only (Denhardt and Denhardt, 2007:xiii). The paradigm maintains that citizens need to be empowered in governance; they need to be taken into consideration when formulating policy and implementation. Cooper (2006:1), in his book, *The Responsible Administrator*, also focuses on the role of public officials as professional citizens who assume special roles and responsibilities in accordance with the morality of society. The paradigm maintains that public officials must be empowered to take service delivery decisions that are responsive to people's needs, rather than just implementing policies in which citizens have little input.

In South African public service, the NPS has influence on the public participation mode of governance. The government has introduced public participation of community to matters of governance that affect them. The objective of public participation is to empower citizens to actively contribute in formulation of policies that are responsive to their interests and to address their needs.

### **1.11.7 Transformation of South African Public Service (1994 to present)**

In 1994, the South African government, under the Government of National Unity (GNU), ushered the country into a democratic state. The GNU inherited a society marked with political, social and economic inequalities. Prior 1994, South Africa was under apartheid rule characterised by racial segregation and separate development for black and white groups. Public service decision making was based on controversial judgements, lack of transparency, secrecy, and lack of representativeness of all people of South Africa. There was lack of accountability and transparency and government was highly centralised. The public service environment was an appropriate vehicle for eradicating social and economic inequities to attain the non-racial, non-sexist South Africa. The Department of Public Service and Administration (DPSA) was mandated to lead the process of transformation of public service to foster good governance and a sound administration. The Department compiled the White Paper on Transformation of Public Service (WPTPS) document, which served as a guideline for the integration of eleven (11) public services created prior to 1994 (White Paper on Transformation of Public Service, 1995:8).

Maserumule (2007:152-160) argues that transformation is divided into three phases and trends, namely the integration era from 1994-1995, policy transformation era from 1996-1998 and public service delivery era from 1999 to 2004.

From 1994 to 1995, the first phase of transformation was characterised by the rationalisation and restructuring of the public service with the objective of creating a transformed, unified and integrated public service. The DPSA established norms and standards for an effective and efficient single public service to be used for integration. The integration phase is aimed at achieving a cost effective public service to ensure leaner and efficient institutions. The integration era is regarded as one of the most difficult tasks that the government had to face at national and provincial level.

Mafunisa (2003:88) asserts that, although the intentions of the politics-administrative dichotomy are to protect public administration from political influence, the neutrality dimension is an area of concern. The locus of public administration as an activity and discipline is in politics; heads of departments are implementers of policies and assist in formulation of policies based on the feedback from the public. The model of politics-administrative dichotomy as adopted in the second phase of transformation, results in conflict between the director-generals and the ministers. It is noted that the politics-dichotomy in the South African public service has adverse effects on the efficiency of the public service. Instead, a complementary model to bridge the gap of separation of power has been suggested. The complementary model, as advocated by Mafunisa (2003:87), proposes for a sound relationship between senior public managers and ministers. It argues that each party should concentrate on its side of quality as a distinctive feature. For example, senior public managers should concentrate on the implementation of policies, taking into account public interest and adherence to public service ethos for high professionalism. The ministers must provide oversight to ensure that government's goals are met, while considering the will of the voters to enhance democratic ethos. This implies that both parties must acknowledge that they represent the morality and the will of people, which the government is attempting to uphold through various means. This means that they serve as moral agencies.

The second phase, which took place between 1996 and 1998, was characterised by the development of an array of policies to improve public ethos. This led to excessive legislations which led to complexities and confusion in the performance of senior public managers and public officials. Abrahams, Fitzgerald and Cameron (2009:1046) point out that the multiple policies, strategies, business plans for performance management and budgeting added increasing layers of responsibilities to the work of Director-Generals and ministers. The public service continues to struggle, particularly in the area of implementation. In 1997, government came up with the White Paper on Public Service Delivery which emphasises the transformation of public officials' attitudes towards service delivery.

The third phase emphasises transformation of the public service delivery to make it people centred and developmental for the welfare of society. In South Africa, where the majority suffered inequities from the apartheid regime, the majority of people expect government to provide basic services in a quality and equitable manner. The public service is supposed to be responsive to people's needs. During this phase, the public service also battled with an increase in corruption by public officials, particularly those in senior positions. The erosion of the public ethos negatively affected the public's confidence and trust towards the state. According to the White Paper on Transformation of Public Service (1995:18), elimination of corruption is a concern for the government. The WPTPS emphasises decentralisation of authority and responsibility from political authority to public managers, thus creating a leaner public service through downsizing, performance management systems based on five year contract, efficiency, accountability, new financial techniques, private-public sector values amongst others. The aforementioned values could not effectively redress public service challenges due to unclear demarcation of responsibilities.

Cameron and Thornhill (2009:907) argue that, although public service reforms were achieved in many ways, there were major challenges that undermined the efforts of government to achieve quality service delivery. Transformation in South Africa is an on-going phenomenon. The phase is laden by the introduction of different array of legislations aimed at combating unethical transgressions by both junior and senior public managers. Gross manifestation of unethical practices within public institutions result to unaccountability of one's mandate, accompanied by poor service or lack of service delivery. As such, the effectiveness of transformation is shadowed by the erosion of confidence from the citizens who felt that the government is not fulfilling the mandate of the electorates. Media continues to cover irregular forms of racism ranging from farmers' killings, labourers killings and denial for equal rights where segregation between whites and blacks is prevalent in education. The aforementioned irregularities is a sign that South Africa has not yet successful transform the public service to an extent that transformation is achieved.

## **1.12 RELEASE OF STUDY FINDINGS**

The dissertation will be submitted to the University of Venda's Special collection for accessibility to the public. The findings will be solely used for scholarly research.

## **1.13 REFERENCE TECHNIQUES**

The Harvard reference system was used consistently throughout the research.

## **1.14 SEQUENCE OF CHAPTERS**

The dissertation will comprise of the following chapters:

### **Chapter 1: Introduction**

This chapter presents background to the study, statement of the problem, rationale for the study, objectives and significance of the study, delimitation of the study, limitations of the study, evolution of administrative ethics, type of reference system used, conceptual definitions and organisation of chapters.

### **Chapter 2: Philosophical and Theoretical Foundation of Ethical Leadership**

This chapter focuses on the philosophical and theoretical foundation of ethical leadership. The review is based on extensive reading of prescribed books, publications journals, unpublished articles, newspapers, the internet and legislative documents. The chapter discusses the influence of ethical and religious theories on the role of ethical leadership. Furthermore, literature on competency skills of ethical

leaders which can be applied to achieve positive institutional performance was reviewed. Sources of ethics in the South African public service were analysed.

### **Chapter 3: Determinants and Manifestations of Unethical Leadership in the Public Service**

This chapter discusses the implications of unethical leadership in public service delivery. Corruption, which is a salient form of unethical leadership in public service, was examined and explored. The causes of unethical leadership were identified and linked to the manifestations of unethical practices and implications to public service delivery were discussed. The causes include lack of administrative capacity, excessive regulations and authorisation, inadequate monitoring and evaluation on government projects, weak public institutions, low public wages, patronage, name dropping and bad or conflicting legislation. The manifestations include bribery, fraud, extortion, nepotism, conflict of interest, kickbacks and grafting.

### **Chapter 4: Mechanism to promote Ethical Leadership in the Public Service**

Chapter Four highlights the efforts of government in trying to combat unethical practices. It discusses available legislation, anti-corruption frameworks, institutions and agencies to promote an ethical culture within public service institutions. The outcome of anti-corruption frameworks is discussed to determine its effectiveness in fostering ethical governance within South African institutions.

### **Chapter 5: Research Methodology**

This chapter presents a detailed research design and methodology. The study used qualitative research methodology to collect data. The chapter discussed the study setting, study population and sampling technique, in particular purposive sampling, tools for data collection, validity of instrument and ethical considerations.

## **Chapter 6: Data Analysis and Presentation of the Findings**

Chapter Six analyses data. Information collected through questionnaires is analysed and interpreted and reference made to reviewed literature. The Statistical Package for Social Sciences (SPSS) software was used to analyse data.

## **Chapter 7: Conclusions and Recommendations**

Conclusions and recommendations of this study are presented in Chapter 7. A model of good governance, which is based on the study findings, was developed. This model is perceived as ideal in assessing the role of ethical leadership in promoting ethical leadership and impact on good governance.

## CHAPTER TWO

### PHILOSOPHICAL AND THEORETICAL FOUNDATION OF ETHICAL LEADERSHIP

#### 2.1 INTRODUCTION

The chapter reviews empirical and theoretical literature that supports the hypotheses, research questions and objectives as outlined in this study. In this chapter, the theoretical and philosophical framework which influence ethical reasoning and practice of leadership are discussed in-depth. The South African public service ethos is guided by the democratic values of good governance. The literature review on good governance in public service institutions identifies leadership crisis as one of the main contributory factors to challenges of good governance. Nabatchi, Goerdel and Peffer (2011: 767) remark that “*a human side of administration is evidenced when it is acting to implement the values inherent in democracy as human side is the human face of democracy*”. The aforementioned statement is an indication that good governance involves ethics, which in turn, require ethical leadership to manage the context in which the ethics exist. Therefore, the character of leaders is central to management. Thus, the morals of management are analysed, assessed and evaluated to determine their efficacy in fostering positive institutional culture within the public service.

Furthermore, the chapter evaluates the moral determinant of leader’s ethical behaviour and discusses different leadership styles and the influence on personal and institutional behaviour. The ethical leadership competency skills are presented as management tool needed for senior public managers to achieve professional excellence. Sources of public service ethos in South African context are also identified and analysed as guide for ethical behaviour. The chapter emphasises how personal ethics of a leader act as a cornerstone of successful leadership.

## **2.2 THEORETICAL FRAMEWORK UNDERPINNING ETHICAL LEADERSHIP IN THE PUBLIC SERVICE**

Pevkur (2007: 24) asserts that a discussion of ethics and leadership styles will be incomplete without the comprehensive analysis of its theoretical perspectives. Ethical leadership competencies enable the leader to successfully translate theory into practice, and subsequently ethical behaviour. According to Vance and Trani (2008: 374), ethicists and moral philosophers generally agree that there are three major theories in applied ethics. In this literature review, it is argued that there is no single approach to ethics, but that an integration of different approaches is important to enable one to understand ethical dilemmas and make ethical decisions in various situations. There are many ethical theories that have contributed to public ethics, namely character-based theories (Aristotle's virtues), rule-based theories (deontology), welfareism (utilitarianism), social learning theories, democratic theories, religious theories and ubuntu.

### **2.2.1 Virtue Theory**

Preston, Sampford and Connors (2002: 25) regard the virtue theory as the backbone of ethics. Virtues establish traits through values, morals and principles and they allow for the application of an ethical theory. Virtues are systematic traits that an individual believes are ethically correct. Virtues are established through personal commitment to perceived ethical conduct. Ethics, therefore, involve the continuous development of values, principles, morals and virtues. They incorporate principles that involve a leader's personal philosophy for actions and decision-making. Virtues are inward and they encompass moral values, beliefs and principles that an individual exhibits; these are based on social orientation from the early stages of development. Darcy(2010: 98) maintains that ethical leadership is not about processes, but rather about how a

leader's personal morality is assessed in making the right choices. Souba (2011: 39) concurs that personal morality includes "self-awareness, integrity, authentic joy and commitment" to one's moral values. Therefore, this means that ethical leadership is more of a personal character than processes. The concept ethical leadership focuses on how senior public managers use their positions to influence followers through modelling acceptable behaviour.

According to Aristotle (cited in Waggoner, 2010: 10), "*the spirit of mortality is awakened in the individual only through the witness and conduct of a moral person*". Ethical leadership is about reflecting acceptable moral standards that are attractive and can be emulated by subordinate public officials. Denhardt and Denhardt (2006: 133) point out that putting ethical principles into action requires the development of one's character. The leader, as a moral person, is expected to adhere to principles of virtues such as self-discipline, prudence, courage and justice. Virtue theory emphasises traits of character that are acquired through reflection and conduct. The following principles of virtues are essential to enhance the character of ethical leaders:

### **2.2.1.1 Courage**

Northouse (2010: 382) argues that courage is the habit of moderating the emotions of fear or boldness, temperance and justice. This supports the notion that senior public managers should display courage when dealing with ethical dilemmas. Murray (2010: 2) describes moral courage as the commitment to stand up for or act upon one's ethical beliefs. Moral courage requires of leaders a steadfast commitment, to act upon their beliefs and ethical values despite the adversity or risks they face. Courage enables the leader to defend his/her decisions based on judgemental factors. In other words, ethical leadership stands for what is morally right even if they do not have support from others. These virtues are acquired through imitation, practice and habit. In the public service, where politics and bureaucracy are intertwined, the principle of courage is necessary to confront challenging situations with boldness and

confidence. Senior public managers, as leaders, need courage to confront management that they face daily. In the Christian Bible (Joshua, 1:8), God told Joshua to have courage to conquer challenges of wars with other nations that lay ahead of him. During the Public Service Review conference, with the theme, *Reflection on 20 years of Public Service* organised by the Department of Public Service Administration (DPSA Report, 2014/15: 13), Joe Davidson cited moral courage as one of the virtues that made Mandela to be distinct from other leaders. He cited the following words spoken by Mandela:

*“During my lifetime I have dedicated myself to the struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But, if needs be, it is an ideal for which I am prepared to die.”*

These words by Mandela also highlight ethical leadership traits such as impartiality, not discriminating against others, equality and striving for the common good. This implies that consistency in what one stands for is another important value along with being trustworthy, truthful, reliable, honest, disciplined and respectful. Ethical leadership is about caring more for society’s aspirations than one’s aspirations. In South Africa, lack of moral courage is a major character flaw of public officials and this contributes to widespread unethical practices in the public services. The fear of reprisals or intimidation results in non-reporting of wrongdoings by colleagues or senior public managers.

### **2.2.1.2 Principle-Centred Leadership**

Aristotle (cited in Greene, 2005: 165) indicates that individuals should have temperance which is associated with self-discipline or principled centred leadership. Temperance is the ability to control individual desire to make oneself happy at the expense of society. Unethical behaviour could be due to lack of self-discipline among the leadership. Senior public managers who disengage from moral values create fertile

ground for unethical conduct within their sphere of control. Such leaders contribute to a laissez-faire type of management where perpetrators behave unethically without a feeling of distress. Senior public managers who are principled leaders encourage followers not to be tempted or to deviate from the rules and codes of conduct through their behaviour. Social learning exchange is based on imitation of conduct by followers as displayed by their leaders. This means that a principled leadership will encourage the followers to be consistent in their actions and decisions regardless of the situation in their workplaces. Principled leadership focuses more on moral justice, strives to achieve common purpose and puts the interest of the institution first. This kind of leadership is regarded as ethical as it rarely compromises its principles.

Dobbel (1998: 75) assumes that principled leaders have a responsibility to control their passions (personal interest) and overcome temptations. A leader is considered a custodian and distributor of institutional resources. The leader has referent power and authority to influence actions in his/her favour. Without basic self-discipline, leaders tend to abuse power to promote self-interest. Conflict of interest in the public service is one of the behavioural aspects that attracts negative publicity. Ethical leadership should be consistent in rewarding and sanctioning acceptable or unacceptable behaviour respectively. Equity is another value that provides a measure of whether one is principled or not. Fairness means that all public officials should be treated the same without prejudice.

### **2.2.1.3 Justice**

Northouse (2010: 389) argues that an ethical leadership makes it a priority to treat all their subordinates in an equal manner. Leaders have an obligation to ensure fairness in governance. According to Aristotle (cited in Xianzhong, 2007: 270), "*All men mean by the term justice a moral state such that in consequence of it men have the capacity of doing what is just, and actually do it, just mean act justly and want to do what is just*". Aristotle believed that happiness (*eudaemonia*) lies in doing just things; therefore, justice is about fairness, equitable distribution of wealth to the poor. Justice,

according to Xianzhong (2007: 271) is the only virtue that is concerned about caring for each other through the equitable distribution of resources so that the least advantaged become as advantaged as others.

Zhu, May and Avolio (2004: 2) identified two types of justice, namely distributive and procedural justice. Distributive justice is one of the public service ethics that ensures fairness, equity and reasonableness when leaders make decisions. Senior public managers should exercise justice when distributing resources such as pay, rewards, recognition and promotion of public officials in a fair, transparent and equitable manner. Procedural justice is concerned with creating policies and procedures that take all perspective and concerns into consideration. Ethical leadership should ensure that policies and procedures are fairly and consistently applied to all subordinate public officials without favour or prejudice.

In his book *Ethical Leadership Through Transforming Justice*, McMahon (2004: 52) cites the former President of South Africa, the late Nelson Rolihlahla Mandela, as a good example of a leader who lived by example. Mandela was steadfast in his call for justice for all South Africans despite the racial injustices displayed by the apartheid government. Equality for all, as reflected in Chapter 2 of *The Bill of Rights* of the Constitution of the Republic of South Africa of 1996, is the cornerstone for social justice in South Africa. The formulation of policies considers equity. Service delivery protests in South Africa have become an issue of justice.

The ethical virtue of *justice* is important to redress inequities in social and economic dimensions, particularly in South Africa where there is a legacy of inequality between the black majority and white minority. Leaders, who are perceived to be fostering justice, are regarded as effective leaders. South Africa needs this type of leadership to redress the gross inequities in its society. Mandela maintained that *property belongs to the people*; this is synonymous with the *common good* aspect propounded by Plato and Aristotle. The ruler (governor) is the steward, whereas the citizens (governed) are the custodians of goods and services of the state.

#### **2.2.1.4 Servant Leadership**

Ethical leadership is equated with servant leadership. The concept servant leadership originated from the bible (John, 13: 12-16) through the Lord, Jesus Christ. Jesus became exemplary in championing the idea of a leader being a servant when He washes his disciples' feet. Jesus, although He was a leader, showed humility in leadership. Humility, as a value, is emphasised in the Judeo-Christian foundation. In academic literature, Green Leaf is regarded as the proponent of servant leadership.. In his attempt to define the *leadership crisis* in organisations, Green Leaf indicates that poor governance is due to lack of leaders who rise above their self-interests, by being humble and selfless, in order to serve their constituencies. Servant leadership puts others first in terms of needs and aspirations. The leader is regarded as the steward who should take care of the followers' needs. Sendjava and Sarros (2002: 59) contend that servant leadership is about total commitment to serve others.

Russel and Stone (2002: 145) concur with Sendjava and Sarros (2002) when they argue that the main motivation of servant leadership is the will and desire to serve others. Servant leadership emphasises that the leader must have an intrinsic desire to serve others. Weinstein (2013: 85) asserts that ethical behaviour is central to the conduct of servant leadership through the demonstration of personal, functional and complementary attributes. The contributor servant leader is expected to have empathy, to be a listener, to show awareness, to be persuasive, to conceptualise issues, to have foresight, commitment and stewardship. Functional attributes are operative characteristics in the work environment which include visionary, modelling, acceptable behaviour, trust, service, honesty, integrity, empowerment, and appreciation and delegation. Trust is an essential ingredient for collaboration between the leader and those who are led. A major criticism of servant leadership is that one cannot be a leader and a servant at the same time. Humility is the hallmark of servant leadership; the model is silent on the aspect of sanctions against transgressors of good conduct. A leader needs to make popular and unpopular decisions for the sake of consistency in rewarding and sanctioning certain behaviour.

This implies that senior public managers who aspire for values of servant leadership aim to serve their followers, knowing that they are carrying out the mandate of the masses, that is, to act as mere custodians of the citizens' resources. Such leadership ensures that people's interests are achieved through leading, directing and managing.

### **2.2.2 Deontological Theory**

Zhu *et al.*, (2004: 17) argue that the duty perspective (deontological theory) is primarily concerned with the duty or moral obligation of a person. The theory focuses on the action of an individual rather than the character. In the context of public service delivery, public officials are obliged to act morally towards others. This implies that a public official, by virtue of position or office, is expected to act in accordance with ethical principles and values. Greenbaum, Quade and Bonner (2014: 6) argue that ethical leaders cannot afford to be indifferent or neutral to ethics.

There are two main categories of deontological approaches, namely rule and action deontology. The rule deontology dominates the public administration view by emphasising constitutional principles or regime values. Denhardt and Denhardt (2006: 136) argue that, in all circumstances, individuals should uphold a set of predetermined principles to determine acceptable behaviour. Deontology is a rule-orientated approach. The duty perspective emphasises ethics as a principle of universal morality. This means that individuals should strive to be good no matter what circumstances they find themselves in. Its main principle is to treat others as one would like to be treated.

Gwanzura (2012: 20) refers to the deontological perspective as the cornerstone of most codes of conduct in western democracy. In the South African public service, the Public Service Commission, through a Code of Conduct, espouses universal rules that prescribe the behavioural conduct of public officials at local, provincial and national

levels. Each individual should act in a way that is universally accepted, meaning that the way one acts should be emulated by others. Denhardt and Denhardt (2006: 130) argue that, in the professional realm, the right and wrong of an individual is judged by whether prescribed rules are adhered to or not. This means that rule deontology is concerned with the outcome or end result of an action than the processes used to achieve the result. Deontology emphasises adherence to rules regardless of consequences or motives behind the action; This is regarded as the basis for morality. The deontological theory is criticised for not taking into account the limitations of rules, codes and legislation in guaranteeing an ethical environment. The effectiveness of rules and procedures depends on the individual's will to reinforce them and comply. The on-going perception of corruption, fraud, maladministration and scandals is the confirmation that the deontological theory alone cannot bring solutions to challenges of ethical behaviour.

### **2.2.3 Teleological Theory**

The teleological theory is divided into two aspects, namely utilitarianism (consequentialism) and egoism (self-interest). These are discussed below:

#### **2.2.3.1 Utilitarianism**

According to Zhu *et al.* (2004:2), there are two general forms of consequentialism, namely rule and act of utilitarianism. Cloete and Thornhill (2012: 151) believe that the public official's interest should be subordinate to public interest to prohibit moral elite perpetrated by selfish interest. The rule or act should advance the interests of the majority over personal interests. Proponents of this principle argue that the end outcome is ethical when the actions bring the greatest good for the greatest number. The individual should maximise the benefit by ensuring that less harm is done to affected parties by the decisions they take. The theory is mainly used in legislation where the interests of the majority determine the validity of the rule. Equity and equality

principles in democratic theory are aspired for by those who uphold utilitarianism which seeks to satisfy the welfare state of the majority as the ultimate goal of the government. Utilitarianism demands that, before decisions are taken, decision makers should estimate the effect of each alternative on all the parties concerned and select the one that optimises the happiness of the greatest number or common good for the majority.

## Egoism

Malan and Smit (2001: 32) argue that the vice of utilitarianism is egoism, which is self-interest. Ethical egoism is a normative ethical position whereby the moral agent does what is best for oneself. Those who believe in utilitarianism are against egoism or self-interest which they believe should not supersede the majority interest. Egoism is an aspect of unethical behaviour by public officials. It is regarded as a basic characteristic that defines unethical leadership. Leaders who are egoistic are easily tempted to engage in corrupt activities. Senior public managers who are egoistic, use public resources to enrich themselves. Corrupt activities in the public service are partly influenced by the act of egoism. People who are egoistic use personal positions to serve personal interests at the expense of the well-being of the public. Egoism is linked with unethical leadership perspectives.

According to Zitha and Mathebula (2015: 18), one of the factors that led to the Limpopo Province being put under *Administration* was conflict of interest mainly by senior public managers. This was prevalent in the procurement services. Tender allocations were used to siphon-off state funds to the extent that the province was declared insolvent by the national treasury. In most instances, conflict of interest is perpetrated by the egoism of public officials. The immoral acts of the leadership are largely influenced by greed and self-enrichment at the expense of the majority. The problem is that the manifestation of ethical egoism is multi-dimensional as it involves acts of bribery, fraud, kickbacks with networks between the private sector and the public service. In South Africa, most of the conflict of interest is due to the egoistic behaviour of public

officials. The Forfeiture Unit largely deals with cases of egoism outcomes from either subordinate public officials or senior public managers. De Hoog and Hartog (2008: 298) argue that, for leaders to be ethical, they must engage in virtuous acts or behaviours that benefit others. The leader must refrain from evil acts or behaviour that can harm others.

#### **2.2.4 Democratic Theory**

Democratic values contributed immensely to the development of public service ethics. In South Africa, the Republic of South Africa Constitution, upholds the democratic values of individuals and society. Fox (2010: 63) points out that ethics in democracy refer to those considerations of morals and rights that define democracy, and lay a foundation for democratic governance to determine right and just principles. According to Bowman (1992: 42), the deontological theory contributed to the democratic principles in that the state has an obligation for the well-being of its citizens. The values of the public can only be represented by a system that promotes tenets of democracy for equitable distribution of services. Such tenets guard against the abuse of power by the government, governor or individual in a position of power.

Cloete (2012:104) refers to the values such as equality, equity, justice, representativeness, rule of law, accountability and transparency, as *tenets of democracy* or principles of democracy. This implies that the legislature together with the political office bearers should be structured in such a way that they cannot abuse the power which they have been entrusted with by the electorate. Bayat and Meyer (1991: 65) assert that, to take fair and just decisions, senior public managers must respect democratic values. The South African public service workforce is multi-cultural and multi-lingual because of diversity. Ethical leadership should exercise equity, equality, social responsibility, justice, accountability, openness and show empathy to be responsive to people's diversity and public demands and interests. Coetzee (1991: 26) attests that, in democratic governance, senior public managers, supported by subordinate public officials, must be honest, fair and impartial in delivering services

to citizens. Cooper (2006: 26) believes senior public managers should regard subordinate public officials, stakeholders and the public as rational agents, and not as a means to an end. This shows that, in a democratic dispensation, senior public managers should regard followers as partners in governance. They should be treated fairly, impartially with respect, as well as have rights to dignity and justice to matters that affect them.

### **2.2.5 Social Learning Theory**

Brown, Trevino and Harrison (2005: 120) proposed a social learning-based theory to better understand the linkages between leadership and organisational ethics. To Brown and Trevino (2006: 600), social learning theory provides an understanding of why some leaders are more ethical than others. It is based on the social integration of groups, individuals and society. Followers become observers while leaders are actors. The way a leader behaves has an effect on the leader-follower exchanges. The theory postulates that the conducive climate for ethical behaviour depends on the socialisation of the followers and the leaders. Ethical role modelling is regarded as a *side by side* phenomenon, in which ethical leaders' actions are consistent with ethical norms and standards. Mayer, Kuenzi and Greenbaum (2011: 8) and Kuye and Mafunisa (2003: 423) argue that individuals learn appropriate ways through a role-modelling process by observing the behaviour of others.

Mafunisa (2002: 97) further argues that senior public managers signalled to public officials that doing the right thing is expected and has good rewards, whereas transgressions of good conduct lead to sanctions. Senior public managers impart ethical values to followers by being either aware or not being aware by mere personal conduct. Through modelling such conduct, the role of a leader becomes the single most important determinant of an organisation's climate in the day-to-day behaviour of a leader. Followers can have trust, and this serve as a bond between the leader and followers. In turn, this will have a positive effect on institutional performance.

## 2.2.6 Religious Theories

Religious theories have contributed immensely in public service ethics. Different countries and individuals have different religions that are the basis of their values, beliefs, attitudes and principles. Mafunisa (1988:135-155) discusses an array of religions that have a direct bearing on work ethics depending on the type of the religion practiced in that particular country. The following religious theories have an effect on the conduct of ethical leadership:

### 2.2.6.1 The Christian Religion

Christian values have a profound effect on the constitutions of Western democratic countries. In the USA, the Constitution is influenced highly by Christian values. The founding values of the USA are based on Christian values and they serve as the foundation for ethical behaviour at personal, professional and public levels. Mafunisa (1988: 148) confirms that, in Africa, Christianity is regarded as an old issue to the extent that it is described as an indigenous traditional religion. According to the Christian belief, Jesus Christ summed up the caring of one's neighbour through the rule of 'love one another as you love yourselves'. This means that an individual cannot act unethically, in a manner that would harm others. Greene (2005: 370) asserts that the Christian belief of everlasting happiness in eternity, compels believers to act ethically in the hope of an eternal life. This belief is further translated into the Bill of Rights in the South African Constitution, which advocates for good relationships between individuals so as to live in harmony. The Bill of Rights advocates for respect for one another. Acts of hatred, racial segregation, gender inequality, inequality and xenophobia contradict Christian values.

According to the Christian Bible (Matthews, 7: 12), the Golden Rule is "*do unto others as they would have them do unto them*", meaning that treat others as you would like to be treated. This encourages an individual to behave well towards others. The

Golden Rule is upholds the common good which many Constitutions aspire for. Mafunisa (1988: 149) indicates that belief in Christ makes an individual afraid to commit transgressions as Christians want to live like Jesus. There is a song in Tshivenda which says “*A thingi iwe Yesu, fhedzi ndi do edzisa*” translated, “*I am not like you Jesus, but I will try to live like you*”. This implies that individual Christians in the public service would like to emulate Jesus’ character by being honest, truthful, empathetic and committed. Therefore, Jesus serves as a role model for public officials who ascribe to Christian values.

The Lord’s prayer contains this phrase: *deliver us from temptations* (Matthews, 6: vs 9-10), it encourages individuals to distance themselves from temptations that would lead to unethical conduct. Caring and empathy as values form part of Jesus’ ethical principles especially when He indicates that people should take care of each other even if a person is guilty of a crime or not. Throughout Jesus teachings, personal enrichment is forbidden and hurting one’s brother is also forbidden. Xenophobia (hatred of outsiders) is also against Christian values as espoused in Jesus’ parable of the Good Samaritan who helped an unknown injured man back to health. South Africa adopted Christian values in its Constitution when it rejected non-discrimination of an individual because of colour, creed or gender. During the xenophobic attacks in South Africa, which were condemned both nationally and internationally, most churches’ leaders condemned the act, pointing out that it was against Christian values.

In (Thessalonians, 5 vs 17), Paul advises Christians to *pray without ceasing*. This suggests that prayerful individuals do not easily fall into temptations. Prayer serves as a *wake-up call* that constantly reminds Christian public officials to act righteously (Scheman, 2014:200). The public service exposes opportunities for self-enrichment. However, Christians are aware that personal gain is discouraged by the Lord, and that serving others is a form of sacrifice which should be prioritised by Christians. A Christian public official will also reflect on guidelines given by Jesus, for example, empathy, respect, serving and loving one another, as well as being forgiving and merciful. To illustrate the leadership-follower exchange, Jesus cited a parable of the

lost sheep which demonstrates the caring attitude of the leader. Christians believe that the Bible is the guideline for acceptable standards of the ethical behaviour of human beings. Bandura (1977), in social learning theory, calls for modelling of behaviour by taking into cognisance *otherness*, which in the Christian context is emphasised through love of one another. This means that an ethical leader, according to the Christian doctrine, cannot be indifferent to love, sacrifice (utilitarianism), empathy for others, and caring which are essential for human beings within an institution.

### 2.2.6.2 Judaism Religion

Fox (2010: 24) reiterates that Jewish ethics fall between Judaism and the Western philosophy of ethics. Jewish values consist of customs and standards given by God to the Jews. The Ten Commandments (in Exodus, 20 vs1-10) are normative values that set standards of conduct for individual Jews and serve as regulatory laws for their behavioural conduct. The virtue of ethics in Judaism is believed to emanate from God's recognition. The commandments are characterised by the phrase "ought to" which is highly normative and sets parameters of acceptable and unacceptable behaviour. In Judaism, honesty is a pre-requisite of good conduct. Judaism, through the Ten Commandments, forbids one from stealing (as it is written that *thou shall not steal*), falsehoods, adultery, illegal acquisition of material amongst others. These commands are a cornerstone of ethical behaviour for public officials as they exhort them not to engage in unethical conduct such as bribery, theft, kickbacks, sexual favours and disrespect of diversity. In Judaism, such practices are against the will of God whom some public officials claim to serve. Bribery is forbidden by God Himself in the verse that says, *Do not pervert justice or show partiality, do not accept a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous* (Deuteronomy 16 vs19). This is an indication that senior public managers who believe in Judaism values will not be easily deceived or engage in acts of bribery due to their conscience and orientation to values from their religion.

### 2.2.6.3 Traditional African Religion

South Africa is a country characterised by diversity; it has a multiplicity of ethnic groups and eleven (11) official languages. The country is regarded as a rainbow nation, meaning that it embraces diversity of its nationals. The majority of the people are blacks who subscribe to different religions which shape their attitudes, beliefs and behaviour. These religions differ from ancestral worship of spirits, Christianity and Islam. African religions emphasise worship of ancestral spirits called *amadhlozi* in the Nguni language or *vhadzimu* in Venda. Various rituals are conducted to appease the spirits whom they believe influence their lives and behaviour. The common values of the African religion are integrated into one concept which is called *Ubuntu*. This concept is central to human conduct in African society. It is an African philosophy that aims to encourage individuals to be good and to have empathy and concern for others. Fox (2010: 122) defines *Ubuntu* as the art of being a human person and that it is based on principles of caring for one another, sharing, compassion and the spirit of mutual support, empathy, consistency, respect and truthfulness to others.

Khoza (2011: 11) refers to *Ubuntu* as a cosmology of African humanism, related to the Utilitarian theory, which requires that individual public officials should also consider other people as a means to an end. Fox (2010) also indicates that *Ubuntu* is essential for social survival. The principle of *Ubuntu* is loosely translated into different African languages. In Tshivenda language, *Ubuntu* stands for *muthu ndi muthu nga vhanwe vhathu*, meaning a person is a person because of other persons. Khoza (2011: 41) concurs that the efficacy of leadership is through followers. In Xitsonga there is an expression *Hosi i hosi hi malandza*, which is translated in the same manner as the Venda expression about. Loosely, it means *there is no king without followers*, thus resonating with the leadership-follower aspect. Without followers, leadership cannot be measured to determine its efficacy or conduct. In this context, the subordinate officials are willing to carry out instructions to perform a duty, thereby fostering positive values for positive work ethics. This theory, if applied appropriately, has mutual benefits for both leaders and their followers.

The challenge is that in the public service, *Ubuntu* theory is subject to abuse resulting in the transgression of values of impartiality, rule of law and efficiency. These positive values are, instead, replaced by nepotism and favouritism. Unfortunately, in South Africa in general and the Limpopo Province in particular, the concept of *Ubuntu* is still misinterpreted to mean granting favours at the expense of merit in the allocation of opportunities.

In conclusion, *Ubuntu* is synonymous with the biblical principle *love thy neighbour as you love thyself*. However, it should be done in an honest and transparent manner. In this study, the empathy component could compel public officials to deal with matters of public interest in an ethical and respectful manner. The element of helping each other (*Vhuthu*) can be important in complementing institutional ethos as it is more committed to a course of action than getting own rewards. Mbigi and Maree (1995: 6) believe that *Ubuntu* is built on a spirit of togetherness which is essential for sharing the vision of the leader. It upholds the act of caring for each other, which is necessary to advance the common goal of the institution. In Africa, the leader who aspires for *Ubuntu* has a high regard for his/her followers.

#### **2.2.6.4 Islamic Religion**

Islamic religion is practiced amongst the Arab nations. It is the second largest religion in the world after Christianity. The founder of the Islamic belief is Prophet Mohammed who is regarded as the messenger of God (Allah). Those who follow Islamic beliefs are called Muslims. God is one and the Creator of the Universe, and human kind is subject to God's morality. Their main purpose is to worship God. The moral values of Islam are guided by universal principles found in the Quar'an. The individual and society's conscience towards good should be guided by these principles as espoused by God who stipulates that the followers are forbidden to do shameful deeds whether in the open or secretly. Human beings are also instructed to have peace in earthly life and this would lead to eternal peace after death. They are told to refrain from sins, to

avoid trespassing against truth and secret, to be accountable to God, to have humility, to have courage to hold the truth even if this is inconvenient to oneself, to control passion or desire, to avoid excessive love of material things and to give to the poor (Aabed, 2006: 77-80).

Jamil (2015: 4) argues that leadership principles are drawn from Prophet Mohammed's experiences of life. Muslims regard the prophet as the greatest person who modelled good behaviour as required by God. Human beings are required to acknowledge that God is the protector of those who have faith and that, from darkness He leads them into light. Good leadership is measured using the principles of faith and belief, knowledge and wisdom, courage and determination, mutual consultation and unity, morality and piety and superior communication. In addition, the leader must display traits of justice and compassion, patience and endurance, commitment and sacrifice, lifelong endeavour and gratitude prayers as well as faith and God. Faith guides the leader to be honest and truthful. Such leaders will not be influenced by self-interest, but their focus will be on achieving the common goals of the public, society and the organisation itself. Leaders are supposed to have knowledge and wisdom as these values are regarded as a great responsibility. Knowledge is regarded as power. The leader's morality and piety (respect of religion) must serve as an example when leading a community. Good communication is one of the important most important aspects that every leader must acquire as life depends on quality of communication.

Justice is at the core of Islamic leadership. Ahmad and Ogunsola (2011: 307) asserts that Islamic leadership is dominated by caring and is service orientated. The servant leadership paradigm involves sacrifice of self for the greatest good, which is derived from the Islamic faith. To Muslim followers, servant leadership as practiced by Prophet Mohammed, is not seen as a status or a privilege, but a position of sharing responsibility and authority with followers to meet a greater need. As such, the leaders are expected to involve followers in planning and making decisions. Servant leadership that the good or bad character derived from one's heart. Therefore, the inner spirit in one's heart is the source of either evil or good. The inner spirit guides

one's intentions to commit or omit immoral acts or foster to act in disciplined behaviour. The morality of individuals determines the health of a society as a whole. This shows that an individual with Islamic beliefs is compelled to act righteously, and unethical practices are regarded as transgressions of good; such offenders will not inherit the paradise after the departure from earth.

#### **2.2.6.5 Confucion Religion**

Confucion is known as Ruism tradition, a philosophy, a humanistic or rationalistic religion. This religion is practiced in East Asia by China, Korea and Japan. Confucion religion believes in righteousness and courage as core ethics. Confucion uses Analects of Confucius as a source of ethical teachings and it is often characterised by as a system of social and ethical philosophy rather than a religion. It provides important ethical criteria which define individual expectations and obligations in daily life. Analects, Chapter XVIII: 23 indicates that "*Fortune and fame when secured without righteousness, are like floating clouds to me*". Confucious states that a *gentlemen values righteousness, whereas the common man values personal gain*. This means that fortune or wealth accumulated through immoral acts is not worth it. In the working environment, such people would not engage in self-interest or greed for self-enrichment (Adler, 2011: 10).

According to Hofstede (2001: 40), Confucion defines moral values as a desire or expected social behaviour which is a core part of ethical behaviour. The Confucion religion is composed of five fundamental values, namely affection between father and son, loyalty between sovereign and subject, distinction between roles of husband and wife, respect of the young for the old and trust between friends. These moral principles serve as rules for good conduct in organisations and family relations. Courage is a virtue which is regarded as important when one wants to speak against immoral acts. The loyalty between sovereign and subject is an over-arching principle. Although the

individuals are encouraged to speak against wrongdoing of sovereignty, open criticism to sovereign is also discouraged because of the loyalty as a virtue by subjects. It is evident that ethical values, such as accountability, openness, transparency, are compromised because of one's loyalty and respect to elders. Adler (2011: 4) argues that, for mankind to be morally upright, one must undergo transformation to achieve the goal of self-cultivation. Human beings cannot be morally correct if they are not aware of Heavenly-endowed morals. The religion emphasises transformation of humans as in order to lead a good life. Human beings, according to this belief, are inherently immoral. Therefore, human beings must undergo self-reflection which would enable them to distinguish between good and bad. The Chinese word for the Bible is *sheng jing* or Holy Scriptures; this is useful to draw good morals from. Collectivism is another Confucion belief which is regarded as a group value. Collectivism discourages self-interest, meaning that self-interest must subordinate itself to group interests. Prosperity and prestige must not be above the organisation's prosperity, meaning that self-enrichment must not be above collective interests.

### **2.3 SOURCES OF ETHICAL GUIDELINES TO ENHANCE ETHICAL LEADERSHIP IN THE SOUTH AFRICAN PUBLIC SERVICE**

In 1994, the government realised that South Africa, as a democratic state, required public service to promote the ideals of the new dispensation. In other words, there was need to democratise the state's entities to align them with the ideals of a new South Africa, which was inclusive for all citizens. The government realised that the then existing public service ethos was reflective of apartheid policies. Therefore, various measures, such as the Constitution of the Republic of 1996, White Paper on Transformation of Public Service, White Paper on Transformation of Public Service Delivery and Code of Conduct, became the source of values that contributed to the promotion of ethical behaviour in public service entities. These measures are discussed as follows:

### 2.3.1 The Constitution of the Republic of South Africa, 1996

Section 195 (1), Chapter ten of the Constitution of the Republic of South Africa, 1996, prescribes basic values and principles to govern public administration and to make it responsive to the values of democracy. The 1996 Constitution of the Republic of South Africa is the highest law of the land which defines the public ethos. This ethos became a source of public ethics for service delivery in public institutions. The main aim of public ethics is to enable government, through public service, to promote the welfare of its citizens. The ethical prescriptions are based on democratic, societal and professional values. The Constitution of the Republic of South Africa, outlines three levels of government, namely national, provincial and local government. These levels are interdependent when making laws and policies that govern public institutions (Constitution of the Republic of South Africa, 1996: 107).

The Constitution of the Republic played an important role in resuscitating ethics in public service institutions as follows:

- A high standard of professional ethics must be promoted and maintained.
- Efficient, economic and effective use of resources must be promoted.
- Public administration must be development-oriented.
- Services must be provided impartially, fairly, equitably and without bias.
- People's needs must be responded to, and the public must be encouraged to participate in policy-making.
- Public administration must be accountable.
- Transparency must be fostered by providing the public with timely, accessible and accurate information.
- 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, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

Public institutions exist to provide a variety of basic services to its citizens. Government departments are expected to disburse the services in an efficient and effective manner unlike prior to 1994 when services were characterised by inefficiency

and effective operations. The notion of excellence has been made mandatory by the Constitution of the Republic of 1996. The senior public managers and subordinate public officials are expected to operate within the normative guidelines as set within the Constitution of the Republic. It means that public officials must strive for public service excellence in their daily operations. In the public service, where service delivery is a priority, senior public managers should ensure that a high standard of professional ethics is promoted and sustained to meet the demands of the public.

Frederickson (1997: 157) and Gildenhuis and Knipe (2013:112) concur that professionals and career public officials are held to the highest standards and expectations in their daily execution of their duties. Professional standards of high integrity positions the role of a senior public managers within a moral context that need to be managed to achieve institutional performance. Dealing with public interest through public governance is a matter of moral obligations by those who have authority to do so. Ethical leadership should ensure that appointments and promotion processes are merit based to minimise nepotism, partisanship and favouritism which negatively affect public service integrity (United Nations, 2000:vi). As such, public officials should be knowledgeable about the purpose of their existence within their careers. This is evident that being professional goes beyond one's call to duty or paying lip service to professional values.

Ethical leadership in public institution requires value adjustment in the actions and attitudes of a senior public managers. This sentiment is shared by Grojean, Resick, Dickson and Smith (2004: 226) argue that senior public managers should model self-awareness of personal values, ethics and morals as they influence the choices they make and the behaviours in which they engage at. Wessel, *et al.*, (2014: 6) assert that morality expresses certain values that members of a group uphold, which is important particular to them and is reflected through norms, rules, laws and regulations. Additionally, public officials are to translate policies and programmes into ethical processes and outcomes for and amongst citizens, the leader managing the processes. Ethical leadership in public institutions requires value adjustment in the

actions and attitudes of senior public managers. This view is shared by Grojean, Resick, Dickson and Smith (2004: 226) in that senior public managers should show a self-awareness of personal values, ethics and morals as they influence the choices they make and the behaviours in which they engage in. High standard and maintenance of professionalisation values are thus reflected through norms, rules, laws and regulations. Senior public managers are supposed to translate policies and programmes into ethical processes and outcomes for improved service delivery.

The Constitution requires that the public service must be efficient, as well as ensure economic and effective use of resources. According to Kuye, Thornhill, Brynard, Crous, Mafunisa, Roux and Van Rooyen (2002: 103), all government departments must promote accountability, transparency and effective financial management systems. In 1999, the Public Finance Management Act of 1999 (Act 1 of 1999) ensured that legal requirements in terms of allocation and spending were adhered to. This means that senior public managers have an obligation to maintain sound financial management for the optimal use of resources in an accountable manner. The key roles of senior public managers are to translate political goals into administrative practices through implementation of policies.

Senior public managers have authoritative influence on attitudes and behaviour of followers; they show the acceptable standards and expectations from society by which they should live. In South Africa, the Public Service Commission introduced the Code of Conduct Manual to guide professional ethics in public administration. This Code of Conduct is used to measure the extent of professionalism as a means of adhering to good conduct. Menzel (2014:90) concurs with Wessels *et al.* (2014:20) and Asvara (2014:566) in their view that senior public officials should display professionalism in implementation of policies. Therefore, the Constitution of the Republic, 1996 requires that public officials understand and apply legislation and regulations relevant to their professional roles. There should be broad representativeness of South African community, to serve all members of the public in an unbiased and impartial manner. Acts of favouritism based on one's nationality and ethnic group, therefore, contravene the Constitutional mandate of the Republic.

### **2.3.2 White Paper on Transformation of Public Service Delivery, 1997**

In 1997, the DPSA the White Paper on Transformation of Public Service Delivery (WTPSD) as a blue print of quality service delivery. The WTPSD introduced the *Batho Pele* Principle, a user-centred service delivery approach. Government aimed to improve access to public services. *Batho Pele* is a Sotho adage for “people first” which is in line with the government approach of a “people-centred development”. The principles promote impartiality, increased transparency, courtesy, increased access, accountability, information sharing, value for money, redress, consultation, choice and measurable standards. The challenge with ethical values of professionalism, as espoused by the Constitution of the Republic of South Africa, is that they are broad. Therefore, the Batho Pele principle provides tools for evaluating whether public demands are being met in a professional manner. The following *Batho Pele* principles are a management tool that ensures quality service delivery based on responsive governance.

#### **2.3.2.1 Ensure Consultation and Courtesy**

Gildenhuis and Knipe (2013: 131) argue that citizens should be consulted about the level and quality of public services. Consultation with the community is part of a democratic process meant to ensure citizen participation in decision-making. Senior public managers should ensure that citizens are part and parcel of decisions that affect them. The principles require the public to have access to quality services, have knowledge of afforded opportunities and also to know what is expected from them. Courtesy is another tool used to improve service delivery between the public and individuals. Gwanzura (2012:32) affirms that courtesy is important in communication during the demand and the supply of services. Public service should ensure that there is courtesy in all its dealings with the public. Courtesy is when customers are served

with a cheerful smile and treated fairly with respect. The principle also calls for the monitoring of public officials' performances on a regular basis, with feedback being given to relevant personnel. Courtesy is required when engaging with a customer, whether face-to-face or telephonically.

### **2.3.2.2 Provision of the Information, Service Standards**

Gildenhuis and Knipe (2013:132) postulate that public officials should provide accurate information to the public and not mislead the public. Information is regarded as a powerful tool which should empower the community. Vyas-Doorgapersand and Ababio (2010: 119) assert that media is important in the transmission of information about the policies to the public and also about government programmes ; it should ensure that information is up-to-date.

Fox (2010: 105) argues that the government requires senior public managers to publish service standards for the level of service and quality that the Department provides. Citizens should know the quality of standards they will receive and what to expect. Senior public managers are required to set standards that are realistic and demanding. Service standards at provincial level should conform to standards set at national level. If the provincial departments feel that some of the standards covered by national norms do not cover their situation, they should set additional standards that are responsive to their situation. For example, in most rural areas, there is a problem of poor literacy, thus, service standards should be spelt out during the service delivery. Government is encouraged to benchmark citizens' satisfaction against the services they are providing. Standards should be benchmarked internationally to ensure that best standards are given to people for quality services. Information should be provided in a variety of media in diverse languages of the country or province to ensure information accessibility. Dissemination of information is essential for community participation. The community should know what is also expected of them

in order to ensure quality service delivery. Public officials must communicate expectations to the community and also indicate what is also expected of them as citizens.

### **2.3.2.3 Openness and Transparency**

The public service should increase openness and transparency in its dealings with the public. Du Toit, Knipe, Van Niekerk, Van der Walt and Doyle (2002:108) argue that public officials are obliged to inform the public about the services they offer and how much these would cost. Services offered by a particular institution should be made known to the public, using a variety of media and events like open-days. In Venda, there is a community health awareness project called Clinic *Thendeleki*, meaning a mobile clinic. The purpose of this clinic is to inform the public about primary health awareness, how to get services and where to go for services. For the Department to be responsive to public needs, employees should listen to the public's problems and respond to queries.

Section 195 (1) (g) of the Constitution of the Republic of South Africa states that "transparency must be fostered by providing the public with timely, accessible and accurate information". A public institution is responsible for an array of functions with specialised services. Lack of transparency was of concern during the transformation of the public service in 1995. Du Toit, Van der Walt, Bayat and Cheminais (1998:146) argue that in the advent of democracy, the issue of transparency is regarded as a key value that has positive implications on good governance. Transparency is one of the democratic values that promotes openness in the activities of public institutions and functionaries. The *Batho Pele* principles call for openness and transparency so that the public is aware of what is happening in government and how it affects them. Transparency empowers citizens and stakeholders as the rules and procedures become open for scrutiny and are comprehensible.

A transparent government makes it clear what is being done, how and why certain actions take place, who is involved, and by what standards decisions are being made. Transparency is defined as a condition of freedom of information, participation and accountability; it is open communication between the actors of the political system and the citizens. It is closely linked to both the demand for transparency and the principles of public access. This definition includes openness of the decision-making and enforcement processes, as well as access to and distribution of information.

Zikhali (2005:5) describes transparency as a foundation of good governance which improves the relationship of partnership between citizens and the public officials. This means that officials must make information available to citizens and that citizens should put the information to use. Active civic participation and freedom of the press are some of the elements that make transparency effective. Government policy on the concealment of activities of government is used as a scape-goat by the public officials to avoid being exposed. Transparency is essential for efficiency and effective service delivery. Internally, transparency is essential to ensure that public officials are updated about the programmes and policies of their function expected of them by political office bearers. Transparency is not only top-down, it should also be bottom-up. Executives must have information through reports and briefings so as to get information about what activities are going on in the department. Unethical behaviour in the public service is the outcome of lack of transparency. Transparency enables open systems which would compel public officials to act within the expected standards and values of ethical manner.

According to Sonko (2010:5), government enacted the Promotion of Access to Information Act of 2000 to ensure that information is available to the public and individuals to protect them. Transparency implies openness, communication and accountability. In the context of public service accountability, senior public managers should account for all decisions and actions taken.

### **2.3.2.4 Redress and Value for Money**

The redress principle recommends for the remedying of mistakes and failures as perceived by the community. The senior public manager, by reviewing complaints from the public will ensure that there is efficiency, promptness, confidentiality, responsiveness and training. Public or customers are supposed to get feedback from any complaint or dissatisfaction raised as a concern. The customers are expected to get value for money. For example, the workstation should function in such a manner that it adds value to services. In some departments, service delivery is delayed by public officials' sloppiness, tardiness and incompetency. If the promised standard of service is not delivered, citizens should be offered an apology, and a full explanation for not being responsive to their demands given (Gildenhuy & Knipe, 2013:132).

## **2.4 ETHICAL LEADERSHIP AND ACCOUNTABILITY**

Public service, as a moral entity with a moral obligation to be responsive to the electoral, is accountable to the public. Munzhedzi (2016: 1) defines accountability as an obligation to expose, explain and justify actions. Accountability involves answering to a higher authority in the bureaucratic system of oversight. Public accountability is an obligation to answer to the fulfilment of assigned and accepted duties within the framework of authority and resources provided. Accountability cuts across all levels of government, and it also encompasses all structures of governance. Dwivedi and Jabbra (1998: 5) provide a comprehensive explanation of what public service accountability is. To them, public service accountability involves the methods by which public agencies or public officials fulfil their duties and obligations, and the process by which those agencies or public officials are required to account for such actions. These statements attempt to define accountability as one of the mechanisms required to minimise corruption through checks and balances. Therefore, public accountability ensures that political office bearers and public officials have limitations

to prevent abuse of power. Accountability is a normative principle as the activities of public officials depend on moral and ethical guidelines such as the Code of Conduct and the Executive Ethics Code. Public officials, in particular, should be accountable to ensure efficient, effective and responsive execution of their assigned tasks or assignments.

Gildenhuys and Knipe (2013: 129) confirm that public scrutiny requires public accountability by political office bearers. The public policy perspective expands the accountability domain to include measures in accordance with institutional professional behaviour, political elements, legal and moral responsibility. Public officials know that they occupy offices of trust as stewards of government resources. This implies that expectations from the public, superiors, stakeholders, political office-bearers that public officials be accountable for services rendered and for how state resources were committed to advance the objective of the government are legitimate. Each political representative is expected to account to the public through parliamentary debates, the audit, summits and conferences. Transparency is a necessary tool for accountability. Lack of accountability in the South African public service has led to corruption in the public service. Public accountability is another measure to curb corruption. It serves as a check and balance mechanism to monitor departmental behavioural conduct towards the public ethos. Corruption is, however, an impediment to accountability.

In the public service, the Director General who is the Head of the Department, is accountable for functional activities that occur within his/her department. The HOD is there to account for decisions taken during implementation of programmes or policies. Each Minister, through the Director General, has to account before Parliamentary Portfolio Committees on the activities of the Department under his/her jurisdiction. At the provincial level, the Director General is accountable to the Minister who, in turn, is accountable to the Parliamentary Committees. Public officials should account for their duties and justify how people's values are responded to. In South Africa, the need for accountability has gained momentum amidst the scandals and corruption that are prevalent in public institutions. With the advent of reformation and transformation of

public administration, accountability as a concept is now defined in the context of public policy and administration (Zikhali, 2005: 5).

Public accountability is divided into five (5) dimensions, namely administrative or organisational, political, legal, professional and moral accountability as follows:

**Administrative Accountability** is strictly hierarchical, informed by lines of commands and channels of communication. It takes place at departmental level and relies on internal means of control. The relationship is clearly defined within the informal rules of network. Priorities in this category are given to high authorities as public officials are expected to carry out orders, while being neutral to ethics (Dwivedi & Jabbra, 1998: 5).

**Legal Accountability:** Legal accountability is based on established judicial and legislative processes. In South Africa, administrative accountability faces challenges of alleged impartiality, unfairness and inconsistency when taking a decision against offenders. Public managers can be summoned to court to account for their actions. The Labour Court deals with most cases of violation of ethical codes which are taken to the Commission for Conciliation, Mediation Arbitration Courts (CCMA) and even to the Constitutional Court depending on the level or merit of the case, for further legal or judicial review (Bovens, 2003: 23).

**Political Accountability:** Political accountability relies on the power of political office bearers to regulate and set priorities, redistribute resources and ensure compliance with orders. Political accountability is enforced through Portfolio Committees and Parliamentary oversight. The political authority is accountable to the public due to electoral votes. Kuye *et al.* (2002: 122) explain that political accountability is done through policy regulations by Ministers who are answerable to Parliament and, in turn, to the public. Therefore, political supremacy over accountability is achievement of policy objectives by being responsive to public needs.

**Professional Accountability:** This is when government relies on professional staff to carry out its mandate. Public service delivery is about the welfare of the citizens. Professional accountability is located in various functions such as health, education, security, sanitation, social security, tourism amongst others. Professionals are appointed in the form of doctors, engineers, educators, researchers, social workers and other officials with different expertise. This enables government to realise its moral objectives of safeguarding the people's needs and expectations (Dwivedi & Jabbra, 1998: 5).

**Moral Accountability:** The government, by virtue of its existence, is a public service institution and a moral entity. The actions of government should be within the defined rules and regulations as outlined in the Constitution, Code of Conduct and within the societal values. South Africa, as a democratic country, adhering to tenets of democracy, has a moral obligation to the public in terms of its scope and functions (Garofalo & Geuras, 2004: i).

These five categories show how wide accountability is. If all categories are taken into consideration, abuse of state resources, political and administrative powers would be minimised. According to (Schwella, Burger, Fox & Muller, 1996:164), accountability is the cornerstone of democracy. Every facet of governance is anchored on accountability of actions taken by various public officials. Each political and public officials is subject to accountability of the state resources. Ethics serve as accountability standards by which the public will scrutinise the work being conducted by the members of these organisations. It is also the obligation of individuals to keep their superiors informed or updated of any activity under their jurisdiction. Therefore, each public servant must perform his daily task with the greatest care and responsibility as he may be called to account publicly for any careless error, deliberate offence or culpable action. Oversight functions can only be effective if the notion of accountability becomes a norm in the South African public service.

## **2.5 THE ROLE OF ETHICAL LEADERSHIP COMPETENCIES IN THE PROMOTION OF ETHICAL BEHAVIOUR**

The relationship between ethical leadership and good governance depends on the following competencies to promote ethical conduct within the institution:

### **2.5.1 Conceptualisation of Ethical Competence**

Macaulay and Lawton (2006: 705) contend that competence is inherent to character, and that this makes competence a conceptual underpinning of virtue. Therefore, ethical competence is when a public official can impart skills and knowledge in an ethical manner to the benefit of the institution. Kavathatzopoulos (2002: 6) asserts that ethical competencies can be applied through high levels of awareness, individual skills in the handling of ethical issues, functional organisational structures and routines, communication and argumentation skills and above all confidence and emotional strength. Ekhtor (2012: 93) believes that competency is the keystone of any public service. Without competent public officials, ethical standards in the system may decline. This study acknowledges that ethical competence and leadership are grounded in the organisational theory of ethics and the behavioural conduct of a leader towards the culture of an organisation.

Cooper and Menzel (2013: 9) provide a workable comprehensive definition based on five competencies as follows: (1) commitment to high standards of personal and professional behaviour, (2) acknowledgement of relevant ethical codes and laws, (3) ability to engage in ethical reasoning, (4) ability to identify and act on public administrative ethics, and (5) commitment to promotion of ethical practices and behaviour in public service institutions. This definition is all encompassing and goes beyond mere public ethics to touch on public ethos because of the notion of commitment to highest ethical values. Paganini and Ergy (2011: 3) assert that public officials operate in an ever-changing environment characterised by competing values

and norms which result in conflictual role obligations. Ethical competence is anchored in a leader's quest to pursue personal, professional and organisational integrity. It is premised on Trevino, Hartman and Brown's (2000: 128) definition of an ethical leader as a moral person and a moral manager, whose influence in the context of a leader-follower relationship is important for enhancing a mutual relationship.

## **2.5.2 Ethical Leader as a Moral Person**

Frederickson (2015: 6) warned that performance, professionalism, transparency and accountability alone are not enough. Public service should be ethically sound with the promotion of the moral character of officials, which is necessary for ethical behaviour. The public administrator is viewed as an individual who has discretionary powers despite rules and laws to make sound ethical decisions amongst alternative choices. These traits are reflected in one's character through behavioural conduct, actions and decisions taken. Therefore, public officials must have a set of moral characteristics to carry out their duties. Kuye and Mafunisa (2003: 423) indicate that the moral identity of a leader is important in reflecting the degree to which a leader is regarded as a moral person. The code of conduct attempts to outline a set of moral characteristics. It looks at the relationship of a leader, and takes into account traits like integrity, honesty and trustworthiness.

### ***2.5.2.1 Personal Integrity***

Trevino *et al.* (2000: 132) makes reference to Plato and Chester Barnard when addressing the question of leadership integrity. Plato asked the question, "*which extreme would you rather be, an unethical person with integrity or an ethical person with a reputation of injustice*". Similarly, Barnard in *The Functions of Executives* (cited

by Trevino et al., 2000) questions the role of leadership's personal integrity in conforming to what he termed a *complex of codes of morals* that leadership in public service encounter daily. Engelbrecht, van Aswegen and Theron (2004: 21) concur with Kalshoven, Den Hartog and De Hoog (2011: 56) that ethical leadership is based on integrity behaviours which are described as word-deed alignment or the extent to which what one says is in line with what one does. Furthermore, the English Oxford Dictionary defines integrity as the wholeness which proposes coherence between action and principle, rightness and moral intensity of an ethical leadership. The rewards are intrinsic as it is one's inner character and reasoning that determines what choice to take for an action. Integrity is a choice rather than an obligation. Even though influenced by upbringing and exposure, integrity cannot be forced by outside sources.

People of integrity are guided by a set of core principles that empower them to behave consistently with high standards. The core principles of integrity are virtues, such as compassion, dependability, generosity, honesty, kindness, loyalty, maturity, objectivity, respect, trust and wisdom. Trevino *et al.* (2000: 130) regard integrity as a broad personal characteristic which is often the most ethical leadership trait cited by most scholars and ethicist practitioners. Integrity is related to reputation; the only difference is that integrity is about one's character, based on how one conducts oneself even if there is no one watching, whereas reputation is what other people think about personal character. Denhardt and Denhardt (2006: 133) assert that putting ethical principles into action requires the development of character on the part of an individual. The decision to save government's reputation shows self-discipline and principled leadership. A leader should not only know how to make morally correct decisions, but should also apply wisdom, knowledge and practical experience in decision making.

Wessels, Pauw and Thani (2013: 6) affirm the importance of morality in that no political or administrative system can run justly and efficiently without the application or exercising of the personal morality of people who run it. A leader presumably enters the public administration domain with a basic sense of personal morality informed by

various sources, which in the end plays a significant role in position of influence. Parma (2014: 1106) indicates that most of the work of ethical decision-making focuses on moral awareness, which is the first stage of a multi-stage process that leads to moral action. Actions reflect a sense of individual morality, the reasoning behind action, which can be moral or amoral, thereby resulting in ethical or unethical leadership behaviour. Factors which support integrity are discussed as follows:

- ***Trustworthiness***

Integrity of an ethical leader should display traits of trustworthiness, accompanied by courage ; this would define a character that is reliable and dependable. Van der Akker, Heres, Lasthuizen, Six (2009:102) expressed a concern that trust is a moral or ethical concept that is given less attention and that it should be linked with the notion of integrity as a key dimension of trustworthiness. There are many variables that contribute to trust, for example, honesty, transparency, respect and good behaviour as perceived by the followers. These variables have an impact on the relationship between the followers and the leader. According to Trevino *et al.* (2001:130), trust has to do with consistency, credibility and predictability in relationships. The late South African president, Nelson Mandela's character bears witness to what Kidder (2001:30) refers to as *the quality of mind and spirit that enables one to face up to ethical dilemmas and moral wrongdoings firmly and confidently, without flinching or retreating*. This is an indication that courage is one of the cardinal virtues that is essential to maintain trust between the leader and the followers.

- ***Decision-Making***

Decisions taken reflect the individual morality of senior public managers. Often people question the rationale behind decision-making, which depends on the thinking capacity and inner values that motivate a person to take a judgmental decision Ethical leadership is regarded as competent when individuals apply moral reasoning to make

a morally sound decision. In decision-making, the morality of a leader is reflected when evaluating the quality of the decision as to whether the decision is fair, unbiased, consistent or not. Thoms (2008: 422 and Lachman, 2007: 131) maintain that moral judgement is when the action taken is evaluated against the acceptable norms, whereas moral motivation is when the moral values, referred to as intrinsic, act as a conscience in taking an action.

### **2.5.3 Ethical Leadership as a Moral Manager**

Shahidul, Wright and Yukl (2014: 333) discussed ethical leadership in relation to managerial ethics. Focus of their discussion was on what public managers should do and how they ought to behave as task managers expected to promote ethics. The discussion below provides insights into the role of ethical leaders as moral managers.

#### **2.5.3.1 Linking Ethical Leadership with Institutional Performance**

Caiden (2000: 95) remarked that *never before has civilisation required such high quality public leadership and effective governance* to enhance public service performance. Zhu *et al.*, (2004: 2) assert that to promote institutional performance, ethics is fundamentally concerned with the effect of an individual's action on others. According to Lewis and Gilman (2005: 1) public service ethics and professional attributes are intertwined. Mafunisa (2000), Malan and Smit (2001) as well as Kuye (2002) similarly argue that a senior public managers has an indispensable role in fostering good governance through ethical behaviour. Yukl (2013:28) confirms that the morality of a leader determines the performance of the institution; all this depends on the behaviour and character of that particular leader. Zhu *et al.* (2004:2) assert that

to promote institutional performance, ethics should be fundamentally concerned with the effect of an individual action on others. Cooper and Menzel (2013:12) indicate that professional integrity is when a leader conducts professional relationships and activities in a fair, honest and legal manner that conforms to the Code of Conduct.

According to Obicci (2013: 3), institutional performance is defined as the attained outcome of actions with skills of employees who perform in some situation. Employee performance is a behaviour which consists of directly observable actions of employee, and also mental actions or products such as answers or decisions, which result in organisational outcomes in the form of attainment of goal. In other words, performance is a systematic patterns of actions performed to satisfy the objective of that particular institution in conformity to prescribed standards. It is evident that senior public managers, supported by subordinate public officials are the key role players in ensuring that the environment in which the performance occur is supportive of employees' efforts to succeed or not. Senior public managers are accountable to implement public policies that have positive impact on the institutional performance. Subordinate public officials are allowed to discover opportunities that inspire them to excel beyond their efforts, encourage high level of pride, commitment and shape the way employees perceive the work content. The leader is the integral individual who integrates the institution's processes and systems, its goals, and the staff, which is responsible for transforming the strategies and plans into reality.

Avalio and Gardner (2005: 353) conducted a study to investigate if ethical leadership is linked to individual performance. The study was necessitated by the erosion of confidence, hope, optimism in relations and interactions within institutions, which have adverse effect on institutional performance. The question was how to restore the confidence of employees to achieve the intended results. The findings of the study confirms that ethical leadership is linked to institutional performance. The performance achieved is the set of results caused by the behaviours and attitudes of individuals at work. Ethical leadership support employees through recognition, coaching and mentoring employees to achieve beyond their means. Furthermore, ethical leadership

are able to delegate, empower employees and also to promote a climate of collaboration between the members of the team. The leader's influence on employees can thus play an important role with regard to the employee's engagement, initiative and performance.

Institutional performance relies on professionalism as a keystone of achieving intended goals. Mafunisa (2000) cited in Edwards (2008: 77) contends that professionalism refers to being competent, efficient, masterly and qualified. Professionalism requires that public service officials fulfil their obligations and duties as efficiently as possible. Van der Walt and Du Toit (2008: 52) describe professionalism as a type of work with certain unique characteristics which entails factors such as job, career or calling, a discipline or degree of learning, provision of services for a fee and maintenance of standards. Senior public managers, supported by public officials, are the key role players in the implementation of public policies that would have a positive impact on institutional performance. Public measure the effectiveness of the public institutions based on performance. The success of the institution depends on its performance which determine its sustainability. Quality service delivery is the efforts of both the senior public managers and subordinate public officials.

This implies that senior public managers must ensure that subordinates public officials are treated fairly with respect. Such treatment improve the relationship between the senior public managers and the subordinate public officials which is essential for institutional performance.

### **2.5.3.2 Ethical Leadership and Enhancement of Ethical Climate**

Another level of institutional integrity is the fostering of ethical behaviour throughout the institution. Ethical leadership *must walk the talk*, meaning that the leader must be exemplary, what Mafunisa (2002: 97) refers to as personifying the institutional values. Parma (2013: 1118) describes the work environment as an area of social interactions

which requires individual moral character to feature into networks of social relations. This means that political office-bearers and senior public managers must develop and instil a culture of how their moral awareness influences social interactions. Covrig (2000: 41) contends that moral values can be understood in the context of social integration. The public service environment is a domain for social interaction, characterised by social networks due to interdependence of systems, processes and functions. This social interaction serves as a framework for moral norms of public officials. The sets of norms determine and guide public officials on what they *ought* or *ought not* to do. Research about ethics involve a connection between moral reasoning and moral behaviour and how each depends on the issues involved.

Engelbrecht, van Aswegen and Theron (2004: 19) suggest that institutional climate is about common thoughts, feelings, attitudes and perceptions that shape individuals' behaviour. Mayer *et al.*, (2011: 9) argued that senior public managers have a critical role in creating and maintaining institutional climate. Ethical climate is defined as a subset of the institutional climate which consists of normative values and beliefs and which, in turn, involve moral issues shared by employees. Dickson *et al.*, (2001: 179) regard ethical climate as perceptions of events, practices and procedures, as well as the kinds of behaviours, which get rewarded, supported, and are expected in an organisational setting. The ethical climate forms the ethical character of the institution by providing the environmental cues that guide ethical behaviour. Therefore, climate is about individual understanding of the whole set-up and behaviour in a context or environment, of which the aggregate of such understanding combined results in institutional climate.

Grojean *et al.*, (2014: 225) explain that institutional climate emerges through three processes, namely exposure to objective structural characteristics, employee attraction and retention, and institutional socialisation processes. These processes expose members to what is appropriate or inappropriate behaviour for the institution in terms of the leader-follower exchange. Stringer (2002:12) and Engelbrecht *et al.*, (2004: 19) are of the view that senior public managers are the most single determinants of an organisational climate through their behavioural conduct. Lack of

positive ethical climate by ethical leaders, results in poor governance. Institutional climate plays a role in the decision-making process. The essence of decision making is transparency where the process is open to scrutiny. Unlike a negative climate, a positive climate contributes to effective processes of decision-making.

Martin, Kish-Gephart and Detert (2014: 295) assert that leaders not only directly influence the behaviour of members, but that their actions also influence the perceptions of members. This leads to norms and expectations of appropriate conduct copied from the leader's behaviour. Kalshoven, Den Hartog and Hartog (2011: 349) indicate that ethical leadership contributes to positive relationships with followers such as attitudes and behaviours, trust and satisfaction. Leaders use different mechanisms to promote the ethical climate within institutions, which leads to institutional culture, and subsequently a public ethos. Leaders who creates harmonious relationship with employees tend to experience a high level of job satisfaction which results to better performance. The leader who is not supportive of employees' welfare, contribute to a dysfunctional environment where each employee have less concern with the positive achievement of the departmental goal. This implies that an ethical leader is obliged by his/her position to create an ethical climate at the workplace, where positive ethical values subvert negative perceptions about ethics.

### **2.5.3.3 Re-inforcement**

Cooper and Menzel (2013: 59) indicate that the leader should also reinforce accountability in the conduct of public officials through rewards and sanctions. Ethical leadership self-disciplines itself, as such leaders should enforce discipline among followers, not as a punishment, but as a way of deterring individuals from conducting unethical activities. Reinforcement can be formal or informal. Informal reinforcement includes rewards which seem to be effective. In the South African public service, informal reinforcement is suggested by the Anti-Corruption Strategy as a motivation aimed at encouraging public officials to act accordingly within acceptable standards.

Informal rewards involve recognition, trust, respect, increased discretion and autonomy. Formal sanctions must be done as a form of corrective measure than as a punishment. Ethical leadership is sensitive to moral issues; therefore, discipline should be in accordance to the Code of Conduct, within the ambit of respect to individuals, consistent with the transgression, uniformly applied, and unbiasedness with balanced decisions. Trevino *et al.*, (2000: 135) indicate that reinforcement serves as a powerful means to send a strong message to public officials that corruption does not pay. It also creates awareness about desirable and undesirable conduct. In South African public institutions, lack of reinforcement is cited as a missing link in curbing corruption and other unethical practices by public officials.

Manyaka and Nkuna (2014: 1574) expressed their concern on the lack of sanctions against unethical behaviour by senior public managers in Limpopo Province and that this contributes to widespread perceptions of corruption that dominate the media. The lack of reinforcement affects the public service ethos as it allows the spread of unethical practices to other systems of governance. Reinforcement requires competent management processes; it serves as a motivator as followers have empirical experience that transgressions of ethical codes of conduct will result in punishment, whereas compliance and acting within acceptable standards will result in rewards. Reinforcement can be built into the evaluation of employee performance. Ethical expectations must be included as part of leadership function as a way of ensuring institutional integrity.

#### **2.5.3.4 Leadership and Communication Competences**

Brown and Trevino (2006:597) maintain that ethical leaders make ethics an important part of their responsibility through displaying competencies in communicating ethics and values of the institution. Furthermore, the definition of ethical leadership confirms that ethical leadership communicates ethics to followers to enable reinforcement. Feedback in a form of communication also lubricates other ethical principles such as

transparency, accountability, efficiency and competence. Communication creates an awareness of the dimension of specific decisions, tasks and situations. Cooper and Menzel (2013:62) assert that ethical leadership must talk openly and honestly about the ethical dilemma that they face when making decisions. The sharing of information at institutional workshops, seminars and meetings, where followers get a sense of belonging and how to fit their morality into that of the institution. The other causes of unethical behaviour in the public service are due to lack of communication or lack of clarification that result in rules being flouted, particularly in relation to procurement. Some of the legislation, such as the Code of Conduct, are broad statements which need clear interpretation. Complex legislation, if not properly communicated to public officials, contributes to conflict of interest. In the public service, the efficacy of promoting ethical awareness depends on the level of communication with public officials. The Batho Pele principles prescribe that public officials should share information regarding services offered by the government to customers. Communication as a two way process is essential to inform the public about services and opportunities which they can access from the public service. Feedback is one of requirement for redress which depend on effective communication between the public officials and the citizens. Internally, public officials depend on the level of communication to be informed of government's intentions and ideals.

## **2.6 CONCLUSION**

Moral theories and government legislations serve as sources of values and have implications on public service ethics. The chapter also provide awareness that ethics governance is a holistic approach which requires competency skills to integrate theories and practice. The discussion reveals that although all public officials are responsible for achieving institutional objectives in an ethical manner, the leader's role is salient in creation and maintaining public service ethos. It is evident that the effectiveness of public service ethos is evaluated based on normative values, ethical role modelling and the moral competence of a leader.

## CHAPTER 3

### DETERMINANTS AND MANIFESTATIONS OF UNETHICAL LEADERSHIP IN THE PUBLIC SERVICE

#### 3.1 INTRODUCTION

This chapter attempts to examine the relationship between unethical leadership and corruption and how the relationship affects service delivery in public institutions. The ethical dimension of unethical leadership will be analysed within the context of public service governance. Corruption in this situation, is regarded as one of the distinct outcomes of ethical lapses faced by senior public officials in their quest to pursue their own personal interests above the public good. Studies indicate that public leadership is one of the key factors that determines the quality of governance. In South Africa, the prevalence of corruption in public service governance and its adverse impact on socio-economic development is widely acknowledged. Literature review on public ethics cannot be complete without analysing the dimension of unethical leadership and its influence on public service delivery.

The discussions of ethical leadership in previous chapters illustrate that it is effective in ensuring that public service operates within the normative guidelines. The researcher assumes that the role of unethical leadership as a phenomenon is given less prominence in exchange of ethical leadership. Only when causes, manifestation and consequences are discussed as an outcome of corruption and maladministration, have bearings on the actions of unethical leadership. The role of unethical leadership is analysed, taking into consideration the characteristics of unethical leadership and the influence on service delivery. The chapter discusses why government and researchers are concerned about the role of unethical leadership and its consequences to good governance.

### 3.2 CONTEXTUALISING UNETHICAL LEADERSHIP AND CORRUPTION

Lasakova and Remisova (2015: 320) affirm that unethical leadership concept is multi-faceted and diverse. This implies that there are various causes, ranging from personal, institutional and external influences that confront senior public officials to behave in unethical manner, which violates the acceptable moral standards prescribed for acceptable behaviour. Chandler (2009: 71) defines unethical leadership behaviour as the organisational process of leaders acting in a manner inconsistent with agreed upon standards of character, decency, and integrity, which blurs or violates clear, measurable and legal standards, fostering constituent distrust because of personal interest. This definition implies that unethical leadership is the opposite of ethical leadership. Brown and Mitchell (2010: 588) view unethical leadership as behaviours conducted and decisions made by organisational leaders that are illegal and/or violate moral standards. Unethical leaders also impose processes and structures that promote unethical conduct by followers.

The conceptual definition of unethical leadership positions the leader as someone whose character shows qualities of being immoral as a person and also a manager. Unethical leaders lack integrity leading to dishonesty, untrustworthiness, disrespectfulness and scheming. Conflict of interest in the public service is the outcome of unethical leaders who use the public service environment as a domain to serve own interest. The notion of egoism orientates senior public managers to transgress norms and rules that guide ethical behaviour. The unethical leadership behaviour is associated with bad or poor governance in most developing countries which include South Africa. The World Bank (2007: 10) defines corruption as the abuse of public powers and public interests for personal gain or for the interest of the exclusive group and at the benefit of the exercising of public power. Naidoo (2012: 659) describe corruption as any conduct or behaviour in relation to persons entrusted with responsibilities of public office which violates their duties as public officials and is aimed at obtaining undue benefits for themselves or for others. This implies that the senior public managers whose values are in contrary to his obligations and the mandate of office is exposed to temptation of promoting self-

interest over public interest. Mapuva (2014: 165) refers to corruption as dishonest, bribable, fraudulent or dishonest action by a political officer bearer, public official or other person. Gildenhuis (1991: 69) points out that corruption is blatant and deliberately dishonest use of public money and goods.

Mirugi-Mukundi (2006: 5) views corruption as dishonest or illegal behaviour especially by people in authority. Scholars and researchers associate unethical leadership with manifestation of corruption, maladministration, scandals and any other behaviour that violates rules and standards that governs public administration. This sentiment is shared by Vorster (2012: 2) who contends that corruption is always associated with immoral acts or conduct of an individual. These conceptual definitions by various researchers support the argument that central to corruption, there is an individual involved. According to the aforementioned authors, corruption is defined as an acts containing three elements which are; violation of laws, rules and regulations, unethical standards and conducts, misuse of officers' positions and acceptance of material for reward or personal gain.

Lakasova and Remisova (2015: 319) associate unethical leadership with leadership action which quantifies its immoral dimension by looking at character traits such as being narcissistic, destructive, toxic, dark, bad, dysfunctional, tyranny, despotic, self-centred or self-interested and manipulative. The challenge with these traits is that the outcome of such leadership is dysfunctional managerial praxis. Resick, Martin, Keating, Dickson, Kwan and Pen (2011: 441) conducted a survey in America, Asia and China on ethical and unethical leadership. The findings of the survey show common attributes of unethical leadership across cultures.

Themes, attributes and behaviours dominant in negative leadership-follower-stakeholders exchange define the moral perspective of the leader. All categories affect the performance of public officials in discharging their duties in an ethical manner. According to Lakasova and Remikova (2015: 319) unethical leadership represents one of the worst examples of managerial misconduct in organisational setting which influence corrupt behaviour at the expense of common public good.

The attributes of unethical leadership are divided into six categories as illustrated in Table 3.1 below :

**Table 3.1: Attributes and behaviours of unethical leadership**

Themes	Sample attributes and behaviours
<p><b>First Category</b> Acting in self-interest and misusing of power.</p>	<p>Pushing blame onto others; greedy and self-indulgent; personal face saving; want for power; egotistical; acting in self-interest and exploiting power; politicking; setting a bad example.</p>
<p><b>Second category</b> Deception and dishonesty</p>	<p>Collusion; corruption, deception, dishonesty, insincere, cheating, not keeping one's word.</p>
<p><b>Third category</b> Lack of accountability, compliance and transparency</p>	<p>Not taking responsibility and accountability, secretive behaviour; having hidden agendas, contravening laws and norms; hiding mistakes; tolerating or encouraging unethical behaviour.</p>
<p><b>Fourth category</b> Lack of personal values or moral code</p>	<p>Lacking moral courage, having questionable ethics, morals or values;</p>
<p><b>Fifth category</b> Incivility</p>	<p>Bullying, exploiting or manipulating others; malicious, vindictive, condescending, or inconsiderate behaviour towards staff; sexual harassment, discrimination; violating subordinates' rights; de-motivating staff.</p>
<p><b>Sixth category</b> Narrow or short-term focus</p>	<p>Exclusive focus on profit or short-term interests, failure to consider personal or social issues, failure to consider environmental impact, win-at-any cost attitude, being stubborn, narrow minded and intolerant.</p>

Resick et al., (2011:442)

Attributes in the **First to Third** category are the main breed of corruption in the South African public service. Such leaders have low regard for public interest in pursuit of their own self-interest, using power and authority to siphon-off state resources. According to Resick, Martin, Keating, Dickson, Kwan and Peng (2011: 435), a number of empirical studies have found that unethical leadership has negative implications for employees, institutions and the society. Unethical leadership can manifest itself in the form of an immoral person and immoral manager with disregard for ethical imperatives that guide senior public managers' integrity to the detriment of one's professional career.

The **Fourth** and **Sixth** categories are what Walumbwa, Mayer, Wang, Wang, Workman, & Christensen (2010: 205) contend is the type of leadership which determines the social exchange between the leader and the followers. Drawing from the social learning theory by Bandura (1977) and the social exchange theory, both explain how leadership affects public officials' attitude towards performance. Evidence showed that when subordinate public officials perceive that they are treated fairly, their level of trust increased, but if they perceive that subordinate public officials are abused or not cared for, they tend to mistrust the leaders. The outcome of such relationships result in low morale of subordinate public officials with negative outcome on institutional productivity.

The outcome of Table 3.1 about the attributes and behaviour of unethical leadership as reflected in Category 1 to 6 is what Coopers and Menzel (2013: 28) termed as *myopic* leadership where top management ignores, suppresses, or deny the ethical values in their decisions making. Myopic leadership is tolerant of unethical practices that occurs within the institution, regardless of its consequences. According to Trevino and Brown (2005: 588), unethical leadership in public service goes beyond the leader's own behaviour, like ethical leadership, it has a profound effect in institutional climate and on public interest. Dishonesty makes followers to mistrust their leaders.

This implies that the practices which constitute unethical leadership are done intentionally to harm others, or to violate standards and norms with intentions to satisfy individual's personal interest. Corruption is pervasive, its manifestation can be subtle or profound depending on the rate of commitment to unethical practices which question the integrity of the leader and that of the institution. The effect of unethical leadership is assessed in terms of public's negative perception about leadership, public institutions' role and its impact on the overhaul governance. Mafunisa (2014: 1231-1232) asserts that corruption is regarded as one of the most noticeable unethical practices that prevails in public service institutions.

### 3.3 ETHICAL DIMENSION OF UNETHICAL LEADERSHIP AND PERSPECTIVE OF CORRUPTION IN SOUTH AFRICAN PUBLIC INSTITUTIONS

Coetzee (2014: 821) contends that for the past two decades, corruption attracted increased and intensive consideration in the discourse of the development agenda. Naidoo (2012:656) raised a concern that the prevalence of corruption in South Africa has increased at an alarming rate in public service institutions. Corruption in the South African public service institutions has become systematic, endemic and difficult to eradicate. The findings from the perception survey by DPSA (2008), confirm that unethical leadership in public institutions prove that corruption has increased two-fold since 1994. The Transparency International Index (TI) in 2015 ranked South Africa 61 in corruption out of 177 countries. The Global Perception Index also confirms that corruption is not only a perception, but a reality prevailing in the public sector. In 2014, according to Corruption Perception Index (CPI), South Africa's score was 43 and ranked 67 out of 177 countries. Figures, though, show that perception about corruption has stabilised. However, a survey done by Corruption Watch still portrayed South Africa as one of those countries with a high rate of corruption (Corruption Watch Annual Report, 2015: 49).

South Africa, although governed by democratic values which promote majority interest and respect on the rule of law, has also created an opportunity for abuse of public resources by public officials. Corruption is cited by researchers (Franks, 2014; 49; Dorosamy, 2005: 77; Coetzee, 2014: 821; Naidoo, 2013: 656) as a salient form of unethical conduct. South Africa, twenty years into democracy is still encountering challenges of unethical conduct by either its leaders or public officials within the echelons of governance. Mr Hadebe, the Minister of Performance and Monitoring in the Presidency, confirmed in his keynote address during the commemoration of international Anti-Corruption Day at the University of South African (UNISA) that corruption is eroding the perception of South Africa, both nationally and internationally. Schoeman (2014: 35) supports Malan and Smith (2001) who observe that in South Africa corruption costs the taxpayer between R13,5 and R20 billion. It is evident that corruption has become a reality in South African government.

### **3.4 RELATIONSHIP BETWEEN UNETHICAL LEADERSHIP AND SERVICE DELIVERY IN LIMPOPO PROVINCIAL DEPARTMENTS**

Corruption is a moral issue that remains one of the biggest challenges facing service delivery in South Africa. The Limpopo Province, according to the Twenty Year Review Report (2014: 25) is characterised by corruption in public service which affects the quality of service delivery. Sindane and Nambalirwa (2012: 702) analysed causes of service delivery protests in South Africa and found out that there is link between governance and leadership. Public leadership is service-orientated and does not occur in a vacuum, but within political and socio-economic environments. Therefore, a leader is expected to act justly, impartially and be accountable to the public. The conduct should respect the rule of law, institutional ethics, regime ethos and virtues that promote personal integrity.

The Citydex performance rating indicates that the province has huge service delivery backlog with health risks for poor communities. In 2012, it was reported that the Limpopo Province lost almost R270 millions due to corrupt activities and irregularities in tender awarding involving senior public managers and the politically connected. This happened despite the public service transformation plan that was instituted in 1997. The report further suggests that the cause of uneven public service delivery, apart from the previous apartheid policies of separate development, is linked to unethical conduct by public officials. The province witnessed a massive misappropriation of provincial funds through the awarding of tenders based favouritism rather than on merit. The province's corrupt activities were reported as endemic as it was alleged that corruption filtered through to the lower level of public officials, notably in the form of conflict of interest.

According to the (Statistics South Africa, 2011: 6), the Limpopo Province is rural based with a population of 5.23 million citizens. It is one of the three provinces whose percentages of household with accessed to piped water (53.6%) is below the national average (88.6%). More than half the proportion of households in Limpopo (53.6%) used a pit latrine without ventilation, which is above the national average of (21.5%).

Limpopo also has the lowest percentage (50%) using electricity for cooking, compared to the national average of 66%. The official unemployment rate is the second highest in the country at 39.5%, though is above the national average of 21%. Mashigo (2011:332) analysis of poverty and sustainable livelihoods in South Africa indicates that the majority of poor people in South Africa live below the poverty line, which is usually the equivalent of US\$1 per day, which is extreme poverty. The Premier, Mr Mathabathe, during a Budget Debate in 2015 delivered a keynote address speech in which he confirmed that corruption was rife in Limpopo. It was reported that the province loses R2.7 billion due to the corruption of government officers. Furthermore, appointments to critical positions in public departments were characterised by nepotism and favouritism. An example was cited of an individual who was appointed as a Municipal Manager or a Chief Financial Officer with a Grade 12 certificate.

Zitha and Mathebula (2015: 16) assert that the level of service delivery in the province was characterized by disregard of policy framework regulating procurement and ethical conduct. During 1998, the province had a lot of ghost workers. Newspapers have reported a series of stories on unethical leadership crisis in Limpopo. Unethical leadership affects the integrity of the government resulting in low morale of society towards effective public service delivery. Mafunisa (2007: 261) highlights common unethical activities that are prevalent in the Limpopo province as; theft of assets, mismanagement of funds, unauthorised expenditure, unauthorised deductions, irregular appointments, promotions, irregular awarding of tenders, misuse of state vehicles and petrol cards, unpaid salaries, claims, cheque fraud, unfair dismissals, non-compliance with service standards and illegal issuing of permits, driver's licences and identity documents. This list attests to the fact that public governance in the province is engulfed by unethical violations of procedures. This leadership displayed characteristic of egoism motivated by greed to enrich oneself at the expense of ordinary citizens.

Managa (2012:2) contends that unfulfilled promises made by politicians during elections campaigns show dishonesty. These are tax evasion, subjective and arbitrary decisions, discrimination, the protection and covering up of incompetence, victimization, unauthorized disclosure of confidential information, peddling and speedy

money amongst others. Corruption is characterised by lack of accountability, biasedness, flouting of procedures, particularly in procurement, and weak institutional management.

The Limpopo province became known as a *haven* for conflict of interests that occurs at leadership level. Managa (2012: 5) highlights that the case of Limpopo province's corruption was aggravated by maladministration, lack of accountability, biasedness, flouting of procedures, particularly in procurement, and weak institutional management. These factors led to mistrust between the stakeholders and the government.

In the Department of Education, challenges of leadership crisis were caused by a *textbooks saga*. This was characterised by allegations that the Department could not provide text books to schools around Vhembe and other districts. It was found that books were not delivered but dumped somewhere in the veld. The incident led to several protests by the public demanding the provision of textbooks. Education is regarded as one of the most important factors for national development and in accordance to the Constitution should be accessible to all citizens. Therefore, good service delivery is one of the tools of achieving government's objectives. The Public Service Commission (PSC) Report on *Assessment of the State of Professional Ethics in the Limpopo Provincial Government* (DPSA, 2009: 23) confirmed that most unethical behaviour within the public service culminates in corruption, largely perpetuated by the senior public managers who are unethical. What is worrying is that ethical lapses in public service put senior public managers at scrutiny and this has a negative impact on their integrity.

In 2010, the perception of corruption and maladministration in the province reached an alarming proportion. Managa (2012: 6) reports that the problems of the province surfaced when it used up to R757 million overdraft facility. It further requested the Department of National Treasury to increase its facility by R1 billion to enable the province to pay salaries. On the other hand, there was accumulated unauthorised expenditure amounting to R1.5 billion in 2009. This is an indication that public officials

can engage in acts of flouting procedures and guidelines in order to advance their own selfish interest. The leadership at the time failed to comply with the National Treasury's warning about the mismanagement of public funds in the province. The National Treasury's findings concluded that the province is experiencing ethical challenges in the form of non-compliance through misappropriation of funds.

Munzhedzi (2014: 699) mentions that the area that was characterised by maladministration in the Limpopo province is the Procurement Department, whose actions were characterised by corrupt activities. In most provinces, public officials who deal with procurement are exposed to opportunities of conflict of interests. This result to the province experiencing conflict of interest through the violation of supply of management regulations, over expenditure, incompetence and negligence.

### **3.5 CAUSES OF CORRUPTION IN PUBLIC SERVICE GOVERNANCE**

Dealing successfully with corruption phenomenon requires a deeper understanding of its underlying causes. The study however shows that unethical leadership discussions is characterised by various causes of corruption such as:

#### **3.5.1 Lack of Administrative Capacity**

In South Africa, one of the challenges identified during the development of the White Paper on Transformation (1997: 9) was the lack of administrative capacity which leads to unprofessionalism in public service. In some instances, public officials are appointed based on nepotism or favouritism which compromises performance output of that particular institution. There is evidence that regulations were flouted in order to recruit cadres who were not qualified or lacked skills to perform their duty in a professional manner. On the other hand, Moloi (2014: 2) reported that induction and

orientation processes were flawed, leaving the new employs with little knowledge of processes. The new recruitments were either not subjected to scrutiny to ensure fitness for the job or not supported by programmes that would assist them to perform well. Such acts impede on the capacity of municipalities or departments to deliver quality service to the public.

Bam (2015: 113) reiterates that deployment of cadres who were not qualified and inexperienced is another contributory factor for poor performance which feeds into poor governance as occurred in Limpopo province during the transformation of public service. In the public service, deployment or appointment of an individual (mostly in senior position) are done to serve the narrow interests of the party without considering the impact on public interest. During service delivery protests, municipal managers are often cited as incompetent and this affects the discharging of one's responsibility. The lack of profession culminates in lack of capacity to deliver which opens doors for corrupt behaviour by subordinate public officials.

Mafunisa (2003: 88) indicates that the ANC led government contributed to the challenges of leadership crisis through the introduction of Cadre Policy and Development which resulted to politicized bureaucracy model. Deployment of cadres who were not skilled and qualified worsened the challenges of government in the provinces. The Affirmative Action also caused problems in the public service delivery. Redress in terms of public service recruitment focused on relatively less experienced, qualified, not appropriately skilled, younger, and largely black men with a few women. The tendency was to introduce the new entrants at very senior levels of DGs and Directors. Van Vuuren (2014: 13) reiterates that unprofessionalism compromise standards and norms of the public officials. In an institutional setting, such as a public institution, unethical leadership should not only be attributed to certain leaders' personality or traits, but should also be considered as having an external influence.

Weak leadership in Limpopo Province contribute to some senior managers engage in support of the unethical behaviour of others without directly taking part in unethical conduct themselves. The area on tender allocation based on favouritism compromise the integrity of the Province which led to its administration by the national Treasury.

When a leader fails to account for actions, there is a tendency for subordinates or others to cover-up as a form of defence. Weak leadership or lack of capacity lead to protests as a way of showing dissatisfaction by the citizens. Bam (2015:) raised a concern that the widespread service protests in South Africa due to poor performance of municipalities are partly caused by incompetency from leadership in public institutions. The deployment of cadres from the ANC movement, who are unskilled, and lack qualifications have serious repercussions in management of resources. Madonsela (2009: 12) cautioned that sooner or later there would be no money left for service delivery in South Africa.

### **3.5.2 Excessive Regulations and Authorisation**

Literature review on governance in South Africa reveals that since the democratic dispensation, the government has enacted a series of regulations aimed at addressing unethical behaviour by public officials. The public, after realising that the process for decision making on matters that affect them is slow, tend to resort to bribery wherein the public officials are given a token or money in exchange of service delivery. Apart from regulations, authorisation is required before taking or implementing any activity. Public service institutions are also characterised by over-centralised control which gives rise to monopoly of power to the officials who must authorise or inspect activities before a decision is taken. This results in unnecessary delays due to red-tape kind of processing documentation. The officials are able to use their own power to extract bribes from those who need authorisation. For example, the Home Affairs Department became vulnerable in this regard. For foreign nationals to get permits or visas, bribes are requested to speed up the facilitation of the process (Tanzi, 1999:10).

Moloi (2014:2) remarks that the combination between incompetence and stringent regulation provides a potent base for corruption. It presents a vicious cycle which starts with recruitment not based on merit. An incompetent senior public official will surround himself or herself with incompetent, inexperienced and unqualified junior staff to manipulate them. Unqualified individuals who lack skills tend to undermine due

process or flout rules and regulations unknowingly. Such recruits will give blind loyalty to the processes and unnecessary compliance, the protection for position normally leads to a breakdown in the control environment. Lack of control and oversight lead to inability to detect corruption due to failure to account. Incompetent managers are often found out, charged, suspended and fired, but new recruits are brought in and the cycle starts all over again.

### 3.5.3 Inadequate Monitoring and Evaluation on Government Projects

Tanzi (1999: 12) contends that public administration is about dispersing of goods and services to the public to meet their needs. The function of the government should engage public expenditure on projects initiated by the governments or through public needs. These projects should enhance or complement public's well-being. For instance, the government has to take decisions on implementing programmes through allocation and spending of funds. Projects such as building of hospitals, schools, roads, sanitation and water reticulation and public service institutions demand spending to realise the intentions of governments. Corruption is prevalent in public expenditure.

**Investment Projects** lead to frequent acts of high level of corruption. The fact that public leaders should use discretion to arrive at such decisions, leads to a situation where the process becomes vulnerable to corruption. In 2008, the Limpopo provincial government faced an ethical challenge in its governance due to gross maladministration of the tendering process in its procurement departments. Investments projects like building malls are exposed to conflictual obligations by the senior public managers and resort to wasteful expenditure. The scrutiny by media, interest groups and stakeholders indicates that the perpetrators of misappropriation of resources was largely apportioned to senior public officials.

**Procurement Spending** is another area that creates a fertile ground for corruption by public officials including leadership. The purchase of goods and services on the part of the government, is another area that is highly affected by corruption. Municipalities governance is exposed to such type of conflict of interest. In Limpopo, during 2008-2011, it was discovered that there were unfinished projects which later caused the provincial governments to spend more to finalise them. In the end, it was realised that such investment projects were done to create opportunity in the form of *commission* derived from consultation fees. A cost-analysis done by auditors found out that such expenditure has not been justified (Mathebula, 2014: 24).

**Extra-budgetary accounts** are common in public institutions. Developing countries, more especially in the African continent, rely on grants and foreign aid to strengthen infrastructure, and to realise their programmes. The government channels these funds through special secret accounts that lack transparency. Tanzi (1999: 14) mentioned that some of that money is used illegally to enrich a few individuals in positions of power. Local municipalities in South Africa are typical examples where money from national treasury is channelled to special accounts inaccessible by public officials.

#### 3.5.4 Level of Public Sector Wages

In public service economic factors have a profound effect on corruption and other forms of unethical behaviour. Malan and Smit (2001: 48) indicate that disparity of salaries and wages in the public sector provide a fertile ground for corruption. When public officials are not paid a living wage, incentives to demand bribes are considerable. Senior public officials play a key role in recruitment and promotion. People who are not qualified are brought to the public service to be appointed based on connections through nepotism, favouritism or as a way of kickbacks. Professionalism is a cornerstone for efficiency, lack of professionalism results in lack of ethical awareness, deficient control and accountability due to failure to interpret policies for ethical behaviour.

Mapuve (2014: 8) contends that there are trade-offs between the level of corruption and the level of wages. Low wages in the public service and political deployments contribute to bureaucratic corruption. Public officials resort to doing one's projects during working hours to augment the salary. Bribery, fraud and kickbacks are often caused by low payment of public officials. Such practises compromise the integrity of the public service institution such as the Traffic Department, Safety and Security amongst others (Manyaka & Nkuna, 2014: 1576). The level of public sector wages determines the level and frequency of unethical conduct by public officials. Lack of promotion and incentives like in the private sector put public officials in an awkward position of compensating themselves in the form of bribery, kick-backs and fraudulent activities.

### **3.5.5 Weak Public Institutions**

Zondi (2009: 5) concludes that while corruption is devastating to good governance and development, it thrives on conditions where there are weak institutions. Corruption poses great challenges to public institutions' capacity to deliver quality services. According to a report titled *Towards a Fifteen-year review: Assessing the effectiveness of the national anti-corruption framework* in 2008, the DPSA findings confirm that corruption is a universal problem that undermines growth and development. Corruption diverts away resources from development programmes, thus resulting in increased poverty, inequality and underdevelopment (DPSA, 2008: 2).

The United Nations Economic Commission for Africa's (UNECA) Committee on Human Development and Civil Society (2003:1) adds that weak public institutions create a conducive environment where the leaders and public officials disregard practices of accountability. As a result, ethical norms are violated without calculating the consequences on the performance of public services. This impacts on the ability of public institutions to further the goals of government and contributes to underdevelopment or lack of development. Governance is weak when power is

concentrated in a few hands without serious accountability to the people on the ground. Zondi (2009: 5) raised a concern that weak public institutions are the outcome of ethical leadership lapses.

Mollo (2013: 20) asserts that the other challenge for promoting ethical behaviour was the weak management of ethics by senior public officials, despite ethical infrastructure to curb corruption. On the other hand, the offenders were either not disciplined or disciplined cases not followed. Weak institutions are often caused by blind loyalty of public leadership to the executive by bowing down to pressure from above. The other cause of weak institutions is negligence by senior public managers due to lack of accountability. Moreover, acting positions in public service constitute to lack of ownership which affect the purpose of the incumbent's commitment to performance.

### **3.5.6 Patronage and Political Leadership**

Schoeman (2012: 14) postulates that in South Africa, the ethical dilemma is mainly caused by the patronage of political leadership. The South African political and management arrangements in the public service are not dissimilar with most modern democratic states. Political leaders are elected and are entrusted with the responsibility of running the affairs of government during their term of office. Therefore, politics has become the launching pad to economic and social power and prosperity. This means that political participation becomes meaningless as corruption continues to make political participation unfair, uneven by excluding the great majority of the people. Political patronage creates a gap between those who control politics and economic power and the controlled. It has been argued that in countries where corruption is systematic, grand and organised, the majority of citizens find themselves completely alienated from politics and have resigned themselves to fate.

Andrade (2002: 7) has coined a theory and scientific formula to reinforce the debilitating impact of corruption on democratic governance,  $C=P+M-R$  and  $A$ , in which

Corruption is equal to Power plus Monopoly minus Responsibility and Accountability. Simply put, the formula means despot leadership assumes power and monopolises public institutions and is not responsible or accountable to the general public.

This is an indication that politics has become an enabler for economic and social power and prosperity. In this situation, political participation becomes meaningless as corruption continues to make political participation unfair, uneven by excluding the great majority of the people. Therefore, political patronage creates the gap between the authority who control political and economic power and the masses. In Limpopo province, some of the conflict of interest were blamed on political connection where tender allocation continue to be ethical crisis for the Province up to date. The tenders for feeding schemes aimed at fighting malnourished in government schools are characterised by nepotism, favouritism, kick-backs and through soliciting of bribery.

### **3.5.7 Bad or Deliberate Legislation**

In South Africa, prior to 1994, apartheid legislation and regulations were designed to sustain and protect the policy of separation. Complex legislation leads to confusion of public officials to comprehend the objective of the legislation. Complex legislation breeds an unethical conduct due to incorrect interpretation which leads to inconsistencies and taints the achievement of the organisational goals. The White Paper on Transformation of Public Service Delivery pointed out that individual citizens' complaints about services are not taken into account by public officials to an extent that they find it a daunting and time consuming exercise. Furthermore, lack of information and complex regulations are barriers to good services (White Paper on Transformation of Public Service Delivery, 1997: 11).

Public participation is the direct involvement or engagement of ordinary people in the affairs of planning, governance and overall development programs at local or grassroots level. This means that participation is inclusive of societal partners to ensure that social, economic and political development is achieved.

Maloba (2015: 54) cited participation in the sense of good governance to suggest that the task of running public affairs is not the sole responsibility of the government and public administration, but it is also entrusted to co-operation between the state, civil society and the institutions. Since the adoption of the democratic government in South Africa, public participation through the improvement of service delivery remains a priority to the government. Schwella (2001: 367) states that in 1995, one of the ideals of the White Paper on Transformation of Public Service policy was to ensure that public is consulted in matters of governance that affect them. Poor governance due to unethical leadership undermines the government's approach of *people-centred* development. According to Pillay (2004: 586), leaders are accountable to the developmental agenda of the community, but lack of accountability undermines the ideals of public participation. Therefore, manifestation of corruption is the result of leadership failure to account, acting in self-interest, incivility, and failure to project long-term goals for sustainability.

### **3.5.8 Name Dropping**

Andisile (2015: 2) reported that name dropping has become a common trend by officials who want to get things done. Name dropping is cited as another cause of corruption in public service, particularly in procurement processes. It is the act of using names of influential people to persuade someone to act in accordance to what is required. Dropping names to persuade someone is equivalent to cheating. It is a power norm which individuals use to manipulate service providers to get things done through the use of authoritative influence. In management language, name dropping is referred to as impression management that should not be ignored when discussing personal bargaining.

De Vos (2013 : 1) mentioned the Gupta scandal in South Africa as a classical example of name dropping. The Guptas, affluent associates of the President of South Africa, Mr Jacob Zuma flew to a military base. The Minister in the Presidency Office, Mr Jeff Radebe reiterated that following the case of the Gupta scandal and intrusion of their

flight to Waterkloof Military Base Airport, name dropping should be classified as a form of gross misconduct, particularly for members of the civil service. The Guptas dropped the president's name as a means to abuse state power. This is a confirmation that causes of corruption can be internal or external. Name dropping is prevalent in areas of procurement in relations to supply of goods and services. The problem is that name dropping is not done by ordinary public officials or ordinary individuals, but it is done by affluent people who have resources to bribe to get their things done. Name dropping is regarded as massive abuse of public power and resources.

South Africa needs a service awareness campaign to discourage the negative culture of name dropping in the form of improper use of the names of members of the executive in the public sector. It is also recommended that the definition of misconduct should be amended to include name-dropping as gross misconduct. Such conduct is regarded by others as a contravention of the Prevention and Combating of Corrupt Activities Act. Unfortunately, there is no sanction for name dropping and this makes it difficult to prosecute such cases. In this way, name dropping is the advancement of personal interest using the position of influential persons to public officials so that they acquiesce to one's demands and requests.

### **3.6 MANIFESTATION OF CORRUPTION IN PUBLIC SERVICE**

The manifestation of corruption in public service determines the level of damage it has on social and economic programmes. Vorster (2012: 133) proposes that corruption manifests itself in various forms as follows :

#### **3.6.1 Bribery**

According to Malan and Smit (2001: 12) bribery is the act of persuading a person by a gift of some sort or act immorally. Bribery is when the official is expected to be paid for services that are part of their normal duties in order to gain favour of preference.

Schoeman (2014: 13) refers to bribery as widely accepted offering, giving, receiving or soliciting something of value to influence the actions or decisions of a public official or other person. The bribery may take many forms such as money, gifts, advantage, promise or undertaking to induce or influence the action. Bribery happens at the official level when one is requested to commit an act or omission of an act in favour of the person who solicits such a favour. The senior public official, through creation of an ethical climate should ensure that unethical offences are discouraged through sanctions.

In the South African public services, bribery has become systematic, it has become a norm and consumers know that to get things done, one has to pay a bribe. The government has since attempted to deal with bribery by apprehending or suspending culprits. The challenge with bribery is that it is almost in every sphere of administrative activity such as promotion, recruitment, tender allocation, procurement, appointments amongst others. The Department of Home Affairs was hard hit by bribery from national to local level. Some scandals implicated senior public officials and subordinate public officials who were bribed by foreigners to qualify for South Africa identity documents ([http://: www.dha.gov.za](http://www.dha.gov.za)).

### **3.6.2 Fraud**

Gwanzura (2012: 45) regards fraud as an act that occurs when officials are offered the chance to get rich fraudulently as a result of the government having to pay out funds of some kind, be it in the area of procurement, salaries and pensions. An alarming number of officials are prepared to take advantage of any opportunity they find and defraud the government and the taxpayer. Fraud is a common manifestation of unethical leadership in public service. It is regarded as one of the conflict of interest which constitutes criminal case which could end one's career.

According to De Beer, Chairperson of NCOP Finance in 2013, reported that in Limpopo, a total of 303 cases were referred to SIU for further investigation. The SIU

forwarded 88 cases for investigation to the DPSA. Out of the total cases to DPSA, 44 senior staff members and 44 junior staff members were charged. In this scenario, leadership disengagement to the good moral behaviour also influences followers. Undisclosed business interest increase fraudulent acts in public service. South African media news is dominated by fraud that involves government resources. This trend is still continuing although public officials are dismissed or imprisoned. This is an indication that the benefits of misappropriation of resources or funds far outweigh the benefits of doing the right thing. Fraud is therefore a noticeable outcome of unethical leadership.

### **3.6.3 Extortion**

Extortion is the process of forcing someone to do something by threats. Extortions are done to get favours or services from officials through the contravening of rules, laws or regulations. Mainly the victims secrets that are known by an extortionist. According to Malan and Smit (2001: 16) blackmailing is a notable form of extortion. In public service, public officials are often torn between institutional values, personal morality and the opportunities that they are exposed to. An individual can demand money or other considerations from a person who has been ordered to pay in order not to disclose information that may be damaging to him/her. In extortion, the victim willingly surrenders to the extortionist as a way of protecting his/her integrity. The problem with extortion is that it lacks transparency.

### **3.6.4 Nepotism**

According to Malan and Smith (2001: 17), nepotism is favouritism shown to relatives, same ethnic group, sex, gender, belief or association. Nepotism is often found in administrative areas of job allocation where the leader or supervisor favours certain staff members over others in terms of job enrichment, unmerited promotions and also

through appointments. Mainly, nepotism goes hand in hand with the abuse of power as leaders have referent power that they use to reward favoured people or punish those staff members outside their favour. Most institutions, including private and parastatals are experiencing a high volume of nepotism conduct.

Sebola (2014: 301) remarks that nepotism and favouritism in South Africa contributed to major ethical dilemma faced by senior public officials in today's public service. The problem with nepotism is that it affects the morale of personnel adversely, resulting in low morale which in turn lowers productivity. Senior public officials who engage in nepotism are often characterised by incompetency and sense of inferiority. Such individuals look for someone they can control or manipulate for their own advantage. Favouritism is not only a legal or procedural problem, it normally leads to dysfunctionality of departmental behaviour due to lack of expertise, hence lack of professionalism. Nepotism also encourages brain drain when qualified staff members resign due to perceptions that the system is unfavourable towards them. People are appointed or promoted not based on merit (Amundsen & Pinto de Andrade, 2009: 33).

### **3.6.5 Conflict of Interest**

Kanyane (2005: 62) confirmed that the Limpopo Province was riddled with conflict of interest which negatively affected the effective achievement of government's priorities. The aforementioned statement indicates how detrimental corruption is to quality service delivery. According to Kuye and Mafunisa (2003: 427) conflict of interest is a situation in which an employee displays personal interest over his/her duty to an extent that such a person experiences a responsibility clash with private economic affairs. Schoeman (2014: 84) notes that conflict of interest occurs when an individual has competing interests that tend to undermine the individual's impartiality and influence self-interest over the professional values. Kanyane (2015: 63) also notes that an employee in a situation of conflict of interest is able to use government position to achieve personal monetary gain. Conflict of interest is to be confronted by inescapable

tension between interest and duty, between the inclination of private life and the obligations of the public role.

Cooper (2006: 129) indicates that conflict of interest is an insidious difficult problem, especially for public administration. Cooper further indicates that the quest for advancing personal interest over the public contributes to self-interest. The conflict of interest deprives the government of achieving the common good aimed at ordinary citizens to promote their welfare. Opportunities brought by NPM paradigm lead to temptations by public officials to exploit government resources for personal gain, such as in instances of tender allocations and procurement of goods and services. The senior public official should ensure that the code of conduct regulating the process as well as financial management policies are adhered to. Kuye and Mafunisa (2003: 427) further remark that the concern with conflict of interest is that it reduces public confidence and public trust. Senior public officials should be concerned about the conflict of interest as it attracts wide spread criticism from the media, opposition parties, interest groups and public itself. The negative publicity results in erosion of personal integrity as well as the institution's integrity.

### **3.6.6 Kickbacks**

Kickbacks are cited as one of the most common forms of corruption in the public sector. A kickback is when public officials are given a token or payment in order to provide favour towards that particular person. It mainly occurs in the area of procurement where the seller entices the public official to influence improperly future purchases or leases. The tender system is an area which increases corruption and maladministration. The Code of Conduct warns the senior public officials not to accept kickbacks as it is unlawful. Kickbacks instigate the inflation of prices as the person who was given a favour has to payback a portion of money as a gesture gratitude (Davis, 2004: 58).

Ngobeni (2016: 26) indicates that a kick-back is an off-record exchange of moneys between two or more parties, as such it is difficult to detect and prosecute. During the Period 2008 to 2012, the Department of Education in Limpopo was subject to frequent negative coverage in relation to kickbacks by its senior public officials which led to the textbook saga. The challenge with kickbacks is that they result in inflated prices of goods and services and are therefore costly to institutions. Despite intervention, in 2013, the Auditor General's report reveal that the Department of Education continue to receive a disclaimer report under the leadership of the intervention team. This is an indication that kickbacks are elusive and complex to deal with.

### **3.7 CONSEQUENCES OF CORRUPTION ON GOVERNANCE**

The challenge with consequences of corruption in public service is that it does not end with the perpetrators only, other public officials including the society are also adversely affected as follows:

#### **3.7.1 Public Confidence**

Mafunisa (2007: 260) states that the primary reason for concern about corruption is that public trust and confidence in the government is reduced. Coetzee (2014:825) maintains that unethical leadership behaviour impact on the integrity and trust of the institution. The relationship between the public and state is a bond for dependence through intergovernmental relations between citizens as participants and the government as the agent of services. The breakdown of trust impairs this interdependency relationship and affects the quality of interaction. What follows are numerous protests by members of the public as they air their grievance. The World Bank (2001: 1) confirms that corruption distorts people's relationship with and trust of public officials, which impacts on good governance.

Downe, Cowell, and Chen (2013: 600) contend that behaviour of leaders has an effect on the perception of public confidence and trust. Unethical leadership leads to the erosion of trust. In April 2016, during the court ruling about the Nkandla debacle, it was found that the President unduly benefited in the upgrading of his homestead, thus violating his responsibility of being faithful to his obligations. He was also found guilty of not implementing the recommendations by the Public Protector. Since the court ruling, South Africa's perception about corruption by leaders has increased. Public confidence was negatively affected as organisations such as the Council of Churches in South Africa, the Mkhonto we Sizwe veterans, some individuals and opposition parties called for the President to resign.

Mollo (2010: 26) also adds that corruption compromises democratic political process and generates a state of apathy and disengagement amongst citizens. Furthermore, it creates, morale decline which compromises the integrity of the government and its governance. In a democratic, social stability is one of the pillars of democracy. Once the public develops a perception that corruption is pervasive, it threatens economic growth and undermines the philosophy of democracy. In Limpopo, the placement of some of the departments under Judicial Administration resulted in the erosion of confidence by society. The action of Judicial Administration contributed to a heightened perception of ethical challenges within the province's echelons of governance. This became a concern as perpetrators of ethical transgressions were the senior public managers and provincial political leadership. Protests within the province were a sign of dissatisfaction towards government capacity to deliver quality service. Unethical leadership or ethical leadership lapses is the major contributory factor to protests over social services delivery.

Netswera and Kgalane (2014: 268) supports the notion that protests for service delivery are partly caused by poor or lack of basic services in the community. The community would have perceived that the poor service delivery is the outcome of corruption. The challenge with service protests is that they have developed a trend of being violent, particularly at municipalities level. Protests are often accompanied by criminal acts of vandalising government and individual's properties. Mainly, the protest target education service and disrupt attendance of classes, which in turn is costly to

the government. The trend in South Africa also destabilises learners' education as they are compelled to participate in strikes. Protests by communities are linked to lack of trust to government which question the integrity of government. Unethical leadership display tendency of not listening to the community's demands, or ignore them which could result to being amoral or being immoral. Given the availability of a series of frameworks to promote ethical behaviour, South Africa was supposed to manage public's demands in a professional manner.

### **3.7.2 Corruption and Societal Morale**

According to Hilliard (2001: 101), public officials as well as leadership should set the trend for good standards and enhanced moral behaviour. Society expects the government and its officials to personify ethics for good governance. The continuous decline of morals within public institutions affects the morale of the society. Negative perceptions about unaccountability, lack of transparency and inefficiency by public service, spell failure by leadership to enforce ethos. As such, public leadership is viewed as ethical failure by the public and this leads to heightened corruption. Corruption can filter down to subordinate public officials and end up being a norm in public service institutions. Society tends to withdraw from participating in matters that affect them. Leadership, governance and sustainable development are inseparable.

Naidoo (2012: 661) contends that unethical behaviour starts at the top and cascades downwards to lower ranks of the public service. Failure to personify good moral conduct by leadership affects followers and who may act accordingly, thereby creating an apathy kind of governance. The outcome of low societal morale is characterised by informal channels to deal with public dissatisfaction such as protests, picketing, strikes, stay-aways as a means for the public to make their voices heard. Mafunisa (2008:9) and Thoms (2008:421) also point out that leadership at the top determines good or bad governance.

### 3.7.3 The Influence of Corruption on Development

Coetzee (2014: 823) emphasis that corruption impacts on poverty and underdevelopment as it is the case of Limpopo province. Corruption is complex, pervasive and elusive, as such it creates more possibilities which open avenues for other variables such as spirall of corruption filtering to other levels which culminates to series of poverty. Furthermore, Coetzee (2014) states that the impact of corruption includes any effect, repercussion, implication, thrust, shock, burden, measurable or immeasurable dimensions of human aspirations. Sindane (2011: 756) asserts that good qualities of governance are found in a set of formally structural attributes; constitution, rule of law, judicial review and limited government to regulate vertical and horizontal inter-governmental relations. Corruption undermines development by creating scarcity of resources which result to inadequate access of services. Scarcity of resources have repercussions on service provision of goods and demands to meet citizens' basic needs. It creates scarcity of competition by limiting competitors for tendering, limiting competition for appointment of staff, limit subsidies needed for national development in form of grants to starting businesses. As such the process lead to senior public leadership engaging in corruption due to limited competition and participation for tendering. Under this circumstances, corruption is unchallenged due to an apathy state from citizens who are demotivated to participate due to unethical acts of leadership.

Citizens are unable to fulfil the objectives of development to be self-sustainable and self-fulfilment. Corruption contributes to dependency to state resources, which is negatively affecting good governance in South Africa. William (2009: 197) argues that for development to be successful, the government should strengthen the approaches towards citizens' participation. In Limpopo province, poor governance led to backlog of infrastructure such as building of roads, sanitation in primary schools and quality health facilities, particularly in most rural areas. The consequences of corruption and maladministration in public service delivery has adverse effect on the developmental agenda of the province, public service delivery and ultimately the welfare of the citizens.

The Presidential Review (DPSA, 2015: 28) explained that high rates of unemployment anchor widespread poverty. Scarcity of resources leads to dependency of society on government resources. Citizens are unable to fulfil the objectives of development to be self-sustainable and self-fulfilment. Corruption contributes to lack of self-reliance which is negatively affecting good governance in South Africa. Since inception of the democratic government, South Africa is experiencing one of the highest rates of unemployment amongst its youth. Maloba (2015: 10) maintains that the problems experienced with service delivery are due to widespread corruption and distortions of government priorities, both of which undermine the ability of the government to improve broad-based economic growth and social well-being. In 2012, the government launched National Planning Commissions (NPM) policy framework to assess impediments of development and how to move forward. The NDP (2012: 29) states that government needs an effective public service to achieve its developmental goals through quality implementation of policies and programmes. According to Davids and Theron (2014: 40), for the past two decades, the ANC-led government came up with intensive policy reforms as a means of poverty reduction to foster progressive national development. Corruption and unethical leadership crisis are regarded by the government as a concern that need to be addressed by both public sector and the private sector.

### **3.8 CONCLUSION**

It is evident that unethical leadership is one of the key contributors of poor governance. Sadly, manifestation of unethical practice under unethical leadership continues unabated. The discussions on the manifestation of corruption reveals that the phenomenon is complex and multi-dimensional spilling over to the maladministration of resources. The manifestation and consequences of unethical leadership, position it not only a moral challenge but also as a crime which takes place within the context of unethical leadership.

## CHAPTER 4

### MECHANISMS TO PROMOTE GOOD GOVERNANCE IN THE PUBLIC SERVICE

#### 4.1 INTRODUCTION

Fox (2000: 96) argues that the mechanism of curbing corruption in public service institutions carry ethical implications. The main purpose is to protect the integrity of the Constitution of the Republic of South Africa that underpins the democratic ethos that society should adhere to. This chapter intends to provide an insight into the role of key legislative institutions, policy frameworks and initiatives established since 1994 as mechanisms to promote good governance through ethical leadership. The mechanisms vary from compliance based to rule-based. They serve as preventative measures to detect and discourage corruption. The legislatives and frameworks are instrumental in defining mechanisms for combating corruption within public service, private sectors and individual citizens.

Since the adoption of the Constitution of the Republic of South Africa, government has demonstrated sterling commitment to the eradication of corruption within its public service institutions. The government, after realising the negative consequence of corruption on governance, introduced numerous legislative and anti-corruption policies to deal with corruption on national, provincial and local levels of government. A literature review reveals that South Africa has one of the most progressive legislative frameworks to instil and maintain ethical infrastructure. This infrastructure consists of key institutions, sectors, laws, policies, programmes, practises aimed at enhancing good governance for the integrity of democratic government. Therefore, this chapter seeks to explore the role played by the abovementioned ethical infrastructures.

Furthermore, the chapter examines challenges that hamper the effectiveness of anti-corruption measures, and how existing legislatives and other existing measures can be improved (Manyaka and Sebola, 2013: 76).

## 4.2 CURBING UNETHICAL LEADERSHIP: THE LEGISLATIVE OPTION

The table below is an indication that South Africa's continuous ethical challenge is a concern for the government.

Table 2: Summary of array of legislatives and frameworks to curb corruption in South Africa.

Year	Legislation	Framework
1994	The Public Service Act, 1994 as amended by Act 30 of 2007 Public Protector Act, 23 of 1994	
1995	South African Police Act (Act 68 of 1995)	White Paper on Transforming Public Service
1996 1997	Special Investigation Unit and Special Tribunal Act, 74 of 1996	Annual Report of the Public Service White Paper on Transforming Public Service Delivery White Paper on Affirmative Action in the Public Service
1998	The Executive Members Ethics Act, 1998 provides for the The Prevention of Organised Crime Act, 1998 (Act 121 of 1998) The National Prosecuting Authority Act, 1998 (Act 32 of 1998)	
1999	The Public Finance Management Act, 1999 (Act 1 of 1999) Asset Forfeiture Unit Act of 1999	Public Service Regulations 1999
2000	The Protected Disclosures Act, 2000, (Act 26 of 2000) Promotion of Administrative Justice Act, 2000 (Act 3 of 2000) The Promotion of Access to Information Act, 2000 (Act 2 of 2000) Prevention and Combating of Corrupt Activities Act, (Act 12 Witness Protection Act, 2000	Treasury Regulations
2001	The Public Service Regulations, 2001 Financial Intelligence Centre Act, 2001	
2003		Senior Management Service: Public Service Handbook 2004 Public Sector Anti-Corruption Strategy
2004	Public Audit Act, Act 25 of 1994 Prevention and Combating of Corrupt Activities Act, Act 12 of 2004	National Anti-Corruption Hotline (NACH) for the public service National Anti-Corruption Forum Public Service Pledge for Directors-Generals
2005	• Intergovernmental Relations Framework Act, Act 13 of 2005	
2014	Public Service Administration and Management Act, 14 of 2014	

Table 4.1 strengthen the argument that since 1994 to 2005, a series of legislation were put in place to deal with corruption. The aim of the legislatives, initiatives or frameworks is to restore the integrity of the state, whose image was tainted during the apartheid era and continues unabated in post-democratic era.

#### **4.2.1 The Constitution of the Republic South African, 1996**

The South African Constitution is the formal statutory instrument that outlines how public officials should conduct themselves. Section 2 of the Constitution of the Republic defines the Constitution of the Republic of South Africa as the supreme law of the Republic, which implies that any act, policy, statutory or legislative is subject to the Constitution. All components of the state are regulated by the Constitution. With reference to public service ethos, Section 195 (1) serves as a source document for ethics, guiding the conduct of all public officials in every level of the government. Public administration as an activity must be governed by the democratic principles as contained within the Act. Section 197 (1) further explains that within public administration as a function, there is a public service for the Republic, which must function and be structured in terms of national legislation, and which must loyally execute the lawful policies of the government of the day (The Constitution of the Republic of South Africa, 2015: 111).

Wessel *et al.*, (2014: 19) argue that Chapter 2 of the Constitution of the Republic of South Africa, *The Bill of Rights* is composed of moral principles from societal, individual, democratic and universal values. The Bill of Rights is regarded as another source of ethics in terms of defining how human being's dignity needs to be respected. In South Africa, public service is the notable entity where the government's programmes are shaped and implemented, it has remained the most single important entity to promote the welfare of citizens. This notion is shared by Menzel (2012: 90) who observes that the values contained in the *Bill of Rights* set standards in protection of human rights, enshrining equity, justice and impartiality.

Naidoo (2012: 663) is of the opinion that through the Constitution, the Public Administration is accountable for good governance to its citizens. The government realises that a state's legitimacy lies in the ability of its Constitution to be responsive to quality governance, which is perceived as good by the public and individuals. According to the Constitution of the Republic of South Africa, Section 33 in Chapter 2 refers to fundamental rights of individual citizens which should be protected through monitoring, and promotion of ethos for good governance in political and administrative spheres of governance. Therefore, the Constitution of the Republic is essential for stating general purposes or aims of the government, values expected and defining who should decide, and how decisions should be made. Sanctions of unethical conduct are outlined within the Constitution of the Republic that is, the Courts are guided how to handle misconduct, fraud and corruption. Furthermore, the public is aware on how to deal with matters that affect them or if they feel that their rights are prejudiced.

Cloete (2012: 114) asserts that the legitimacy of a democratic government depends on the rule of law. The Constitution of the Republic of South Africa (1996) is the supreme law of the country. The formulation of laws by the legislature should be in conformity with the Constitution of the Republic of South Africa. The rule of law espouses that all citizens are equal before the law. This means that no one is above the law, every citizen, including the President are subject to the rule of law. Political authority is subject to rule and not arbitrary discretion. Legal rules require that the public officials should not exceed authority under the law, the action by a public official should be *intra vires* (within the law) and not *ultra vires* (against the law). Decision making or any action taken should be justified in good faith. The principle of justice in terms of *audi alteram partem* (every party should be heard) should apply. The senior public managers should listen to both parties (employees) before taking a decision. This assists the senior public managers to be ethical through balanced decisions as ethical dilemma is a multi-dimensional phenomenon. Therefore, to promote public service that is ethical, senior public managers have to ensure that governance of systems and processes in public institutions conform to the rule of law.

#### 4.2.2 Municipal System Act 2000 (Schedule 1)

According to Disoalane (2012: 91), the Code of Conduct refers to Chapter 2 of the Public Service Regulations Act, 2001, the Executive Members Ethics Act, Code of Ethics 2000. The Code of Conduct filters down to the level of provincial and local government through the conduct of municipalities, Schedule 1 and 2 of the Local Government Municipal Systems Act, 32 of 2000. Mavuso and Balia (1999: 67) contend that in South Africa, after the new dispensation, the government felt that there is a need to democratise the work environment of public officials to be responsive to public demands of goods and services. Before 1994, the majority of South Africans had the perception that public officials were not competent, skilled and not accountable. To achieve quality public service delivery, there is a need to develop an instrument that will improve the ethical standards of public officials. In 1997, through the Public Service Commission Act of 1994, the government introduced *An Explanatory Manual on the Code of Conduct for the Public Service: A practical guide to ethical dilemma in workplace*. The manual provides practical guidelines to the relevant constitutional provisions relating to public service. The Code of Conduct is a document aimed at regulating the moral behaviour of public officials in their quest to achieve the objectives of the government.

Gilman (2005: 5) views codes of ethics as broader sets of principles that are designed to inform specific laws or government actions. The Code of ethics serves as a foundational document that provides a framework for public officials, political and bureaucrats to carry out responsibilities and duties in an ethical manner. Within the Codes of Conduct manual, the fundamental principles and values of a public service are exemplified. The Codes of Conduct articulate boundaries of behaviour as well as expectations. Wessels, Pauw and Thani (2014: 23) show that the Code of Conduct is an instrument that is employed to inform and guide the moral and discretion of the public officials. It is essential in that a public official is regularly confronted by conflicting values that test individual conscience. The Code of conduct includes detailed description or definitions of unacceptable behaviour that might prejudice discipline and

proper administration of the government, such as dishonesty, drunkenness, false claims against government, insubordination, negligence, falsification or suppression of records, attempt to illegally keep records, sleeping on duty, receiving gifts as a way of kick-backs, unruly behaviour, and dereliction of duty. The Code of Conduct focuses on the moral dimension of the profession and its importance for understanding the relations among the professional groups (public officials), the larger society, and its individual professionals.

#### **4.2.2.1 Functions of the Code of Conduct**

Asvara (2014: 566) describes the functions of the Code of Conduct as promoting good governance. Menzel (2014: 87) refers to codes of conduct as an instrument that compels the elected and appointed public officials to have positive attitude towards ethics. The Code of Conduct articulates the relationship between public service and public interest, upholds the Constitution and the law, promotes professional excellence, maintains ethical environment, shaping moral dimension of individual public officials and relationship amongst public officials as follows:

- ***Respect the Constitution and the Law***

The Code of Conduct creates awareness for the public officials to respect the Constitution. Whatever the professionals do it should not be in conflict with the Constitution as it is the highest authority in South Africa. The Constitution is notable for articulating the relationship and behavioural conduct of key institutions that support democracy. Kanyane (2004:8) highlights that the Constitution introduced the Public Service Commission, an independent and impartial institution to deal specifically with conduct of the public service. The aim of the Constitution is to promote values that enhance quality life of citizens through public service delivery.

Wessels *et al.*, (2014: 19) confirms that the Constitution is the source of ethical guide, of which the Code of Conduct is part. The Code of Conduct maintains that employees remain loyal to their country by honouring the Constitution in the daily execution of tasks. The Code of Conduct also requires employees to respect institutions that support democracy such as the Public Protector, Auditor General, PSC and others. If they need, Employees should be provided information and explanations by these institutions since they serve as checks and balances to the government (Code of Conduct Manual Guide, 2002: 13 & Asvara, 2014: 566).

- ***Serve the Public Interest***

Section 4.1.2 of the Code of Conduct stipulates that an employee puts the interest of the public first in the execution of his or her duties. Section 4.2.6 stipulates that an employee does not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political affiliation, conscience, beliefs, culture or language. In South Africa, Batho Pele principles aim at promoting the relationship between the public officials and public in their endeavour to achieve common goal, hence to serve public interests. Wessels *et al.*, (2014: 21) assert that the Code of Conduct requires that the public officials serve the public with respect and in a responsive manner. Public officials should promote the unity and well-being of the South African nation in performing their official duties, respect and promote everybody's dignity. Personal interest must be subordinate to public interest. Public officials should dedicate themselves to promoting the will of the people. They should recognise and respect diversity of cultures.

South Africa is a *rainbow* nation which comprises multi-lingualism and is multi-national. No one is supposed to be prejudiced because of physical condition, language, creed, gender or culture. During 2015, South Africa experienced violent service protests in Malamulele communities which are predominantly Xitsonga-speaking which is under

the predominantly Venda-speaking Thulamela Municipality. The aggrieved community wanted to have their own municipality, citing lack of services or either poor quality service delivery under the current municipality. Some of the protesters cited prejudice due to ethnicity, culture, language and political party affiliation (Asvara, 2014: 566). For example, the Capricorn district is predominantly Pedi. Public officials should recognise other ethnicity and act professionally, particularly in terms of language.

Holtzhausen (2007:141) indicates that the code of conduct relates to duty, self-control, equal treatment and the absence of favouritism. This implies that public officials should be neutral to politics, and should not put the interest of his/her party above the public's interests. There should be no prejudice because of one's affiliation to associations. Employees should familiarise themselves with policies and procedures relevant to their professional role. They should ensure equity by being responsive to public needs. This implies that the Code of Conduct is the expansion of the Bill of Rights, *Batho Pele* principles and the White Paper on Transformation of Public Service.

- ***Serve as benchmark for acceptable standards***

According to Menzel (2014: 91); Wessels *et al.*, (2014: 23); Code of Conduct Manual (2000:7), a public official should demonstrate qualities of integrity in his/her character. A public employee occupies a position of trust; therefore, he/she should demonstrate professionalism in his/her dealings with the public. Public officials should be polite, helpful and reasonably accessible, show fairness in treating everyone as a client who expects quality service delivery with high standards of service. Public officials should maintain honesty, truthfulness, trust and respect others, including employers. A public official should be loyal to the employer and show respect to other colleagues.

The Codes of Conduct serve as a measure against unethical behaviour and corruption on the part of the public officials. Higgs-Klein and Kapeliant (1999: 364) observe that

the Code of Conduct is a progressive method of implementing professional ethics which generally requires that members maintain a higher standard of conduct than that called for by law. They can serve as a practical purpose by providing criteria for evaluating behaviour and conduct and where necessary for institutionalising disciplinary action. Ethics is important as it encompasses principles and values that call the public officials to a greater purpose. Therefore, codes serve as a source of reference when employees are confronted by unclear or ambiguous ethical circumstances. They are also helpful in articulating the mission of the public service.

- ***Enhances the obligation of public officials***

According to Mafunisa (2008:81), the Code of Conduct is important for the public officials to fulfil their obligations in an ethical manner. This implies that the Code of Conduct translates the moral principles of the Constitutional values into action. Therefore, in public service, the senior public official should ensure that professionalism through the Code of Conduct is achieved. The codes of ethics can function as a professional statement, by expressing the public service's commitments to a specific set of moral standards. The South African Public Service Commission talks of higher ethical standards; therefore codes of ethics require an employee to have high ethical principles that alert the employee to act within the defined parameters of expected conduct. Senior public officials, such as Heads of Departments, are also required to ensure efficient administration of the departments and the maintenance of discipline.

Svara (2015: 566; Kanyane, 2004:3) support (Schwella, 2001: 377) by affirming that the Code of Conduct clarifies the role of the public service officials as that of enhancing professionalism in performance of duties. The employee is the custodian of government resources.

- ***Promoting an Ethical Environment***

Mafunisa (2008: 86) implies that the Code of Conduct serves as a guideline whereby the government compels public institutions to adhere to standards and rules that regulate acceptable behaviour within individual's professional career. Schoeman (2014:76) concurs with Mafunisa's (2008) view that the codes of conduct outline the institution's collective behaviour towards instilling a culture of ethical environment. A Code of Conduct is based on universal ethical principles by making a specific policy that seeks to influence institutions to define the conduct of employees. In some definitions, a Code of Conduct is regarded as a set of principles for which the institutions stand.

Menzel (2014: 91) further indicates that a Code of Conduct stipulates sanctions when unethical conduct arises. The Code strengthens the institution's capacity to apply ethics that are instrumental in deterring conflict of conduct by public officials. The Code of Conduct indicates that public officials should not receive kick-backs in the form of a gift, graft and bribery as these are classified as criminal offences. In this way, the Code of Conduct holds public officials accountable for their actions. This implies that a Code of Conduct applies sanctions for offences done under the auspices of performing one's duty. Codes of conduct include detailed description or definitions of unacceptable behaviour that might prejudice discipline and proper administration of the government, such as dishonesty, drunkenness, false claims against government, insubordination, negligence, falsification or suppression of record, attempt to illegally keep records, sleeping on duty, receiving gifts as a way of kick-backs, unruly behaviour, and dereliction of duty (PSC Report, 2009: 17).

#### 4.2.2.2 Limitations of Code of Conduct in Public Service

The Code of Conduct has limitations, generally, the guidelines are designed to address only minimal forms of ethical behaviour. Mafunisa (in Kuye *et al.*, 2002: 191), points out that codes of conduct and codes of ethics have challenges due to various limitations, as such it is not easy to enforce them due to the fact that the focus is on compliance. They lack enforceable mechanisms; therefore, they are exposed to manipulations to satisfy individual's greed. For instance, in South Africa, where there is a culture of cover-up or defence for a member of political office-bearers, transgression of a code of conduct becomes subjective. Such an inconsistency may be followed by a counter-defence and the senior public official may find him/herself in a compromised position.

Webb (2005:159) states that the code is also ineffective when dealing with systematic maladministration which is pervasive in nature. As such, ethical codes of conduct alone are not sufficient to promote ethical behaviour. In some instances, researchers, public officials and the public consider codes of conduct as lip service because corruption still continues due to failure to adhere to stipulations. Menzel (2014: 97) analysing the question of why codes succeed or fail, indicates that it depends on the level of commitment by top management. Gilman (2005:14) a renowned scholar in ethics discipline, suggests that failure is due to *mere presence of the Code*, and lack of commitment by top management to embed the code to the organisational ethos. Codes should have clear objectives to spell out behavioural conduct and behaviour that is encouraged and discouraged should be clearly spelled out.

In 2009, the Public Service Commission (PSC) Report indicates that the Limpopo provincial institutions encounter challenges of compliance to Manual Code of Conduct. The findings revealed that although there is improvement in terms of compliance by some HODs, there is still shortcomings. The non-compliance was attributed to the lack of accountability by some senior public managers and inadequate competency to

implement ethics. The report confirmed that although the Provincial government has distributed manuals of Code of Conduct (COC) to every public official, 55% had not yet received training. This is an indication that for the institution to realise effective promotion of ethics, senior public managers must demonstrate the will to comply with norms and standards (PSC, 2009: 5-9).

This is an indication that ethical leadership is what is required to implement the guidelines through commitment. Political will is also important to enable heads of departments in public institutions to effectively enforce the stipulated standards. Gilman (2005: 76) suggests that codes of conduct are included in most international anti-corruption agreements as an essential ingredient in corruption prevention measures. They are valuable in the education and training of public officials. Codes of conduct are useful in systematising basic principles, values and norms presented in an accessible and readily digestible manner. Certain specific types of behaviour; that is, conflict of interest, self-dealing, bribery and inappropriate actions are covered during training.

#### **4.2.3 The Finance Management Act ,1999**

According to Mathebula (2014: 941), in 1999 the government, enacted the Public Finance Management of 1999 (PFMA). The main objective of the act is to promote sound financial management to ensure the effectiveness and efficient use of resources. Efficient allocation of resources in terms of funding government programmes is the cornerstone of effective public service delivery. The PFMA's functions were outlined as follows:

- (a) To modernise the system of financial management in the public sector.
- (b) To ensure accountability of allocation and management of financial affairs.
- (c) To eliminate waste and corruption in the use of public assets.

The Public Sector Integrity Management Framework (2014: 25) adds that the purpose of PFMA is to:

- (a) Regulate financial management in the national government and provincial government.
- (b) To provide for the responsibilities of persons entrusted with financial management in those governments
- (c) Provide for the establishment of an accounting officer for a department, trading entity to ensure effective, efficient and transparent systems of financial and risk management and internal control.

Fourie (2007: 735) asserts that the PFMA is an outcome based policy. Its aim is to enforce accountability, efficiency, effectiveness, and the most of optimal means of using resources. In 2003, the Municipality developed the Municipal Financial Management Act NO.56 of 2003 to secure sound and sustainable management of financial affairs of municipalities. This implies that the PFMA has an integral position in ensuring that provincial and local levels of government adhere to norms and standards for managing financial affairs. Therefore, the PFMA sets direction for moral responsibilities of senior public officials and subordinate public officials in relation to managing the financial affairs of the public.

Zitha and Mathebula (2015: 16) note that the effects of unethical conduct of procurement officials impact on quality service delivery. A provincial review report indicates that despite the Financial Management Act of 1999 being in place, senior public officials did not adhere to procedures and regulations of funding. Managa (2012: 2) found out that non-compliance to financial management regulations and procedures are some of the factors that contribute to misappropriation of funds in the Limpopo province. Lack of compliance also results in expenditure that is not unaccounted for. The Act requires that there be an efficient and effective management system. Mathebula (2014: 942) argues that the Act is limited as it does not have measures to deter the prevention of corruption and the imposing of punitive measures against perpetrators.

#### **4.2.4 The Financial Disclosure Framework**

Diphofa (2010: 14) remarks that in 2000, the government introduced the Financial Disclosure Framework (PDF) which is meant for members of Senior Management Service. The aim of the framework is to regulate conflict of interest, an issue which constitutes most of the unethical conduct by public officials. Although there are different mechanisms in place, public officials are regularly confronted by an ethical dilemma as a result of private interest clashing with public responsibility. The PDF compels senior public officials to disclose their area of conflict of interest. This implies that the framework encourages transparency, accountability in which the senior public officials should disclose his/her interest by identifying, declaring and managing such conflicts.

The assessment done by the PSC during the 2008/2009 financial year, revealed that the Limpopo Province scored highest in terms of senior public officials who are non-compliant to the framework (PSC Report, 2010: 16). The report indicates that non compliance to PDF is one of the major contributor of conflict of interest in Limpopo provincial government. Some of the senior managers of the departments that were under administration were involved in activities of conflict of interest; ranging from acceptance of gifts, nepotism, tender rigging or act as Directors of various Boards of companies. These activities are in contravention of the framework due to failure to disclose finances by senior public managers. As such, the effective implementation of the framework is important in discouraging conflict of interests.

#### **4.2.5 Protected Disclosures Act, 2000**

The act emanated from the growing intimidation of whistle-blowers by perpetrators of fraud, mismanagement and corruption. Protection of whistle blowers is a fundamental aspect for reporting corruption. The absence of the effectiveness of PDA worsens the state of corruption, maladministration and plunges the state resources into disarray.

The preamble of the PDA Act recognises that criminal and other irregular conduct in the organs of state and private bodies are detrimental to good, effective and accountable governance. In other words, employees or employers must go beyond the call of duty to protect the interests of the public through exposing corruption or fraud or illegal practices that benefit an individual or a group member. The objective of whistleblowing is to report unethical behaviour by a member of the organisation to someone who is able to do something about it. Those who report wrongdoing often find themselves under the pressure of being intimidated by their superiors. They are faced with retaliation such as dismissal, intimidation, harassment and violence by their fellow colleagues (Mbatha, 2005: 9).

This implies that the senior public official should create a culture which is open for freedom of speech, disclosing of information in relation to fraud, maladministration and corruption. The Act also foresees that the whistle-blower is not subjected to occupational detriment, where the employer harasses the employee, transfers employee against his/her will and further subjects him/her to undue intimidation. The Act emphasises that subordinate public officials should not feel intimidated in environment which is guided by democratic values like South African public institutions. The government in South Africa has developed numerous statutory obligations to support the enforcement of PDA such as; Protection from Harassment Act to deter any form of harm to the complainant like stalking and threats; Witness Protection Act which further protects an individual who is a witness to corrupt activities from prejudice, threats and intimidation by perpetrators of unethical conduct. The Promotion of Access to Information Act ensures the effectiveness of PDA as whistle blowers are allowed to request information pertaining to the alleged misconduct for verification of evidence.

#### **4.2.6 The Prevention and Combatting of Corrupt Activities Act, 2004**

Mafunisa (2014:1233) indicates that the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) (PRECCA) replaces the old corruption Act

enacted before 1994. PRECCA provides for the strengthening of measures to combat corrupt activities within public institutions. According to Section 34(1) of the Act, any person who holds a position of authority, who knows or ought reasonably to have known or suspected that any other person has committed an offence in terms of section 3 to 16, such as theft, fraud, extortion, forgery or possession of a forged document involving an amount of R1 000,00.00 or more must report such knowledge or suspicion to police officials. Malunga (2015: 16) contends that the Act deals with corrupt activities such as; gratification or reward to help somebody to get a contract, or stops someone to get a contract, offers a reward to a foreign public official in order to get a contract in the foreign state, favouritism by a judicial officer or prevents a person to get proper judicial functions, anyone who intimidates a witness or offers a reward for changing or withholding testimony, peddling or meddling in order to influence one to get contracts, auctions, and hiding corruption or being an accessory to corruption.

According to the PSC Report (2009: 19), six (6) out of the eleven (11) departments of the Limpopo province have not complied with the Act. It was found that they have not developed policies on fraud and corruption prevention. This translates to a compliance rate of 55%. PRECCA represents primary legislation against corruption, it is therefore unacceptable that all departments have not developed policies in compliance to the directive. Basdeo (2007: 387) indicates that the Act makes it possible for courts of law to prosecute corrupt individuals, groups, syndicates networks that continue to rob the state of its capacity to deliver quality service to the poor. Furthermore, the Act, for the first time, is able to provide state anti-corruption agencies and the courts a clear mandate on how to deal with corrupt offences. This is because :

- (a) it provides a codified corruption offences related to specific persons (public officials, agents, members of the legislature, judicial officers, police officials and even members of the prosecuting authority).
- (b) it reinstates the common law crime of bribery. - corruption was no longer regarded as problem of public officials only, but it is recognised as emanating from within private sector as well and also from public.
- (c) it makes it clear that certain designated officials have a duty to report corruption or else face harsh penalties.
- (d) It enables courts to issue penalties for individuals found guilty of certain offences, including life imprisonment in certain instances.

The Public Sector Integrity Management Framework (2014: 23) indicates that the Prevention and Combating of Corrupt Activities Act sets out procedures for reporting and investigating acts of corruption. It also establishes a register of individuals and companies convicted of corruption. The acts of corruption are either committed by the public officers, foreign officials, agents, legislative authorities such as parliament, provincial government or local municipality, judicial officers, prosecuting authorities and any member of the public who deals in a corrupt manner with such people.

#### **4.2.7 Promotion of Administrative Justice Act, 2000**

The enactment of the Promotion of Administrative Justice Act No. 3 of 2000 (PAJA) is based on Section 33 of the Constitution which acknowledges that everyone has a right to administrative action. The main objective of the Act is to ensure that administrative action is lawful, reasonable and procedurally fair. Individuals have the right to written reasons for administrative actions. Therefore, PAJA promotes an efficient administration and good governance; creates a culture of accountability; openness and transparency in public administration. The rule of law in South Africa outlines that officials must perform their duties within the given rules, regulations and policies. In this manner, the Act is able to limit those in authority from abusing their powers, thereby minimising acts of corruption by public officials (Public Sector Integrity Framework, 2014: 24).

During ethical compliance assessment in the Limpopo provincial departments in 2009, the PSC found that none of the eleven (11) departments have implemented the Act. Every decision taken in public administration must conform to legal imperatives of good governance. The PSC recommends that the Provincial departments should give priority to ensure full compliance with the Act. The PSC raised a concern that failure to implement the Act will have negative perceptions on the citizens. It seems as if the government is not willing to be accountable to the public, and diminishes the public confidence due to lack of trust (PSC Report, 2009: 19).

#### **4.2.8 Promotion of Access to Information Act, 2000**

According to the Promotion of Access to Information Act, 2000 (PAIA), the objectives of the Act are to give the constitutional right of access to; any information held by the State; and any information that is held by another person and that is required for the exercise or protection of any rights. The PAIA provides measures to strengthen Constitutional obligations of the State of promoting a human rights culture and social justice. The Act also promotes transparency, accountability and effective governance of all public and private bodies. The PSC findings in 2009 reveals that eight (8) departments have manuals in terms of PAIA. Only six (6) departments, namely, Agriculture, Economic Development, Environment and Tourism, Health and Social Development, Local Government and Housing, Office of the Premier and Public Works have translated their manuals in at least three other official languages, besides English, with two of these being indigenous African languages. This shows commitment towards transparency in relation to availing information to the public. The province was commended for 100% compliance to the Act (PSC, 2009: 19).

#### **4.2.9 The Executive Members Ethics Act, 1998**

Section 2 of the Act stipulates that the President must publish a code of ethics prescribing standards and rules aimed at promoting open, democratic and accountable government. The Act prescribed that the Cabinet members, Deputy Ministers and Members of Executive Councils of provinces must comply. The Executive members should at all times act in good faith and in the best interests of good governance. Section 3.3 (*subsection 3.3.1*) of the Code Manual indicates that Executive Authorities (Ministers and MECs) and senior public managers in public service are role models who should live by examples for public official to follow. They are required to create a conducive environment for positive ethos. The provisions prohibit members to act in a way that is inconsistent with their offices, exposing themselves to any situation that involves the risk of conflict between their official

responsibilities and their private interests, act in a way that compromises the integrity of the office or government. The stipulated prohibitions represent another way of deterring executive members from engaging in acts of bribery, fraud and other malicious acts that put their position at stake (Executive Members Act, 1998: 6).

#### **4.2.10 Public Service Administration Management Act, 2014**

In 2014, the President signed the Public Service Administration Management Act, NO. 11 of 2014 (PSAMA) into a law. PSAMA is an amendment of Public Service Act, 103 of 1994. Its main aim is to outline public administration frameworks to strengthen the integrity of public service institutions. It is related to PSA as it advocates the administration of Constitutional values to fight corrupt activities. The Act amongst other things seeks to promote a high standard of professional ethics in public administration. As part of promoting professional ethics and integrity by employees, the Act prohibits public servants from conducting business with the State or being a director of a public or private company that conducts business with the State. Failure to comply with this prohibition constitutes serious misconduct which may result in the termination of employment by the employer. The Act also requires employees to disclose their financial interests. Failure to comply with the obligation to disclose financial interest as required constitutes misconduct.

Chapter 4 of the Act, recommends the establishment of a National School of Government for capacity development and training. Another cause of corruption are weak institutions as a result of incompetency from leadership. Capacity building will be in line with the Higher Education Act, 1997 and Skills Development Levies Act. The institution is expected to put aside a budget for training its employees. The focus of the School as per Section 11(2) is to promote the progressive realisation of the values and principles governing public administration, hence the quality of the impact of human resource capacity in institutions. Section (12)(2) is about compulsory education as a requirement for public employment. This will redress the issue of inadequate

capacity due to incompetence of deployment of *comrades* to head departments/units. Chapter five expects the head of department (senior public managers) to use information and communication and technology for cost effective service (PSAMA, 2014: 14-15).

Chapter 6 provides for the development of *Ethics, Integrity and Disciplinary Assistance Unit* to promote and enhance good ethics and integrity within public administration. The Unit will also strengthen re-enforcement of sanctions in relations to corruption, build capacity to initiate or institute disciplinary proceedings into misconduct. The Unit will be supported by the Prevention and Combating of Corrupt Activities Act, 12 of 2004. Chapter 7 indicates that the government will establish the *Office of Standards and Compliance* to ensure minimum compliance as discussed in the Anti-Corruption Strategy. The function is to determine the appropriateness of norms and standards in public administration, including evaluation. The senior public managers should submit reports to the Minister about the status of compliance. The Act is still at adoption phase, looking at the contents of the Act, if effective it will be one of the key instruments to minimise corruption and other unethical activities within the public institutions (PSAMA, 2014:16).

#### **4.2.11 Public Service Anti-Corruption Strategy**

The South African government in 2002 came up with the Public Sector Anti-Corruption Strategy (PSACS) as an attempt to combat and prevent corruption. Webb (2015: 151) asserts South Africa in 2002 developed a Public Service Anti-Corruption Strategy as an attempt to strengthen various measures introduced by the government to curb and prevent corruption. The aim of the strategy is to harness the effectiveness of existing legislations on anti-corruption agencies. The strategy is regarded as one of the blueprints of anti-corruption to foster national integrity system of public service. Several laws exist which support government efforts in the fight against corruption, maladministration and unprofessional conduct which constitute an ethical dilemma.

#### **4.2.12 Public Sector Integrity Management Framework**

The framework was introduced in 2014. The government acknowledged that certain provision of the regulatory framework managing integrity and promotion of good governance in the public sector are obsolete. This led to promulgation of the Public Sector Integrity Management Framework which originated from an array of existing regulatory framework aimed at promotion of public service ethics. The framework is aimed at strengthening the existing measures and standards for managing integrity and promotes ethical conduct that can arise due to conflict of interest, disclosure of information, strengthening capacity to prevent corruption, monitoring and evaluation to ensure compliance and enforcement as a deterrent to unethical conduct. In this framework, the senior public official's role towards dealing with maladministration, malpractices which constitute corrupt activities is expanded and mandatory. The Head of Department is assigned the responsibility to oversee the approval of disclosure reports compiled by the Ethics Officers. The senior public officials, according to the framework are compelled to appoint an Ethics Officer as approved by the Cabinet in 2003 as a requirement for minimum anti-corruption capacity for departments of Public Service. The Ethics Officer will assist the institution by doing follow-up on cases of corruption, promote ethical behaviour in departments, advising employees on ethical matters and ensuring organisational integrity of policies, procedures and practices to curb corrupt activities (Public Sector Integrity Management Framework, 2014: 7).

#### **4.2.13 National Hotline**

In addition to the government's comprehensive anti-corruption legislations and initiatives to curb corruption, in 1994, the PSC established the National Anti-Corruption Hotline (NACH). The NACH provides a one-stop mechanism for members of the public and public officials to report acts of corruption, maladministration and other unacceptable practice to relevant authorities. The National Hotline also encourages

individual members to report without fear of repulsion. According to (Masiapata, 2014:136), the NACH also creates opportunities for different role-players to cooperate better in receiving and handling allegations of corruptions. The Hotline is done through telephone and is set up by particular departments. Such a facility serves an important purpose in ensuring that any act of corruption, whether observed by a government official or a member of the public, will potentially be dealt with when reported. The need to establish a hotline to facilitate the reporting of corrupt practices in all sectors were acknowledged at the National Summit as a measure for implementing corruption prevention.

#### **4.2.14 National Anti-Corruption Strategy (NACS)**

The existing legislations were characterised by lack of co-ordinated efforts to investigate and prosecute perpetrators. Unethical conduct was regarded as an exercise of mere compliance, with little or lack of enforcement. Therefore, the following acts were established to re-enforce prosecution: National Anti-Corruption Hotline, Protected Disclosure Act, Prevention of Corrupt Activities Act, amendment of Public Finance Management Act to include Risk Management Act. Furthermore, NACS established the National Treasury Act, Financial Disclosure Framework, Public Sector Senior Management Framework, Public Administration Justice Act and Public Access Information Act. These series of acts were promulgated to augment government's effort to fight corruption. The South African government has realised that corruption is a dynamic phenomenon and complex to deal with its dimensions. A systematic approach is needed to deal with corruption due to its web of connection before it is detected.

The government realised that there is an on-going challenges on the effectiveness of the existing legislation such as Corruption Act of 1993. The Forum recommended the development of the following Acts and frameworks to ensure a holistic approach to fight corruption:

#### 4.2.15 Public Service Anti-Corruption Strategy (PSACS) Committees

The government in an attempt to strengthen good governance in public institutions, established PSACS committees to oversee that the above considerations are implemented and adhered to. The Cabinet Committee on Governance and Administration should ensure that there are co-ordinated and integrated efforts to deal with corruption at all levels of government, synergies of institutions to be harnessed between investigation, detection, prevention, prosecution, monitoring and evaluation, as well as establish a system for information about the acts of corruption, dissemination and management. To strengthen the effective role of the PSACS, investigations should be shared amongst the Office of the Auditor General and Public Protector to ensure that the PSACS is developmental in redressing the legacies of poverty, social inequity and unemployment (Sangweni, 2007: 5).

The PSACS focused on the restoration of the integrity of public services. Therefore, a national forum was established to focus on restoring integrity on national departments. The Strategy outlines nine (9) goals that are interrelated and mutually supportive in an attempt to restore the public service integrity. These goals are:

- (a) Review and consolidation of the legislative framework.
- (b) Increased institutional capacity.
- (c) Improved access to report wrongdoing and protection of whistle blowers and witnesses.
- (d) Prohibition of corrupt individuals and businesses.
- (e) Improved management of policies and practices aimed at minimising corruption.
- (f) Management of professional ethics.
- (g) Maintain partnership with stakeholders.
- (h) Social analysis, research and policy advocacy.
- (i) Awareness, training and education.

In 2005, the Public Service Administration in Limpopo provincial government conducted a compliance audit on risk assessment to determine how control measures conform to established rules, laws, policies and procedures. The findings revealed that there were gross violations of PFMA as well as procurement guidelines, characterised by unverified expenditures. There was also a lack of clear monitoring and reporting, backlog of audit queries, untimely closing of accounts, fraud and lack of

implementation of prevention plans, amongst other things. The recommendations from the audit included establishing the Internal Audit Service Unit in order to increase institutional capacity building as one of the goals of PSACS. Since the establishment of the unit, the strategy emphasises that internal financial controls have to be strengthened. Mavuso and Balia (1999: 67) assert that government capacity to curb corruption should include an investigating capability for incidents of fraud and corruption, strengthening acts such as encouraging reporting of corruption and where necessary, refer allegations to other agencies responsible for fighting corruption. Investigative skills are improved to ensure that corruption-related cases which are complex and involve syndicates are not neglected. These issues above attest to the fact that some senior public managers attempt to implement various mechanisms to deal with unethical practices.

#### **4.2.15 Minimum Anti-Corruption Guidelines**

In 2006, the Public Service Administration published the *Anti-Corruption Capacity requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service*. The senior public managers, as Heads of Department are responsible for managing corruption. The task of corruption management formed part of their performance agreement. They are responsible for ensuring minimum capacity requirements such as; assess and manage risks, to receive and act upon allegations of whistleblowing, to provide sanctions for unethical conduct and to come up with measures that will promote ethical culture within the department. The province also witnessed progress in conformity to PFMA rules, laws, policies and procedures. This implies that the Auditor General's Office has a key role to play in curbing corruption in the form of reduction of maladministration and misappropriation of funds.

### 4.3 BODIES TO PROMOTE ETHICS IN THE PUBLIC SERVICE

Webb (2005: 156), Naidoo (2012: 663), Mafunisa, (2003: 16) and Disoloane (2010: 88) concur that since the new democratic dispensation, the South African government shows commitment to promote good governance. The Constitution of the Republic, 1996, Chapter 9 introduced an array of key institutional bodies to support the ideals of a democratic state through the establishment of : the Public Protector, Auditor-General, Public Service Commission, South African Police Services, National Prosecuting Authority, Independent Complaints Directorate, Directorate of Special Operations, Special Investigative Unit, amongst others. These institutions are expected to promote ethical conduct of public officials, executives and the public at large. They also serve as checks and balances for law enforcement or compliance by serving as watchdogs for the anti-corruption agenda.

According to the Constitution of the Republic of South Africa (2015: 103), these institutions are required to be independent, impartial and equitable in enforcing the rule of law. The only law that is supreme over these institutions is the Constitution of the Republic of South Africa of 1996. It is stated that no person or state should interfere with the mandate of these institutions, they are expected to exercise their powers without any fear or prejudice. For them to be effective, they should be supported by other legislative bodies, and are also accountable to the National Assembly. These institutions must submit reports of their activities at least once per annum to the National Assembly. The reports are tabled in Parliament to ensure transparency, accountability and responsiveness to issues of governance.

The following institutions are instrumental in the efforts to curb corruption and other unethical conduct within public service departments:

### 4.3.1 The Public Protector

The Public Protector (PP) is one of the various institutional bodies established by the Constitution of the Republic of South Africa to strengthen the public service to be human rights conscious and responsive to the public's interest. Pienaar (2000: 2) contends that the Public Protector plays a complementary role in fostering the integrity of government through its mandate. Section 182 (1) of the Constitution of the Republic of South Africa provided for the establishment of the Office of the Public Protector in 1995 through the Public Protector Act, NO. 23 of 1994. The Public Protector's Office is related to the then Office of the Ombudsman which was established in 1991. Pienaar (2000: 6) remarks that the Office of the Public Protector was instituted to ensure that public service institutions do not in their functions, abuse their powers. The Office of the Public Protector is required to be impartial, where powers and functions should be exercised without fear, free from political interference, prejudice and ensures social equity in dealing with matters under its jurisdiction.

Thornhill (2011: 82) and Pienaar (2000: 8) assert that the Public Protector has been empowered to deal with any form of misconduct in the public service as an attempt to curb corruption. The Office should ensure oversight on the following:

- (a) maladministration in connection with the affairs of government at any level;
- (b) abuse or unjustifiable exercise of power, unfair or other improper conduct or undue delay by a person performing a public function;
- (c) improper or dishonest act, or omission or corruption, with respect to public money;
- (d) improper or unlawful enrichment, or receipt of any improper advantage by a person as a result of an act or omission in the public administration,
- (e) or in connection with the affairs of government at any level or of a person performing a public function;
- (f) act or omission by a person in the employ of government or any level,
- (g) or person performing a public function which results in unlawful or improper prejudice to any other person.

Madonsela (2010: 13) asserts that the role of the Public Protector is to support and strengthen the constitutional democracy in South Africa. It was suggested that the rise of corruption in both corporate, parastatals and public departments poses a great challenge to the function of the Office of the Public Protector. Corruption, fraud and other unethical conduct by public officials results in numerous cases of unethical

practices being referred to the Office of the Public Protector for investigation. The Constitution mandates the Public Protector to investigate any alleged misconduct within all levels of government. The Constitution, individuals, public and government expect the Office of the Public Protector to resolve administrative disputes. The office must rectify any act or omission in administrative conduct and provide remedial action. Since the new democratic dispensation, the public witnessed the importance of the Office of the Public Protector in the promotion of ethics.

In 2012, the Limpopo provincial government encountered various investigations in some of its public institutions with the focus on misappropriation of funds or wasteful expenditure. The Public Protector investigated cases from the Department of Roads and Transport, Department of Education, Department of Health, Provincial Treasury and in Public Works. The findings in most cases reveal non-compliance by the public officials implicated in scandals as a requirement of Public Finance Management Act, 1999 (PFMA). For instance, during 2012, the Office of the Public Protector instituted investigation of maladministration, characterised by misappropriation of funds against members of the Executive Council in the Department of Education. The allegations included the abuse of power, characterised by conflict of interest and the favouritism which necessitates peddling by political officers and some senior public managers in the area of awarding tenders. As such, the role of the Public Protector is essential in minimising corrupt activities within government (SA News, 2012: 1-2).

Disoloane (2012: 121) suggests that the function of the Public Protector is to improve relations between states and citizens, reduce hostility between citizens and public officials. The PP also encourages adherence to norms and standards as meaningful measures for integrity. Mafunisa (2003: 15), however, pointed out that the Office of the Public Protector has challenges in terms of enforcement of compliance. There is a concern that any recommendation in relation to political office bearers is not adhered to, but if it is in relation to ordinary public officials, the recommendations are implemented. A familiar example is that of the Nkandla saga involving the President, Members of the Executive Committee (IEC) of Public Works in Kwazulu-Natal and the contractor of misappropriation of state resources meant for security upgrades. Instead

of considering the remedial action by the Public Protector of paying back the money used for non-security renovations, some ANC parliamentary members became defensive in support of the President for not paying back. This put the integrity of the Parliament into question, and challenged the recommendations of remedial action by the Office of the Public Protector.

#### 4.3.2 Auditor General

According to Madue, Tsolo and Ramoabi (2014: 880) supported by Thornhill, (2011: 81) and du Toit, van der Walt, Bayat and Cheminais (1998:1 61) Section 188(1) of the Constitution promulgated an Audit General Act 12 of 1995. The mandate of the Auditor General is to oversee public finances in various public institutions or any other institutions funded by public money. The purpose is to provide good governance through sound financial management and procurement to prevent corruption. According to the Public Service Report (2003: 59) Auditors Generals are appointed to each province and they report to the Auditor General (AG) at national level. Over and above these duties, the Auditor General is allowed to investigate any financial accounts of entities financed by public funds.

Dissatisfaction have been raised by the public that most of the public departments in South Africa, including municipalities could not get a clean audits and the same applies to the Limpopo Province. Mafunisa (2007: 263) did an intensive survey on *Corruption and Service Delivery in the Public Service: The Case of Limpopo Province*. The findings reveal significant levels of inefficiency, ineffectiveness and uneconomical usage of resources by public service. Vyas-Doorgapersad et al., (2013:46) point out that accountability has been a concern for good polity since the time of political philosophers. Aristotle's words from Politics Essays (cited in Vyas-Doorgapersad, 2013) confirms that "to protect the treasury from being defrauded, let all money be issued openly in front of the whole city, and let copies of accounts be deposited in various wards".

Aristotle implies that there should be accountability for public funds, where the public is able to know what is going on with their taxes. The aforementioned statement positions the role of the Auditor General in an ethical context. Ethical behaviour in a form of transparency and accountability to public funds necessitates public trust in government. Mashamaite (2009: 94) contends that the AG has a duty to investigate whether measures applied by senior public managers meet the requirements of financial sustainability. This means that the AG's intervention ensures checks and balances to determine if resources allocated are used efficiently, effectively and economically. The Office of the Auditor General fulfils its mandate through the compilation of fiscal reports to inform the public about the expenditure of government departments. Such reports are submitted to Parliament for further debate and scrutiny. The Parliament is composed of Executives, Ministers and MECs' representing their respective portfolios in government institutions to represent people's rights. Therefore, the debate on the findings of the Auditor General reports ensures transparency, openness and public accountability. Malan and Smit (2001: 151) also advise that apart from regularly auditing finances, there should be a performance audit which is an independent review to check if the institution is operating efficiently as prescribed in the constitutional values.

#### **4.3.3 Public Service Commission**

Section 196 (1) of the Constitution 1996, enacted a Public Service Act, 103 of 1994. The Act requires that a single Public Service Commission (PSC) be established in South Africa. The Act also provides for effective and sound public administration. The PSC's mandate is to build integrity in the public service for quality service delivery and build trust between the state and its citizens. The PSC is required by the government to promote a high standard of professional ethics by inculcating values for good governance. These values are Constitutional values as indicated in the Code of Conduct for South African public officials. The values require that public officials act ethically through the demonstration of acceptable behaviour in the daily execution of

their duties. Section 196 Act 103 of the Constitution of the Republic of South Africa states that the public service must be: non-partisan, career-oriented and function according to fair and equitable principles; promote an effective and efficient public administration broadly representative of all population groups; serve all members of the public in an unbiased manner; functioning in terms of the conditions of service and be organised into departments, divisions, and the departmental, divisional and sectional heads be responsible for the effective and efficient administration of his/her departments, division.

Manyaka (2013: 78) remarks that the PSC Act is regarded as one of the legislations that has a direct bearing on the conduct and behaviour of public officials. The PSC recommends that the executing authority shall establish and sustain a service delivery improvement programme for the department. In 2007, the Parliament Ad Hoc Committee conducted a research on the *Review of Chapter 9 and Associated Institutions* led by Professor Kader Asmal, a senior ANC member in National Executive Committee. The terms of reference were to review the role of PSC for its transformational imperatives and the developmental context within which it operates. Transformation of the PSC ensures that the Executive and Administrative institutions of the state are accountable to the legislature through submission of the reports to Parliament. The recommendations require the PSC to assess, evaluate and monitor the performance of public institutions in areas of ethical compliance and adherence to prescribed standards.

It is evident that the PSC's role gives effect to Section 195 of the Constitution by ensuring that basic administrative principles are practically implemented and adhered to. The PSC is the backbone of public service institutions as it strengthens the mandate of the public service through provisions of guidelines to promote ethics. The elements of good governance depend on the role PSC plays in coming up with norms and standards that regulate the behavioural conduct of public officials, categorising how each level should behave. For example, the Member Executive Act is meant for senior public managers to know what is expected of their behavioural conduct, over and above the Code of Conduct. Therefore, the PSC is a key to ensuring

professionalisation of public service institutions for quality service delivery at national and provincial level.

#### **4.3.4 Independent Broadcasting Regulatory Authority**

Fox (2010: 99) indicates that the Independent Broadcasting Regulatory Authority was established in 1993 to regulate broadcasting in the public interest for both electronic and mass media. In 1994, the government enacted the South African Broadcasting Co-operation Act, 1994 (SABC). The SABC put together policies and legislatives to ensure freedom of speech and limitations as outlined in Section 16 (1) and (2) of Chapter 2 of the Constitution, The Bill of Rights. The aforementioned sections call for freedom of press to regulate fair reporting which is unbiased and to have free access to information. The SABC plays a key role in monitoring the free flow of information, to and from the public to ensure that it is within the law and government regulations.

Camal (2012: 2) reports that there is a link between freedom of press and corruption, maladministration and fraud. In countries where there is freedom of the press, there is high transparency, openness towards reporting of government activities. State interference is minimal. There is also high competition of independent broadcasting, which necessitates unbiased reporting and more access to information by the public. Therefore, in South Africa, the SABC has a role of exposing corruption instead of being an instrument of government propaganda.

#### **4.3.5 The South African Broadcasting Act, 1994**

In 1994, the South African government repealed the Broadcasting Act, 1976 (Act 73 of 1976) so as to establish a new broadcasting policy for the Republic. According to Doorgapersad *et al.*, (2013: 118) the media plays an important role of mediating between the government and the masses and enhancing open communication

channel. In accordance with the enforcement of ethics, the media serves as a watchdog of democratic governance by exposing maladministration and other unethical conduct. In the 21st century, the media is part of the solution in fighting corruption. The media is regarded as a tool of social justice as it creates awareness on the impact of government programmes on economic, social and political developments. Chapter II of the Broadcasting Act, 1994 (a) states that the South African broadcasting system serves to safeguard, enrich and strengthen cultural, political, social and economic fabric of South Africa. Section (b) of Chapter II indicates that the broadcasting system must operate in the public interest and strengthen the spiritual and moral fibre of society. It becomes a voice for poor masses, a classical example in South Africa is the coverage of the effect of e-tolling on poor South Africans. The e-toll saga became an ethical issue, pitting citizens against the government which is linked to economic and social development. Similarly, from 2008 to 2012, media was instrumental in creating awareness that the prevalence of corruption in Limpopo province is high. Regular reports by media created an informed public that acts of kickbacks, bribery, nepotism are rife in the province. The media is essential in the promotion of efficient governance that is accountable to society. The media, apart from exposing wrong doings of the public officials, has an essential role to play in informing the public about the new programmes and policies of government and their implications on citizens' life.

The media encourages transparency, strengthens accountability and enhances freedom of expression. The media, through investigative journalism holds political leaders accountable. Investigative journalists follow-up cases of corruption until the culprits are exposed. The media serves as a watchdog against misuse of public resources for personal gain. In South Africa, high profile scandals have been revealed through the media. In the public service, maladministration and scandals by public officials, from junior to senior level were regularly covered. Therefore, for public officers, knowing the role of media as a watchdog of state interests, serves as an instrument to discourage the practice of corrupt activities for fear of being exposed to public. Holtzhausen (2007: 136) asserts that media fills a gap in the South African government where the institutions, legislative acts, anti-corruption frameworks and

policies are not yet fully functional and have not yet reached maturity to play a vital role in dealing with corruption. In South Africa, where there is freedom of speech, the public relies on the media to publicise or cover court cases and verdicts.

#### **4.3.6 South African Police Service**

In South Africa, law enforcement falls under the South African Police Service (SAPS) which is responsible for policy determination, direction and overall execution of the department's mandate in relation to relevant legislation. Section 205 of the South African Constitution Act, strengthens the mandate of SAPS through the promulgation of SAPS Act, 1995 (Act 68 of 1995). The objective of SAPS Act, 1995 is to regulate policing in South Africa and all national and provincial legislations. The task of maintaining the safety and security of South African citizens is critical to the success of all government programmes. For the government to achieve its objectives of a free and fair South Africa, law-enforcement services in South Africa falls under the Department of Police. The functions of the SAPS are outlined as; to maintain public order, prevent, combat and investigate crime, protect and secure the citizens and their properties, participate in efforts to address the root causes of crime. Masiapata (2005: 27) indicates that the SAPS is aligned to a greater accountability in terms of the law. Chapter 2 of the Constitution (the Bill of Rights) is another source of policing. The mandate of SAPS should conform to the aspiration of the reviewed SAPS Act to be in line with the aspirations of the new democratic dispensation.

In South Africa, there are various pockets of organised crimes ranging from fraud, bribery, extortion and to some extent crime is done to perpetrate acts of misconduct. Madonsela (2009: 7) states that the other mission of the SAPS is to prevent and combat anything that threatens the safety and security of any community, ensure that offenders are brought to justice and prosecuted. In this way, criminals and offenders know that crime does not pay and prosecution serves as a deterrent of unethical conduct. The PSC Report on Financial Misconduct (2009/2010: 10) found out that

some departments in the Limpopo provincial government failed to institute crime against their employees who committed acts of financial misconducts. The average of 57% were not reported. This undermines the mandate of SAPS in collaboration with government to fight corruption.

#### **4.3.7 Special Investigation Unit**

The Special Investigation Unit and Special Tribunal Act NO. 74 of 1996 provides for the establishment of Special Investigation Units (SIU). The president has a sole mandate of establishing the Special Investigation Unit. The mandate of the Unit is to investigate serious maladministration or corruption in connection with the administration of State institutions. The units will also protect the state assets, public money as well as any conduct which seems to have a serious effect on the smooth running of state governance. The SIU should also institute civil proceedings in any court of law or a Special Tribunal in its own name or on behalf of the State institutions. The Unit is a mechanism which Executives use to recover public monies from money laundering, organised crime acts and other syndicates such as drug lords (Malunga, 2013: 18).

In 2012 in Limpopo, the SIU was requested to investigate matters of non-compliance within the five departments that were put under administration. The National Anti-Corruption Task Team within the Province indicated that there are 303 cases that needed to be investigated. Out of 303 cases, 88 were handled by the SIU. The SIU, according to Anti-Corruption Strategy, is allowed to institute criminal cases for prosecution where high level corruption and fraud occurs. The SIU found that 44 cases were by senior public managers and another 44 were by middle management and junior staff members. In 2013, the SIU recommended that cases related to undisclosed interests by senior public managers, with high rate of fraud be handed over to the South African Police for prosecution. Departments that were investigated were Health, Education, Public Works, Roads and Transport and the Provincial Treasury.

The cases ranged from misconduct such as flouting of rules and procedures on supply chain management that benefited the perpetrators. The SIU also recommended that disciplinary measures be instituted against the transgressors (PSC Report, 2003: 23). Malunga (2013: 8) contends that during the investigation, the unit had to collect necessary evidence that implicate the perpetrator. The unit also investigates or adjudicates upon civil proceedings emanating from any investigations of any particular Special Investigation Unit. The President, according to the Act, has the authoritative powers to act on the following allegations:

- a) serious maladministration in connection with the affairs of any state institutions.
- b) improper or unlawful conduct by employees of any state institutions
- c) unlawful appropriation or expenditure of public money or property,
- d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property.
- e) intentional or negligent loss of public money or damage to public property
- f) any offence referred to be investigated by the Prevention and Combating of Corrupt Activities Act of 2004.

The functions of the Special Investigations Unit entail submitting a final report to the President upon the conclusion of the investigation. The report should be tabled at least twice a year in Parliament. Therefore, the SIU plays an important role in fighting corruption by public officials within the public service departments.

#### **4.3.8 Independent Complaints Directorate (ICD)**

The Directorate is an independent institution established in terms of Section 53 of the South African Police Act (Act 68 of 1995). The function of the Directorate is to ensure a transformed police service in line with the spirit and purpose of the Constitution of the Republic of South Africa. The Directorate functions independently from the SAPS. Its responsibility is to investigate criminal acts and misconduct by members of the SAPS and Municipal Police Service which includes corruption (Madonsela, 2010: 9).

A study done by Adonis and Burger (2008: 29) over the concerns by ICD that senior public managers in SARS were not compliant of the ICD recommendations in matters that concern their members' misconduct. It was reported that the SAPS ignored any concerns that implicate and expose their management style. Some of the challenges that lead to ineffective enforcement are due to non-compliance to recommendations from ICD which amounts to maladministration.

Furthermore, recommendations for disciplinary action against perpetrators were not taken into account. This is another indication that a factor that contributes to corruption, is the top management's lack of willingness to act against the perpetrator. On the other hand, it shows lack of accountability to one's portfolio and in turn to the rule of law that enforces ethos. The problem is that the ICD is one of the critical institution in the fight against crime and in the enforcement of ethical behaviour and complaints made against it question the morality of the institution.

#### **4.3.9 National Prosecuting Authority**

Section 179 of South Africa's Constitution provides for a single prosecuting authority. The National Prosecuting Authority Act (32 of 1998) provided the legal basis for the establishment of the National Prosecuting Authority. The National Prosecuting Authority (NPA) is responsible for prosecution in both the high and lower courts of South Africa, supporting the investigation of cases, or discontinuing criminal proceedings where necessary. The NPA assists the courts to arrive at a just verdict and in the event of a conviction, to deliver a fair sentence upon the evidence presented. The prosecutor also represents the community in criminal trials, ensuring that the rights of the victims are protected.

In 2000 a speech by the former President, Nelson Mandela, indicated that the modern prosecutor should build an effective relationship with the community and ensure that the rights of victims are protected. He said: "*It is your duty to prosecute fairly and*

*effectively according to the rule of law, and to act in a principled way without fear, favour or prejudice*". Furthermore, Mandela urged prosecutors to build a prosecution service that is effective, a deterrent to crime and is known for demonstrating great compassion and sensitivity to the people it serves. The challenge comes when the unit has conflicting demands in balancing the needs of the state over the needs of the community (Madonsela, 2009: 9).

#### **4.3.10 Judicial Institutions**

In South Africa, the judicial institutions are courts which serve as deterrent against unethical conduct by public officials. Mafunisa (2003: 17) states that judicial institutions ensure checks and balances on the abuse of administrative power, making political office-bearers and public officials account for their actions. Court cases usually receive wide publicity through the press, particularly in countries such as United States of America, South Africa, Britain and other countries where democratic values are taken into consideration. Courts of law are there to instil a culture of good governance. Public officials and members of the public know that courts are there to enforce or retrieve money wasted, therefore the process, with the media as a watchdog, discourages public officials from engaging in corrupt practice.

From 2015 to 2017, South African Courts were instrumental in promoting ethical behaviour in the public service. The courts are the arbitrators between political parties and the ruling party, ANC to make judicial decisions based on ethical conduct. A classic example is the Nkandla saga where the High Court through Judge Mokgoeng Mokgoeng made a ruling in favour of the remedial action by the Public Protector. The landscape of courts has changed dramatically under the new dispensation. Opposition parties use courts to argue moral and criminal cases which they feel were not adequately dealt with at parliamentary level. . The challenge is that courts in South Africa are used as mediator between the department or person who failed to perform his/her duty to the satisfaction of the public, instead of the ruling party to hold the person accountable or apply sanctions. They are therefore used as public service decision making mechanisms instead of focusing on judicial matters and ensuring the

rule of law. Courts have limitations as they cannot prosecute an offender without the institution laying charges to the police. During Limpopo Administration era, the public service was characterised by intimidation of those who wanted to disclose acts of conduct. Senior public managers in this instance failed to manage the mechanisms such as whistle blowing Act and protection of disclosure to protect whistle blowers or those who exposed the unethical practices.. The widespread corruption in South African public service is due to the lack of or slow disciplinary process in getting factual evidence as proof of transgression.

#### **4.3.11 Parliamentary Committees**

Dwivedi and Jabbra (1998: 5) reported that parliament was once perceived as one an institution that rubber-stamped the ideals of the minority over the majority. In 1994, the democratic government realised that the function of the parliament had to be reviewed in line with the ethos and values of democracy. Old rules and procedures that guided the conduct of the Parliament and to be more responsive to citizens' interests. Extensive powers were given to the Parliament and its Committees, empowering it to monitor, investigate, enquire into, and make recommendations relating to any aspect of the legislative programme, budget and policy formulation or any other matter. The Parliament is open to scrutiny by public, media and opposition parties and is based on three functions, which are to: (a) make new laws; change existing laws; and repeal laws which are no longer needed.

#### **4.3.12 National Treasury**

The National Treasury is prescribed in the Constitution of the Republic of South Africa, Chapter 13 under Finance. Section 216 (1) mandates the National Treasury to promote economic development, good governance, social progress and rising living standards. This is achieved through accountable, efficient and equitable and

sustainable management of South Africa's public finance. To alleviate poverty, the treasury continues to support the optimal allocation and utilisation of financial resources in all spheres of government. Provincial and local government played a prominent role in eliminating poverty and reduction of inequality. Policies and laws are formulated at national level, whereas, the provincial level is there for implementation. Public Finance involves budget allocation process as the key to the government's roles of allocation, redistribution of resources and economic stabilisation. Through the National Treasury, the government is able to allocate funding to all levels of government.

Managa (2012: 2) alleged that prior to Judicial Administration, the management of Provincial Treasury Department in Limpopo Province had collapsed due to overspending without accountability. There were reports of unauthorised expenditure to an extent that some service providers were paid eight (8) times. The National Treasury found out that the province used R270 million on corrupt activities, which surpasses any other province. The office of the Chief Procurement provides oversight to public service Supply Chain Management system to ensure that the procurement of goods and services is implemented in a transparent, equitable, fair, competitive and cost-effective manner.

The role of the National Treasury in Limpopo province resulted in improvement in financial performance. Acts of corruption were minimised with strategies put in place to address corruption. A number of disciplinary cases were identified and dealt with. There was a significant improvement in the Education Department's budget. During intervention, the gap of backlogs payment to service providers were closed. Through the misappropriation and unaccounted expenditure, the province was faced with a deficit that affected the remuneration of public officials. The five departments under Judicial Administration were in an excessive debt, poor asset management, irregular expenditure, lack of tender procedures and projected overspending. According to Zitha and Mathebula (2015: 18), procurement operates within a dynamic environment. There are ethical standards which SCM officials are required to conform to and these

are prescribed in the Treasury Regulations for departments, trading entities constitutional institutions and public entities in terms of the PFM Act 1999. All officials must disclose any conflict of interest that may arise, treat all suppliers and potential suppliers equitably, may not use their positions for private gain and to ensure that they do not compromise the integrity of SCM. In other words, the principles of codes of conduct are included. Section 16(a) (8) (5) of the Treasury Regulations of 2005, stipulates that an official in the SCM unit who becomes aware of a breach of or failure to comply with any aspect of the system must immediately report such breach of or failure to the Accounting Officer in writing. The National Treasury, after realising the prevalence of corruption in procurement processes, introduced two measures to reduce the scope of corruption:

- (a) A proposal to amend the Treasury regulations to ensure that procurement plans are completed and submitted to national departments for assessment and approval before funds are made available.
- (b) Establishment of the Chief Procurement Officer to help provinces review contracts, compile standard pricing guidelines and cash management control.

#### **4.4 CONCLUSION**

It is evident that the introduction of numerous anti-corruption strategies and institutions to support democracy, show commitment by the government to promote ethical behaviour within public institutions. Although there are numerous legislatives frameworks to fight corruption, there are still limitations which render the enforcement process ineffective. Sanctions alone are not enough without common consensus of the police, special investigation units, prosecution authority, political will and the whistle blowers to reach an amicable solution to punish the perpetrators. The discussions on mechanisms to improve good governance showcase that rules, codes of conducts alone cannot enhance ethical behaviour in public service. Central to the effective implementation of these numerous anti-corruption strategies, is the will of senior management to act or not to act against the perpetrators. Corruption, fraud and other ethical challenges are not only regarded as a moral issues, but also as criminal issues.

## CHAPTER 5

### RESEARCH METHODOLOGY

#### 5.1 INTRODUCTION

According to Welman, Kruger and Mitchell (2005: 2), research is a process that involves obtaining scientific knowledge by means of various objective methods and procedures. Research is an explicit, systematic approach to finding things out, often through a process of testing out preconceptions. This chapter will explain types of research design, population, sampling and sample size, type of data collection instrument to be used, ethical consideration and data analysis. The research methodology will seek to find out the impact of ethical behaviour as displayed by the senior public officials towards enhancing effective leadership which is responsive to upholding values of good governance in the Limpopo provincial government departments.

#### 5.2 RESEARCH DESIGN

Mouton (2001: 55) indicates that research is a plan or a blue print which explains how the study should be conducted in detail. The aim of the research design is to plan and structure a given research project in such a manner that the eventual validity of the research findings is maximised. Welman, Kruger and Mitchell (2000: 52) define research design as the plan according to which the researcher obtains research participants and is able to collect information from them. The research design includes a description of the specific techniques to be employed, the specific measuring instruments to be utilised and the series of activities to be conducted in making the measurements as well as how data will be analysed. Bless, *et al.*, (2006: 183) define

research design as a set of procedures that guide the researcher in the process of verifying a particular hypothesis and excluding all other possible hypothesis or explanations.

De Vos (2006: 243) defines research methodology as the process of following the steps, procedures and strategies for gathering and analysing the data in a research survey. According to Welman *et al.*, (2005: 2), the research methods consider and explain the research methodology logic behind research methods and techniques. A research methodology is a process of expanding in one's field through scientific methods. In social science the research methodology attempts to understand the human behaviour through a research study. Various methods of research are applied in a case study.

Brink (2009: 92) describes a research design simply as the set of logical steps taken by the researcher to answer the research question. Research design is therefore a plan of collecting data to investigate the research hypothesis or question in the most economical manner. Polit, Beck and Hungler (2001: 165) and Saunders, Lewis and Thornhill (2009: 3) are of the view that the research design is essential for the researcher to answer the research questions and includes decisions about when and how data will be collected in the research study. Therefore, the research design is instrumental in guiding the implementation of the research study to achieve the intended purpose. There are three types of research methods, namely; qualitative and quantitative and mixed methodology.

### **5.2.1 QUANTITATIVE RESEARCH**

Williams (2007: 66) is of the opinion that quantitative methodology is used when the researcher needs to quantify data. Quantitative methodology involves a numeric or statistical approach to research design. The methodology is specific in surveying and experimentation, and it also builds on existing theories. The quantitative research is a

methodology dealing with numbers and anything that is measurable in a systematic way of investigation of phenomena and their relationship. Its purpose is to answer questions on relationships within measurable variables with the purpose to explain, predict and control the phenomenon. The aforementioned statement is supported by Creswell (2003: 18) when he states that quantitative research uses the strategies of inquiry such as experimental and surveys, which allow the researcher to collect data on a predetermined instrument that generates the statistical data.

Leedy and Omrod (2001: 14) agree with Williams (2007) and Creswell (2003) when point out that quantitative research involves the collection of data so that the information can be quantified and subjected to statistical treatment to support the hypotheses under survey. The methodology is prevalent in natural sciences where the phenomenon is perceived to be universally accepted. The quantitative analysis occurs under controlled environment such as laboratory based on complex structured methods to confirm or disprove hypotheses.

## **5.2.2 QUALITATIVE RESEARCH**

The qualitative approach is concerned with developing explanations of social phenomena. The approach enables the researcher to understand processes, events and relationships in the context of social and cultural situation. The method is commonly used for providing in-depth description of procedures, beliefs and knowledge related to the role and importance of ethics in leadership behaviour. The approach is descriptive, explanatory and contextual as it seeks to describe the phenomena and explore reasons for certain behaviours including the attitudes and opinions of respondents. Qualitative methodology is different from quantitative methodology as it focuses on understanding, rather than controlling or predicting phenomena. It seeks to understand complex, interrelated and or changing phenomena. This implies that qualitative methodology is more relevant to challenges of understanding human behaviour and the quest for managing such behaviour. For

example, in this case study, ethical leadership is regarded as abstract, pervasive and complex to define (Welman *et al.*, 2005: 188).

Saunders, Lewis and Thornhill (2000: 381) state that qualitative data are characterised by their richness and fullness based on real experiences to explore a subject in as real a manner as possible. In social phenomena, qualitative research is very useful, not only in providing rich descriptions of complex phenomena, but in constructing or developing theories or conceptual frameworks. Qualitative methodology is essential in generating hypotheses to explain those phenomena under study. Leedy and Ormrod (2010: 135) attest to this view that qualitative research tends to explain the nature of social practices, relationships and beliefs. The research methodology should be able to bring out the realities of the problem to the surface. Denzin and Lincoln (2005: 3) assert that the methodology provides for the understanding of the meaning that people attach to their daily life experiences.

Qualitative research is based on the following approaches when collecting data:

#### **5.2.1.1 Contextual Approach**

The phenomenon is studied because of its intrinsic and immediate contextual significance. The contextual approach describes the natural setting where humans conduct research and events take place. The approach assists in studying the context in an environment setting, in this case, it is the public service institutions. Senior public managers are exposed to conflictual situations in their quest to respond to demands from the public, political supremacy and the subordinate public officials. They are expected to deliver the mandate of the government through management of processes and human capital through moral development. The followers are the subordinate public officials who are frontline staff expected to carry out administrative functions and implement policies in an efficient and ethical manner. The researcher visited the public service institutions in the Limpopo province to record behaviour in its natural setting so as to understand the conditions and culture of the participants. This assist

with the in-depth understanding of the extent of the role played by ethics in institutional leadership. Responses from different participants highlight the attitudes, opinions, feelings and reaction towards the impact of ethical leadership in promoting good governance (Babbie & Mouton, 2001: 27).

Qualitative research, according to Sarantakos (2013: 16), is context bound, and as such, the researcher should be context sensitive. This allows the researcher to link the concept with social setting and the institutional culture that have impact between the role of the senior public officials and the governance system of the institution. The study is grounded within the context of the institutions where public administration of government resources takes place.

### **5.2.1.2 Descriptive Method**

Welman *et al* (2005: 188) indicate that qualitative approach is also basically a descriptive form of research as it seeks to describe events, dimensions, perceptions, attitudes and behavioural conduct of a phenomenon. Punch (1998: 15) indicates that the descriptive method gives a fuller picture of the phenomenon under study, what needs to be studied and how. In this research context, the descriptive method is essential in describing ethical leadership variables; ethics and leadership, governance, morality competency and knowledge of legislative frameworks that are vital for personal and professional ethics. The use of descriptive methodology is justified on the basis of the flexibility in promoting in-depth descriptions of the role of ethical leadership in institutionalising a culture of ethics in public service.

The study describes events that led to perception of ethical challenges in Limpopo public institutions as a basis of determining causes and effects of the phenomenon on good governance. The behaviour of ethical leadership and unethical leadership are described in order to determine if indeed they have an influence on the good governance of public institutions. Therefore, the descriptive research focuses on the

functions and characters of individuals. Marlow (2005: 32) refers to descriptive method as important in emphasising the in-depth inquiry of the phenomena. According to Streubert, Speziale and Carpenter (2003: 22), descriptive method is central to open research and supports unstructured qualitative research. Section A category of the study, the questionnaire on “Conceptual Knowledge” of ethical leadership is open and unstructured.

### **5.2.1.3 Explanatory Method**

Creswell (2014: 15) asserts that explanatory methodology focuses on finding out how the events unfolded in the phenomenon, why such events happened and how they can be controlled or managed. Explanatory method indicates the causal relationship between variables under study. This study is informed by two variables which are ethics (independent) and leadership (dependent). Explanatory method will determine how ethical leaders behave and the impact on followers and the entire system of governance in the public service. Learning about the prevailing culture will help in the understanding the state of ethos in public institutions and its morality aspect towards the public officials.

According to Fisher and Ziviani (2005: 33), the explanatory method should demonstrate that a relationship exists between the variables and have causal effect on the phenomena which is ethical leadership being imperative for good governance. Moreover, the method should reveal that there is specific sequence of cause and effect which contributes to the specific phenomenon being the reality. The study attempts to analyse the causal effect of relationships through the analysis of correlation between two variables. For example, unethical behaviour of leadership in the Limpopo provincial government resulted in the placement of the province under Judicial Administration. The causal effect being leadership crisis which largely contributed to corruption, fraud and scandals which led to poor governance. Creswell (2014: 15) states that explanatory methodology is applicable to mixed design where the researcher conducts quantitative research and analyses the results using qualitative

research methods to explain further the concepts and the phenomenon. Therefore, this methodology is relevant in augmenting the Likert scale questionnaire to analyse statistics and explain trends.

### **5.3 MIXED METHOD DESIGN**

Driscoll, Appi-Yeboah, Salib and Rupert (2007: 20) describe that the mixed method design consciously blends both approaches within or across the stages of the research process. The mixed method design integrates qualitative and quantitative data. It is premised on the observation that every method has its own weaknesses and strengths when it comes to collecting data. According to Creswell (2014: 15), the use of mixed method involves becoming familiar with social science in the form of triangulation. Triangulation is a form of mixed methods design in which the researcher converges both qualitative and quantitative methods in order to provide a comprehensive analysis of the research problem. The mixed methodology enhances complementarities, expansion and corroboration of findings.

Johnson, Onwuegbuzie and Turner (2007: 112) contend that the mixed methodology is a third major research approach in research paradigm. Once a proposition has been confirmed by two or more independent measurement processes, the uncertainty of its interpretation is greatly reduced. This combination can serve for two different purposes: it can help to discover and handle threats for validity arising from the use of qualitative or quantitative research by applying methods from an alternative methodological tradition and can thus ensure good scientific practice by enhancing the validity of methods and research findings. The mixed methodology can be used to gain a fuller picture and deeper understanding of the investigated phenomenon by relating complementary findings to each other which result from the use of methods from different methodological traditions of qualitative and quantitative research. Findings of the mixed method research apart from other forms of inquiry depend on the researchers' capacities to learn through joint effort and to construct joint meaning.

## 5.4 RESEARCH SETTING

Stommel and Wills (2004:435) postulate that research setting is a geographical location, institution or organisation or entity and or study unit characteristics to which the researcher has access, given the available resources. This study deals with issues of Ethical Leadership in the Limpopo Public Service with specific reference to the Limpopo Provincial Government. Limpopo is divided into five (5) districts, namely: Capricorn, Sekhukhune, Vhembe, Waterberg and Mopane. The natural setting of the study is in the provincial departments in the Capricorn District. The setting will provide an insight on causes, effects and the overall implications on ethical leadership to promote good governance in the provincial government.

Figure 5.1: *Limpopo Province showing all the districts along with province boundary and the capital city (Limpopo Municipality Map)*



Source (*Limpopo Municipal Map*)

The work environment at the provincial government departments provided a study setting which enabled the researcher to study phenomena such as institutional norms and conducts, misbehaviour, deviance, role of normative principles such as fairness and reasonableness, honesty, accountability, trust, integrity and respect. Public institutions are regarded as a primary reference for the activity of administration, an arena where practices and conduct of ethical leadership determine the governance system of the Limpopo province. The study was conducted amongst the public officials from categories of administrative level, middle and senior public managers. Enhancing ethical leadership in public context is best understood in the context of professionals' roles as key players in the promotion of ethics.

## **5.5 RESEARCH POPULATION**

According to Polit and Beck (2004: 537), research population refers to the entire target population in which the researcher is interested and would like to generalise the results of the study. The population as a target group, is important for sampling to define the type of population that fit the researcher's profiling. The unit being sampled is also specified including the geographical location. Normally, the research problem is on population. It is not possible to involve all population due to size and time. Population should be selected to represent the total population whose study is aimed at. The research should select and define a population which is referred to as a target population. In this study, line managers and junior employees would form basis of the target population. The total number of target population were 165 respondents, consisting of senior and junior public officials. Ethical leadership is a relational concept which is based on the relationship between the followers and the senior public officials. This relationship has a profound impact on the promotion of ethics. In the context of this study, ethics cannot be separated from the role of senior public managers and its perceived effect on the followers, taking into consideration the overall effect on the quality of governance. The educational background, age as well as experience of the

respondents were factored in to determine the level of understanding the phenomenon when analysing the research instrument.

## 5.6 SAMPLING AND SAMPLE SIZE

Sampling is the process of taking a portion or a smaller number of units of a population considered representative or having particular characteristics of that total population. Sampling is important in qualitative and quantitative research. It is not possible to interview everybody within the target population, instead the researcher selected representatives from the target population, who are in the category of managers and subordinate public officials. The sample is the representative of the relevant population which the research focuses on. The researcher relies on the experiences of the sampled population to determine the climate of ethics in particular environment. The sampling plan is aligned with the research objectives and questions with the purpose of the study (Punch, 2014: 211).

Sarantakos (2005: 139) indicates that sampling enables the researcher to study a relatively small number of units in place of the target population, and to obtain data that are representative of the whole target population. Through sampling, the researcher is able to eliminate any selection biases, which means that each unit in the population has an equal chance of being selected. There are different types of sampling in qualitative research; snowballing and quota sampling, purposive or judgemental.

### 5.6.1 Snowballing

Sampling is a type of non-probability sampling. Babbie (2010: 193) indicates that snowballing is the process of accumulation as each located subject suggests other subjects. Welman *et al.*, (2005: 68) contend that in snowball sampling, the researcher

approaches few individuals from the relevant population. The population then acts as informant by suggesting other population with similar characteristics needed by the researcher. For example, this type of sampling is commonly used in advertisement where the targeted population are randomly selected and asked to suggest anyone who may fit the characteristics of the advert. It is more prevalent in the area of sales. In the context of governance, the sampling is more visible during parliamentary sessions where the media target different leaders of various parties to know their views about issues under deliberation. It is valuable for exploratory purposes, mainly through social networks.

### **5.6.2 Quota sampling**

Grove and Burns (2005: 351) argue that a quota sampling is when the researcher identifies population strata and determines how many participants are needed from each stratum. Quota sampling addresses the issue of representativeness. Welman *et al.*, (2005: 69) describe that the researcher should know the important strata according to which the population is composed and their respective proportions.

### **5.6.3 Purposive Sampling**

The study adopted a purposive sampling methodology to determine its target population. Purposive sampling is the systematic selection of population. Saunders, Lewis and Thornhill (2009: 237) argue that the logic of selecting purposive sampling should be based on the research questions and study objectives. In purposive sampling, the researcher selects a group of individuals that fits the purpose of the research. The effective management of ethics in public administration is regarded as the responsibility of a senior public managers. Ethical leadership is perceived as one of the purpose directed at the leadership in ensuring that professional public ethos are adhered to. The decision to use purposive rather than

random sampling lies in the fact that the preferred individuals closely resemble what is being studied.

Purposive sampling sizes up people into categories. The sampling size was 20% instead of 10% as recommended by some research practitioners. There are usually one or more specific pre-defined groups which the research targets as respondents. The researcher verified if the respondent does in fact meet the criteria for being in the sample. In this study, senior and junior public officials were sampled to determine relevant population for the survey. According to Sarantakos (2013:1), social research is purposive and involves rigorous investigation that aims to generate new knowledge. Purposive sampling is an intellectual tool that allows the researcher to enter the context of personal or public interest that are known to the participants. During data gathering, the researcher explained to the Heads of Department that interns and service staff were not part of the sampling. The purposive sampling as confirmed by Cohen, Manion and Morrison (2011: 156) enables the researcher to access people with conceptual knowledge, those who have in-depth knowledge by virtue of their professional role, power, access to network, experience and necessary expertise. Senior public managers and subordinate public officials have the necessary expertise and experience about the practices of ethics, challenges they face, and how they deal with those competing values for better governance.

According to Welman *et al.*, (2005: 69), purposive sampling is the most important type of non-probability sampling. The sampling is useful as the study is based on assessment of social inter-relationship between the leader and the followers. The study seeks to evaluate variables such as leadership, ethics, competency skills in terms of inculcating and maintaining the culture of public ethos. In this context, provincial public institutions were targeted as an ideal environment to evaluate the behavioural conduct of a senior public manager and its implications on institutional performance, followers and stakeholders, public and how the role impacts on the good governance of the public institutions. Qualitative research relies on information saturation, meaning that during the data collection, the researcher is able to detect saturation point when the same information is repeated over and over again. The advantage of purposive sampling is that it is composed of experts of the subject.

## 5.7 DATA COLLECTION

Data is information or facts that can be used in calculating, reasoning, or planning. Factual information (as measurements or statistics) used as a basis for reasoning, discussion, or calculation (Longman Dictionary, 2016: 449). Burns and Groove (2009: 695) refer to data collection as the precise, systematic gathering of information relevant to the research study. According to Creswell (2009: 224), data collection is the process of collecting information from the participants which is needed to address the research problem. Creswell (2014: 189) however provided an inclusive definition of data collection when he indicates that data collection steps include setting the boundaries for the study, collecting information through unstructured, semi-structured observations or interview, documents, and visual materials, as well as establishing the protocol for recording information. In qualitative research, data are collected from the empirical world.

Kumar (2011: 26) notes that data collection is a process in which the researcher collects the information to be used in the study after formulating the research problems, developing the study design, constructing a research instruments and selecting the sample of the study. Leedy and Omrod (2010: 97) assert that in collection of data, the researcher is the primary instrument because the majority of their data collection is dependent on their personal involvement in the research. The researcher, according to Sarantankos (2013: 15), should be an active listener with limited participation to avoid subjectivity.

This study adopted the mixed methods research design which is a combination of qualitative and quantitative methods in a single study. The methods were administered concurrently in the instrument for data collection in the form of triangulation. The design assisted in addressing different categories of the questionnaire. Ethical leadership and governance assesses the attitudes, beliefs and behaviour of individual actors within a given environment. As such, it cannot be quantified, but can be explored and compared through the qualitative methodology. Onwuegbuzie (2004: 17)

indicates that quantitative data collection is essential to measure the frequency of the phenomenon under study. For example, a question on how often is training about standards and professional guidelines are provided to public officials needs to be quantified to get the statistics of the participants. The triangulation of mixed methods assists in increasing reliability and validity of a study designs.

## **5.8 RESEARCH INSTRUMENT**

The study used self-administered questionnaires to collect data. The researcher sought permission within the sampled Departments. Letters of requests were sent to different Heads of Departments, after many attempts had been made to find relevant units within the departments that deal with research issues. Requests were sent through e-mails and also through physical deliveries to the relevant Heads of Departments. Out of five Departments, only two Departments, namely; the Department of Education and the Department of Roads and Transport granted the permission in time. These departments have district offices in Lebowakgomo and within Polokwane, over and above Head Offices. The researcher was given approval by Heads of Departments (HOD) through the Research Units of that particular departments.

### **5.8.1 Challenges encountered in data collection**

The researcher encountered a number of challenges during the survey. The units which were tasked to facilitate approval were characterised by bureaucratic processes which made the approval process to be longer than anticipated. Although the researcher was eventually granted approval, it did not mean that data collection in different district offices would be automatic. Out of the 5 departments sampled, only two departments approved the requests in time, the other two departments considered the request late. The remaining department indicated that the study promoter should

send the request and not the student, unfortunately it was already late. The visit to sign approval forms was another challenge as some visits to offices could be encountered by absence of the relevant person despite having made an appointment. The final approval was done after several enquiries.

The District Directors in turn nominated one of the senior staff members in research divisions to identify participants as per the questionnaire. The allocated personnel assisted the researcher and the research assistants in the distribution and collection of questionnaires as some district offices had several units in different places. Apart from Head Office, there are district offices in the city and also at Lebowakgomo District. This process was of a great assistance to the researcher and the research assistants. Two research assistants were given information on how to approach the participants, what behaviour was expected from them to be in compliant with the ethical requirements of the research. The researcher was often called by the research assistants to come and clarify some of the concepts as requested by the respondents. One hundred and fifty (150) questionnaires were distributed to senior public managers and subordinate public officials. Questionnaires were distributed equally within two departments in the district.

The response rate during survey differed according to population category. In the Department of Public Transport, the response rate was satisfactory as one of the senior public managers in charge of that section distributed the questionnaires in one of their meetings. Most of the senior public managers preferred to complete the questionnaire when the researcher was there to clarify some concepts. Returned questionnaires were ninety-two (92), 2 of the questionnaires returned were blank, three (3) were not fully completed. Only eighty seven (87) questionnaires were analysed. Subordinate public officials at lower levels such as administrators showed interest towards participation, which resulted in their category of the respondents being the highest, followed by middle management and lastly the senior public managers' category.

Some participants preferred to respond but not to sign a consent form, the reason being fear of being exposed. After explaining that the research is meant for scholarly research only, the response rate increased. Furthermore, it was indicated that the results would be generalised and no specific department would be mentioned. The explanation allayed the fear of being exposed and participation increased. The self-administered questionnaire enabled the researcher to explain clearly the purpose of the study. It also provided a chance to explain clearly the meaning of items on the questionnaires that were unclear to the respondents.

The research instrument was in the form of questionnaire and semi-structured interview as follows:

### **5.8.2 Questionnaire**

The research instrument was a self-administered questionnaire. A questionnaire is a list of questions to be completed by the respondents. The questionnaire design followed a triangulation methodology of open-ended, close ended and the use of the Likert scale depending on the category of questions. According to Punch (2014:114), an open-ended questionnaire is appropriate for researchers who want to capture directly the lived experiences of people. The Likert scale is essential for statistical data. Babbie (2010:256) indicates that open-ended questions should be coded before in the computer to enable easy coding during data analysis. The researcher should avoid double barrelled questions that could confuse the participants. Questions should be clear and not ambiguous and the researcher should pay attention to the following when designing a questionnaire: how the questionnaire appears, the sequence of questions, the wording of questions and what categories of responses the researcher anticipates getting back.

The open-ended questions allow an in-depth discussion of the concepts, followed by a semi-structured Likert scale. Welman *et al.*, (2005: 149) confirm that a self-

administered questionnaire is handed to the respondent, who completes it on his/her own. During data collection, the researcher was available for more clarification in case the respondents experience problems during completion of the questionnaire. The formulation of questionnaire were based on hypotheses, statement of the problem, research questions and the literature review. According to Babbie (2010:256), a questionnaire is a document containing questions and other types of items designed to solicit information appropriate for analysis.

Section A of the questionnaire is composed of the demographic information which evaluates variables such as sex, educational background, occupational group and experience. This section consists of close ended questions. Section B has open-ended questions which focus on the evaluation of Conceptual Knowledge of the participants. Items covered were ethics, leadership, ethical leadership and good governance. Section C is about perception of ethical leadership, only item 1 is open-ended and the rest survey opinions. Punch and Oancea (2014: 114) indicate that an open ended questionnaire is appropriate in directly capturing the lived experiences of people.

Item 2 to 5 of Section C are close ended questions. The items assessed variables such as honesty, trust and asked the respondents to state if there is a relationship between ethical leadership conduct and employees' behaviour. Section D to F categories are in Likert scale. Section D is composed of eleven (11) items which examine the role of ethical leadership and the effect on the institutional behaviour. These items considered factors which promote ethical climate of employees and assume that there is a link between ethical leadership and work performance. Section E has ten (10) items which explore the relationship between ethical leadership and promotion of service delivery. The items focus on the attitudes and behaviour of subordinate public officials when delivering services to citizens. Section F measures perception of ethical awareness in the public service. The section has thirteen (13) items which evaluate mechanisms for internal and external control such as policies, Code of Conduct and legislations to promote ethical behaviour. Training is also included as part of ethical awareness (See attached Annexure "A").

### 5.8.3 Semi-Structured Interview

Punch (2005: 169) regards a semi-structured interview as a list of semi-structured questions which allow the researcher to understand the respondents' construction of reality in terms of experiences. An interview is one of techniques of gathering information from participants by asking questions, whether structured, semi-structured or unstructured. This study used the semi-structured interview for pilot studying. The interview used the same questions as in questionnaire and allowed the researcher to probe views and opinions of respondents. This assisted in determining gaps in the primary instrument which was a questionnaire. During data gathering, the semi-structured interview assisted the researcher to personally understand the views of the participants. The researcher was able to engage with participants in an in-depth interview which elicited rich information about the phenomenon. For example, most of respondents at senior level showed that they were familiar with the names of some of the frameworks, but they did not have sufficient training to relate fully to the content. Questions for the interview on pilot study were standardised as the same questions were developed for the self-administered questionnaire.

## 5.9 PILOT STUDY

The questionnaire was piloted before it is administered during the main study. Babie and Mouton (2001: 261) refer to a pilot study as the pre-testing of the questionnaire in a small population. De Vos (2002: 211) maintains that a pilot study is pre-testing of a measuring instrument on a relatively small number of people having the similar characteristics of the sampled population. The purpose of piloting was to assess its feasibility, determine its relevancy to context, convenience and its cost-effectiveness. According to Mouton (2009: 203), a pilot study or feasibility study is a set of steps taken to ensure quality of future data collection procedures. The pilot study is essential in identify gaps within the instrument before the main collection of data. The piloting of

the instrument necessitated the review of the instrument as it only included open ended questions. It was noted that during the pilot testing, most of the questions were vague and duplication.

Three (3) senior public officials and five (5) junior public officials were selected for the study from the Department of Education and Public and Transport. Pre-testing entails including a few individuals who meet the inclusion criteria but will not form part of the sample. The instrument was an open-ended questionnaire. During pre-testing, it was found that the rate of response was very low. Upon enquiring, some of the participants indicated that an open-ended questionnaire takes more time than a close-ended questionnaire. For example, one of the senior public managers indicated that the instrument would not yield intended results because most of the public officials would not be familiar with most of the policies. Some of the public officials requested to take the instrument home and when making follow-up they kept on postponing filling it and returning it. The response rate necessitated the review of the instrument. Some of the questionnaires required re-formatting. As a result, the researcher categorised the instrument into open-ended in Section A and close-ended using the Likert scale in Section B-F in order to achieve the goal of the study. The infusion of qualitative and quantitative methodology enabled the researcher to finally adopt a mixed methodology for the main instrument.

## **5.10 DATA ANALYSIS**

Offreyd and Vickers (2010: 179) refer to data analysis as a process of reducing, organising and giving meaning to the data one has collected. Analysis of data in a research project involves summarising the mass of data collected and presenting the results in a way that communicates the most important features. Data is used to describe phenomenon, to articulate what it means and to understand it. Different approaches require different types of analysis. Data analysis can also be described as the method of systematically analysing data collected and starting to make sense of

what was discovered during interviews. Data obtained from the questionnaire were captured and analysed. The study used the Statistical Programme for Social Sciences for analysing data.

According to Cresswell (1994: 155), data analysis should be based on data reduction as data collection through open-ended questionnaire is voluminous. In qualitative research, data analysis attempts to break down data into smaller units and then re-assemble to call attention to patterns, themes and concepts. Cohen *et al.*, (2011: 231) show that data analysis involves organising, categorising and noting to make sense of the data in terms of the participants. Furthermore, coding procedures were categorised, data was sorted into themes or patterns. The study used principles of ethics as measurement such as integrity, trust, accountability, justice, fairness amongst others as themes for coding to determine ethical leadership. Interpretation of data is descriptive as it attempts to describe phenomena. Detailed notes to guard against biased interpretations were taken in their raw state for coding.

Cresswell (2005: 334) mentions six (6) steps of data analysis as follows:

### **Step 1: Data collection and preliminary analysis**

In this step, the researcher plans to do data analysis at the research site during the data collection, and also to do data analysis away from the site, following a period of data collection. Preliminary analysis deals with the process of reducing the massive data collected into manageable proportions. This step involves familiarisation oneself with all data materials and field notes to make deductive conclusions about the raw data (Mouton, 2015: 161).

### **Step 2: Managing data**

This is the early stage in analysis, which involves the researcher organising his/her data into file folders, index cards and computer files. The process will be done manually where responses will be classified under different themes and sub-themes.

### **Step 3: Reading and writing memos**

After the researcher has organised the data, she or he should get sense of the details of interview by reflecting on the process before breaking data into different parts for categorising. The process will involve reading and writing memos. Babbie (2015: 404) refers to the process as memoing where the researcher should write memos to describe and define concepts.

### **Step 4: Generating categories, themes and patterns**

Babbie (2010: 338) indicates that themes will be developed based on the questionnaire and each question is divided into sub-categories. Ccoding is a formal presentation of analytical thinking. The process of category generation involves noting regularities in the setting of people chosen for the study.

### **Step 5: Coding the data**

Data analysis involves formal representation of analytical thinking. The researcher applies some coding scheme to those categories and themes and thoroughly marks passages in the data using codes (Holloway and Wheeler, 2002: 15). Offreyd and Vickers (2010: 179) states that the data collected will be organised, coded, categorised, synthesize to enable analysis and report the findings in a text format using paragraphs. In other words, coding of data is the process that enables the interpretation of raw data into a meaningful context.

### **Step 6: Writing the report**

This is the final step where the researcher presents the data, packaging what was found in text, tabular or figure forms. Creating a visual image of the information, a research may present a comparison table or a matrix.

## 5.11 VALIDITY OF DATA

Babbie and Mouton (2012: 537) refer to population validity as a degree to which the findings obtained from a sample may be generalised to the population to which the research hypothesis applies. Validity focuses at the reliability, creditworthiness, trustworthiness, dependability and transferability. In quantitative methodology, validity is more definite, whereas in qualitative validity is debatable. There are three types of validity: descriptive, interpretive and theoretical validity. Descriptive validity is when the researcher looks for the accuracy of the behaviour, events and settings. Interpretive validity is when the researcher confirms the accuracy in interpretation of the phenomenon. This is how the researcher interprets the opinions, thinking, feelings, intentions and experiences of the subject under study. The theoretical validity will consider relevancy of data collection instrument if it is reliable.

### 5.11.1 Reliability

According to Bryman (2012: 391), reliability relates to the credibility of the findings, meaning that the evidence and conclusions stand up to the closest scrutiny. Furthermore, reliability is the extent to which a measuring instrument is repeatable consistent in producing the same results if repeated. During piloting of the study, the researcher was able to determine if the instrument is relevant to the context, gaps which were identified before confirming the instrument. The process ensured that the instrument is dependable if the same variables are measured again it will produce identical results. Also dependability emphasises the need for the researcher to account for the ever-changing context within which results occur. Lincoln and Guba (1985: 290) emphasize that the quality of a study in each paradigm should be judged by its paradigm context. Trustworthiness is one of the criterion that ensures quality of data as it reflects the deeper understanding of the phenomenon by the participants.

### 5.11.2 Confirmability

Confirmability ensures the objective of the study. It is based on objectivity of the research which is related to the absence of personal bias. Confirmability eliminates biasness and being subjective to the phenomenon or the researcher's view. The participants in the research should be able to confirm the findings based on their responses. There should be trustworthiness between the respondents' views and the instrument. The results should be credible as the respondents are the only ones who can legitimately judge the validity of the result (Bryman, 2012: 392). The researcher interviewed middle managers who requested clarification on other aspects. During the interview, the researcher indicated that one is not supposed to take sides. This implies that the researcher should show objectivity in the formulation of the questionnaire, during data collection and in analysing data. The respondents should be able to validate the outcome of the research that it reflects their opinion, ideas and thoughts. Also qualitative research is interpretive and as such, the researcher should be in constant guard of being biased by being reflective on her or his values, personal background, gender stereotype and culture that could influence the interpretation of data (Creswell, 2014: 187).

### 5.11.3 Transferability

Babbie *et al.*, (2011: 277) says transferability is the degree to which the results of the research can be generalised or transferred to other contexts or settings. From the qualitative perspective, transferability is primarily the responsibility of the one doing the generalizing. Furthermore, transferability is the extent to which the researcher can provide data sets and descriptions that are rich enough that other researchers are able to make judgements about findings. Such data can be transferred to other user population. The study assumes that causes, challenges, manifestation of ethical behaviour share common characteristics. Mechanisms and strategies used to promote ethical governance are from the same or related sources such as

Constitution, Code of Conduct which is applicable to all public service in South Africa. Standards and expectations of conduct are the same, therefore the transfer of findings will be generalised to different settings.

## **5.12 ETHICAL CONSIDERATION**

Cohen, Manion and Morrison (2011: 75) assert that the researcher should be aware of ethical concerns in research when collecting data. Qualitative research is the most popular method used in social sciences where human beings are objects of human beings (William et al, 1999: 30). Ethical leadership in the public service as imperative for good governance is a sensitive concept that will require ethical consideration from the researcher and the participants. The researcher is aware of ethical values so as not to violate the rights of the participants. Similarly, the researcher's rights should not be subjected to authorities' pressure to cover aspects of their own personal interests. Sarantakos (2013: 39) advises that the researcher should adhere to the ethical standards that regulates the access to information. The researcher is accountable to make sure that the research is ethically conducted. The following procedures ensure that ethical dilemmas in the survey are minimised:

### **5.12.1 Permission to Conduct Research**

Permission to conduct the study was sought from the institution that approved the research project, which is the University of Venda's Higher Degrees Committee. This Committee oversees the compliance of ethical considerations by the researcher before approval. After approval, the proposal served at the Research Ethics Committee for ethical clearance certificate. Permission to conduct the research was requested from five (5) provincial departments which form part of the research setting for this study (See Annexure "B").

### **5.12.2 Confidentiality and Anonymity**

Laws, Harper, Jones and Marcus (2013: 171) contend that respondents have the right to remain anonymous, their privacy and confidentiality should be respected. Participants were not willing to participate and divulge sensitive information until they were guaranteed that their names were not going to be mentioned in research. This means that no one, including the researcher, should be able to identify any subjects afterwards.

According to Sarantakos (2013: 40), social research is about researching phenomena that impacts on individuals. It is easy to invade the person's privacy. Participation is voluntary and as such participants have the right to agree or not agree to participate. In social research, privacy is essential as participants will be sometimes required to divulge certain information about themselves. Central to ethical conduct is the public officials who are in charge of doing good for the benefit of the public, therefore, information such as conflict of interest might be sensitive for the research. The participants indicated that they fear to divulge their names as they would be targeted. The researcher ensured anonymity that the questionnaire does not require names, also that participation was voluntary. The approval letter from the Heads of Departments also requested that the researcher avail her findings after the completion of her study. This unsettled the participants as they became unsure if they would remain anonymous. During data analysis, averages in a form of percentages were used instead of naming the person. For example, 65% of the participants agreed that there is a need for ethical leadership conduct for effective leadership.

### **5.12.3 Deception**

Gray (2009: 79) describes deception as misrepresentation. Deception occurs when the researcher encourages people to participate in the study by deceiving them. In some instances, the target population may find that there are aspects that made the

research undesirable and discourage them from participating. In such circumstances, the researcher was honest and she clarified to the respondents and presented reasons for such aspects. This implies that the researcher should be always honest during the data collection process. The researcher approached the survey with integrity and observed all ethical considerations.

#### **5.12.4 Avoidance of harm**

According to Babbie (2007: 65), social research should avoid harm to the participants. The researcher has an obligation to protect the participants. Harm can be emotional or physical. The concept of ethical leadership involves discussions around ethical conduct of officials and the negative outcomes of ethical conduct which manifest themselves in various ways. Participants may be tempted to give an indication of unethical practice by mentioning the person. The public service is alleged to be manifested by unethical practices which involves corrupt behaviour. Some participants may regard this as an opportunity to reveal trends of such practices and mention designations or individual's names.

Gray (2009: 74) is of the opinion that research should not bring a situation to a participant that would leave affected participants under survey embarrassed, ridiculed, belittled or have any kind of mental distress. Ethical issues extend to deviant behaviour of individuals. The morality of the participant can be questioned because the person has a problem with ethical issues such as accepting bribes, something that is prevalent in procurement units. The researcher should be careful and show respect to individuals who think that some of the questions are probing, leading to reveal certain issues. For example, one of the participants at middle level management attempted to draw the researcher into departmental politics by indicating that those who had referred me to him were actually transgressors of ethical behaviour. The researcher explained to the participant that the survey is not about finding faults, but a scholarly research whose findings could be of assistance to the department.

### **5.12.5 Informed consent**

Before the commencement of data collection, participants signed consent forms to agree to participate. The researcher made copies of the approved request from the Head of Departments. Participants were informed that the researcher has the permission from the participants' institution allowing her to carry-out the survey. The letter assured the participants that the study was legal and approved. Sarantakos (2013: 43) mentions that informed consent means voluntary participation. The researcher should not coerce anyone into participating. Everyone has the freedom to participate or not. The researcher has the responsibility of informing the participants that participation is voluntary. The participants were briefed as to why they were chosen to be the sample for the study. Questions on how the participants would benefit were clarified. Those who participated indicated that the fact that findings would be made available would likely benefit their departments. It was also indicated that there were no negative consequences for not participating. The participants were told that they had the right to terminate their involvement without prejudice. The consent statement offered a guarantee of anonymity and confidentiality of the data (See Annexure "C").

### **5.13 CONCLUSION**

This chapter discussed the importance of research design in the collection of data. It was noted that ethical consideration protects both the participants and the researcher against the violation of standards when conducting research. Description of the research design, sampling and data analysis are all in line with the reviewed literature and the background to the study.

## CHAPTER 6

### DATA ANALYSIS AND PRESENTATION OF FINDINGS

#### 6.1 INTRODUCTION

This chapter presents the analysis and interpretation of data. The presentation is mainly descriptive in nature. The data analysis and interpretation is supported by frequency distribution and percentages. For each item, results are presented first, followed by the researcher's interpretation and discussion. Data are presented in the form of graphs, tables and pie charts. Analysis of data is based on the questionnaire. Each section is analysed, interpreted and presented to reflect the relevant views of the respondents.

#### 6.2 ANALYSIS AND INTERPRETATION OF RESULTS

The following section presents data that were collected using a self-administered questionnaire:

##### 6.2.1 SECTION A: DEMOGRAPHIC INFORMATION

The demographic section presents descriptive information on gender, educational background, age, occupation and experience.

##### 6.2.1.1: Gender of research participants

The research participants were requested to indicate their gender. Participants were asked to mark next to the category to indicate their gender. Indication of gender assisted the researcher to know how many females or males participated in the study.

**Figure 6.1: Percentage of males and females who participated in the study**

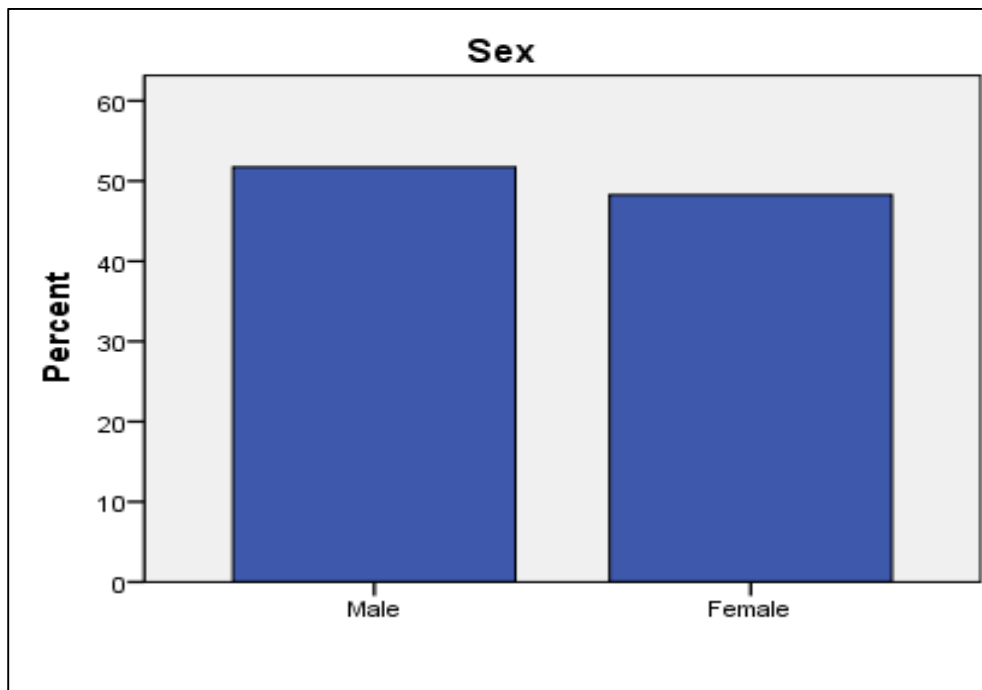
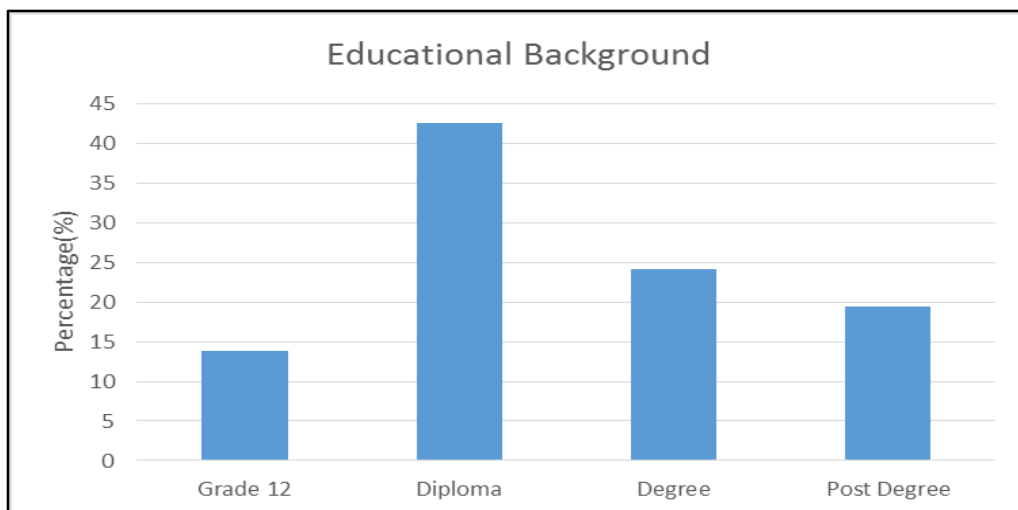


Figure 6.1 shows that out of 87 participants, the majority of the respondents were males (51.7%) followed by females (48.3%). The results indicate that male participants appeared to be more serious about issues of ethical behaviour within their departments or units than females.

**6.2.1.2 : Participants were requested to indicate their educational background**

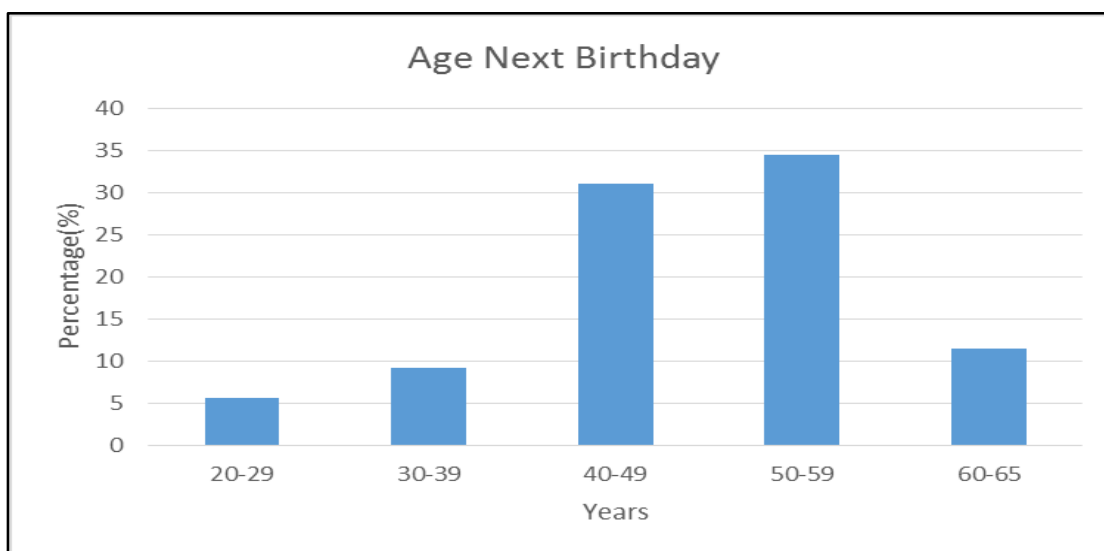
**Figure 6. 2 : Educational Background of the participants**



In this category, participants were requested to state their highest educational qualifications and these divided into four categories as follows: Grade 12, Diploma, Degree and Post degree. Figure 6.2 shows that 13% of the respondents have Grade 12, 42% Diploma, 24% Degree and 19.5% Post Degree. It is clear from the results that the 24% (degree) and 19.5% (post degree) have tertiary qualifications which reflect that the majority of the respondents understood the objectives of the questionnaire and the content thereof.

### 6.2.1.3 Participants were requested to indicate their age next birthday

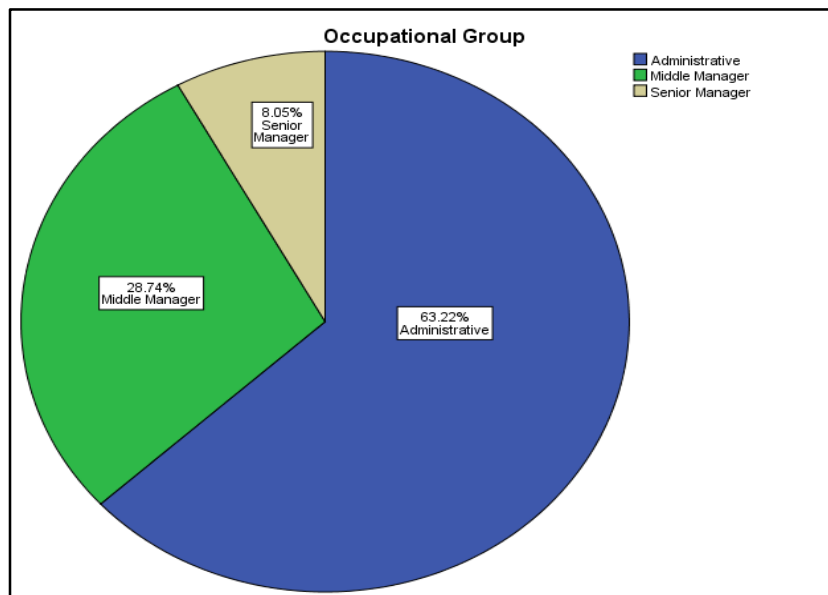
**Figure 6.3 Age of Participants Next Birthday**



The research participants were requested to identify their age groups ranging from 20-29, 30-39, 40-49, 50-59 and 60-65. Figure 6.3 shows that the majority of the participants were between the age group of 50-59 (34.5%), while participants in the second largest age group were between 40-49 (31%), followed by 60-65 (11.5%) age group, 30-39 (9.2%), and 20-29 (5.7%). It is evident that the dominant age groups ranged from 40-49, 50-59 and 60-65. This shows that the largest number of responses came from public officials aged 40-59 years. The majority of the older respondents took the survey more seriously than the younger age group.

#### 6.2.1.4 Participants were requested to state their occupation

Figure 6.4: Occupational groups of participants



The research participants were requested to indicate their occupational groups which served as the target population for the study. The group was divided into three categories, namely administrative, middle and senior public managers. The groups were selected using purposive sampling where each occupational group has the knowledge and experience of the subject under study.

According to Figure 6.4, most of the respondents (63.2%) were in the administrative category, followed by the middle management (28.7%) and senior public managers (8%). The results show that the administrative category was available for the survey, followed by middle management; most senior public managers kept on postponing the completion of the questionnaire resulting in a lower response rate from this category. The reason for failing to complete the questionnaire was indicated as lack of time because they were overwhelmed by work.

### 6.2.1.5 Participants were requested to indicate their experience at work

Figure 6:5 Experience of participants

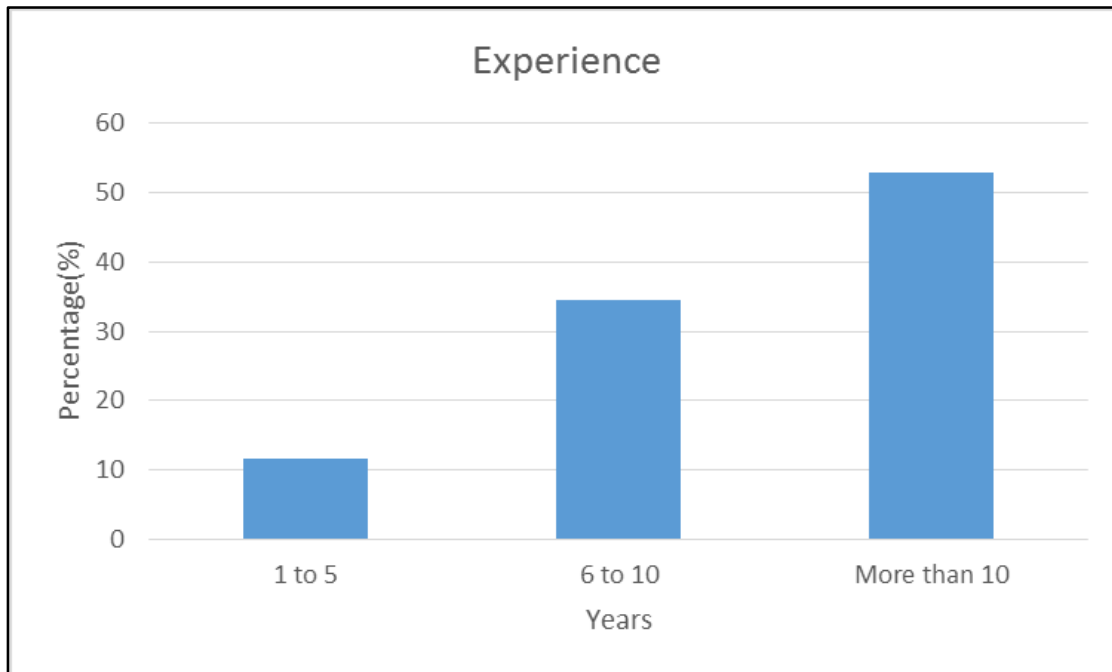


Figure 6.5 illustrates that the majority of participants (52%) had more than 10 years, followed by participants who had between 6-10 (34.5%) and participants with 1-5 years (11.6%). The highest number of participants had more than 10 years' experience followed by those who have more than 6 years. Public officials who had more experience served the institution for a long time. Their experience puts them in a situation where they can say whether the systems and processes of governance are good or bad. Over the years, this group of public officials have bearing on the prevailing practices that determine whether the environmental climate supports ethical or unethical practices. During the collection of data, some of the public officials acknowledged that, when the administration of the province came to an end, the acts of gross unethical practices had been minimised.

## 6.2.2 SECTION B: CONCEPTUAL KNOWLEDGE

This section was had open-ended questions which sought to assess the conceptual knowledge of the participants regarding concepts of ethical leadership. The findings are discussed next.

### 6.2.2.1 *What do you understand by the concept ethics?*

All participants responded to the question. Out of 87 participants, five did not respond as the section was left blank. The remaining 82 participants indicated that they had knowledge of what ethics were. The only difference is that the respondents' conceptual definition of ethics varied. The senior managers and middle managers defined the concept using academic explanations. For example, one of the respondents at senior level indicated that ethics *centre around respect for others, team-building, honesty, as well as shows justice and readiness to serve others*. Different statements from respondents are similar concur that ethics have to do with morals, beliefs and also determining whether the conduct is right or wrong. Furthermore, some of the respondents indicated that ethics are all the rules or conduct of the company, improved rules and standards/values/beliefs to guide employees; good values which adhere to rules and codes; moral principles, and the ability to distinguish between right from wrong.

The statements, although they vary, share the common knowledge that ethics are an action which has to do with morals, beliefs, standards, rules and codes. The conceptual definition is in line with Zitha and Mathebula's (2015: 17) definition that ethics are a set of principles defined as a system that guides conduct. Thoms (2008:419) expresses the same sentiments when describing ethics as standards of conduct that guide decisions of human behaviour. From the aforementioned definitions of ethics, one can deduce that ethics are about morality which is related to conduct. In the context of public service, ethics are linked with standards and norms that articulate good conduct through observing individual and professional codes of

conduct that constitute ethically acceptable behaviour. The ethical principles are included in the Code of Conduct to guide public professionals and define the personal conduct of public officials when performing their duties.

### **6.2.2.2 What do you understand by the concept leadership?**

Most of the respondents indicated that ethical leadership is the ability to influence a team or a group of people to achieve a common goal. Furthermore, a leader is understood as a manager who leads a group of people, imparting vision and mission of the institution through influence. The words influence, objective, cohesive, group of activities, effective leader, team player and coherent feature prominently in most responses. Some respondents provided a comprehensive definition as said *it means giving direction and guidance support and even to motivate others to achieve the goals or the objectives of the institution*. The researcher, however, noted that some of the definitions of leadership are associated with leadership traits. Generally, the explanation conforms with Van Zyl, Dalglish, du Plessis, Lues and Pietersen's (20013:4) view of leadership as the act of leading and the role, style and effectiveness of leaders, regardless of how they came by their position. In agreement with the aforementioned definition, Smit and Cronje (2002: 278) describe leadership as a process of directing the behaviour of others towards the achievement of institutional goals.

From the above explanation, it can be concluded that the meaning of leadership should be contextualised in different settings to give meaning to the concept that is relevant within that situation. In the context of the public service, where the domain is not static, the leadership concept should be expanded to deal with diversified challenges of relationships. In the professional realm, leadership has an authoritative power that would influence public officials. The process of social influence depends on the leader's ability to persuade followers to aspire to the vision and mission of the department. Personal traits are then discerned to determine what kind of a leader and

how the leader leverages personal efforts in the process of socialisation. Leadership cannot happen without the efforts of others, what Bandura in social learning theory calls the *otherness*. This means that the leader has the ability and competences to consider and acknowledge followers' potentials to achieve common objectives. There is a common feeling that a leader has authority and power to influence employees to engage in the activity of leading people.

### **6.2.2.3 In your opinion can you define ethical leadership?**

The respondents noted that ethical leadership is associated with ethics. Some responses pointed out that ethical leadership is *“doing right according to the law, being a leader of moral standing, leadership through ethical behavior; ethical leadership is when good leadership displays good conduct; it is leadership that is directed by respect for ethical beliefs and values and for the dignity and rights of others”*. Some of the responses were vague, for example, defining leadership as *“the way leaders should conduct themselves”*. Conduct is not specified as to whether it should be good or bad. Ethical leadership is associated with principles of ethics such as trust, honesty, consideration, charisma and fairness. The statement is representative of other responses which indicate concepts such as morals, virtue, respect, belief, values and dignity. The aforementioned statement resonates with what Brown, Trevino and Harrison's (2005:120) which describe ethical leadership as the demonstration of normatively appropriate conduct where respect, honesty, fairness becomes the hallmark of personal integrity and virtues of promoting interpersonal relationships with followers.

It is evident that the concept of ethical leadership is composed of two appealing variables, namely leader and ethics. In the follow-up interview carried out to clarify issues, the researcher deduced that ethical leadership is synonymous with good personal conduct and good deeds and also with having a good relationship with followers. The concepts quantify the action of a leader by adding ethics; this distinguishes the concept from other constructs of leadership. Expanding the concept,

it is evident that the leader has a moral duty to demonstrate appropriate ethical norms and standards through his/her conduct. The leader is compelled to make judgmental decisions based on ethical principles such as honesty, respect, transparency, accountability, representativity, which reflect and emphasise the moral values of the leader as a person and as a manager. Ethical leadership, within the context of promotion of ethics in the public service, requires two-way communication standards and norms that would guide the behavioural conduct of public officials. Communications must have feedback from followers to allow the leader to reflect on the decisions taken which might not be consistent with the followers' values.

#### **6.2.2.4 What do you understand by good governance?**

Responses seem to agree that *good governance is about the process of making and implementing decisions; good governance is to follow the laws and policies; it is when an institution is being run by ethical leaders taking into consideration acts, policies which make the organisation to tick or be financially sound.* The majority of the respondents indicate that good decision making is the main activity of good governance. Other respondents further noted that *good governance is a system which promotes participative leadership styles where the participants have a say.* It emerged during the follow-up interview with some middle and senior public managers that good decision making is based only on outcomes and less on the input processes that lead to good decision making. Good governance is not only about making correct decisions, but it is about the best possible processes for making decisions. Good governance, by implication is accountable, transparent and follows the rule of law; it is responsive, effective and efficient. The latter statement is in line with Madue, Tsolo and Ramoabi's (2014:879) view that good governance means efficient and effective use of power and resources, constitutionalism and rule of law, justice and equity, electoral and participatory democracy to redress the abuse of resources through corruption. This is for the advancement of the welfare of the public. It is evident that, to have good governance, senior public managers must come up with processes and

structures that reflect the moral value of the democratic government. Public institutions in a democratic government like South Africa are moral entities which must reflect the moral values of the society in their processes and structures. Therefore, public officials as agents of the state, are bestowed with such morality and are expected to act within the prescribed rules that promote good governance.

The above conceptual statements which assess the public officials' knowledge and understanding of ethical leaders and the related construct as indicated from 6. 2.2.1 to 6.2.2.4 are in line with the definition of the concept in the literature review. The assessment of the respondents' comprehension of the conceptual definition of ethical leadership assisted the researcher to establish whether the participants have relevant knowledge and understanding that will guide them to respond to the remaining sections of the questionnaire.

### 6.2.3 SECTION C: PERCEPTION ABOUT FOLLOWER- LEADERSHIP EXCHANGE

**Table 6.2.3: Is ethical leadership an important aspect in a public institution?**

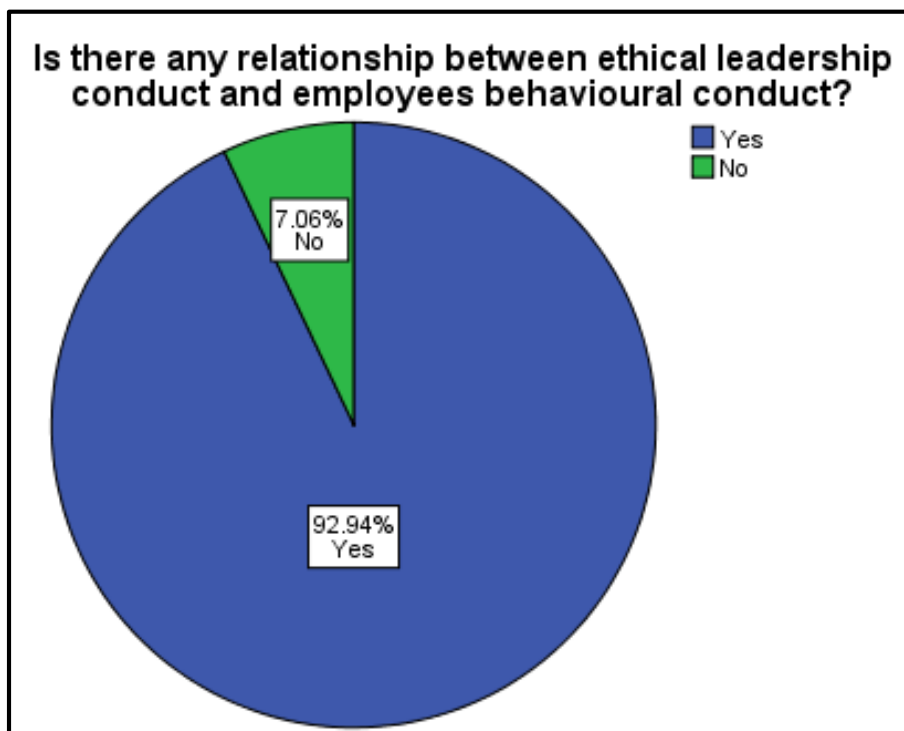
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	84	96.6	97.7	97.7
	No	2	2.3	2.3	100.0
	Total	86	98.9	100.0	
Missing	99.00	1	1.1		
Total		87	100.0		

Table 6.2.3 shows that the majority of the respondents, 96.6% agreed that ethical leadership is an important aspect in public institution, whereas 2.3% disagree. The high rate of response confirm that ethical leadership is an essential promoting positive ethical behavior and reducing negative behaviours of public officials within the institutions. The discussions of ethical leadership in this study concur with this findings as public institutions requires commitment of top management to institutionalise public ethos. Public ethos is not only about prescribing rules, codes

of conduct and policies, but there is an element of managing the processes, systems and structures put in place to promote ethical behavior. Senior public managers are expected to provide clear ethical standards or values as the prescribed basic values for the South African Public Service are broad. For example, a high standard of professional ethics must be promoted and maintained need further articulation on how the process and implementation must unfold. As such the senior public manager must develop programmes in line with the Constitution or Code of Conduct to achieve such objective.

The effectiveness of good governance is assessed through the ethical performance of senior public manager in communicating values, dealing with ethical dilemma, how manifestation of unethical behavior handled and the outcome thereof.

**Figure 6.6: Is there any relationship between ethical leadership conduct and employees' behavioural conduct?**



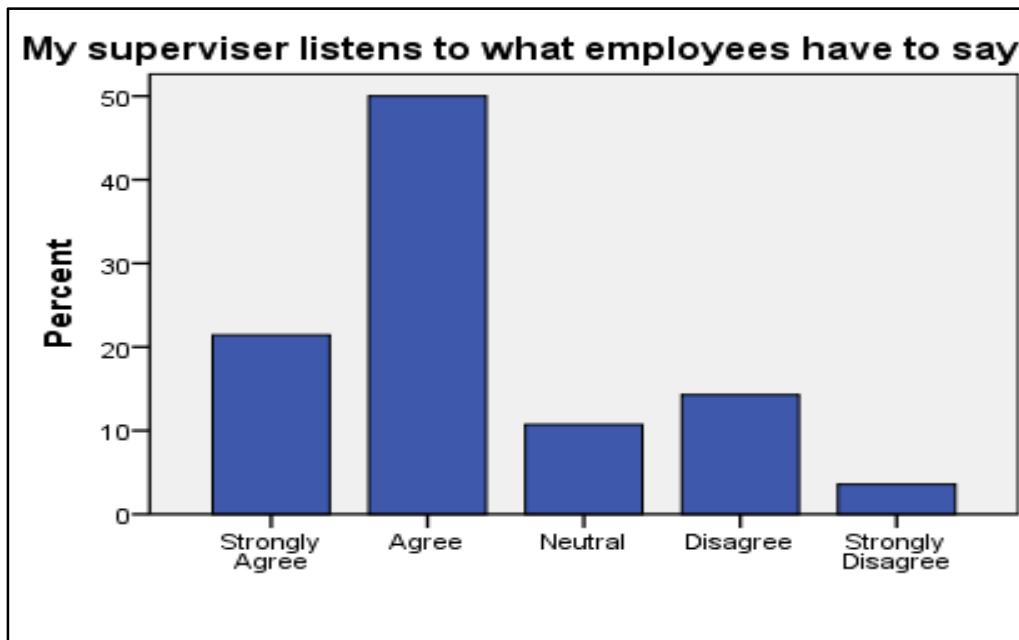
Out of 87 responses, 92.94% agreed that there is a link between ethical leadership and the followers' conduct, while 7.06% disagreed. The discussion, throughout the

study, is central to senior public managers since they are the responsible persons who must act morally for the followers to emulate them. Ethical leadership must be exemplary by displaying moral values that are attractive and credible to the followers. Trevino *et al.* (2010:87) assert that, an environment where the culture of ethics is high, there is a positive ethical behaviour by employees. The leader's ethical behaviour determines the type of environment that followers have to live or work in. In an environment where the culture of ethics is low, the climate will be characterised by unethical practices due to various factors such as neglect from senior management, uncaring, abuse of power and other variables that constitute unethical leadership.

#### 6.2.4 SECTION D: IMPORTANCE OF ETHICAL CONDUCT IN INSTITUTIONAL PERFORMANCE

This section assesses how ethical leadership contributes to positive institutional performance.

**Figure 6.7: My supervisor listens to what employees have to say**



Ethical leadership is associated with caring for employees. Out of 84 respondents, 48.3% agreed while 20% strongly agreed that supervisors listen to what employees

have to say. This indicates that the majority of the employees are satisfied that their supervisors listen to them. In the follow-up interview with one of the respondents, it emerged that immediate supervisors are closer to their team members than senior public managers who are at the top. About thirteen percent (13.8%) disagreed and (3.4%) strongly disagreed. In the caring climate, individuals perceived that their concerns were being taken into consideration. Supervisors want subordinate public officials to realise their departmental goals. Therefore, the well-being of employees is paramount in collaborative effort to help them to excel. Brown et al. (2010:123) point out that a moral leader listens to individual's voices. Such a person has empathy, shows respect, is fair and people-orientated.

**Figure 6.8: My supervisor trusts me to make appropriate decisions in my job**

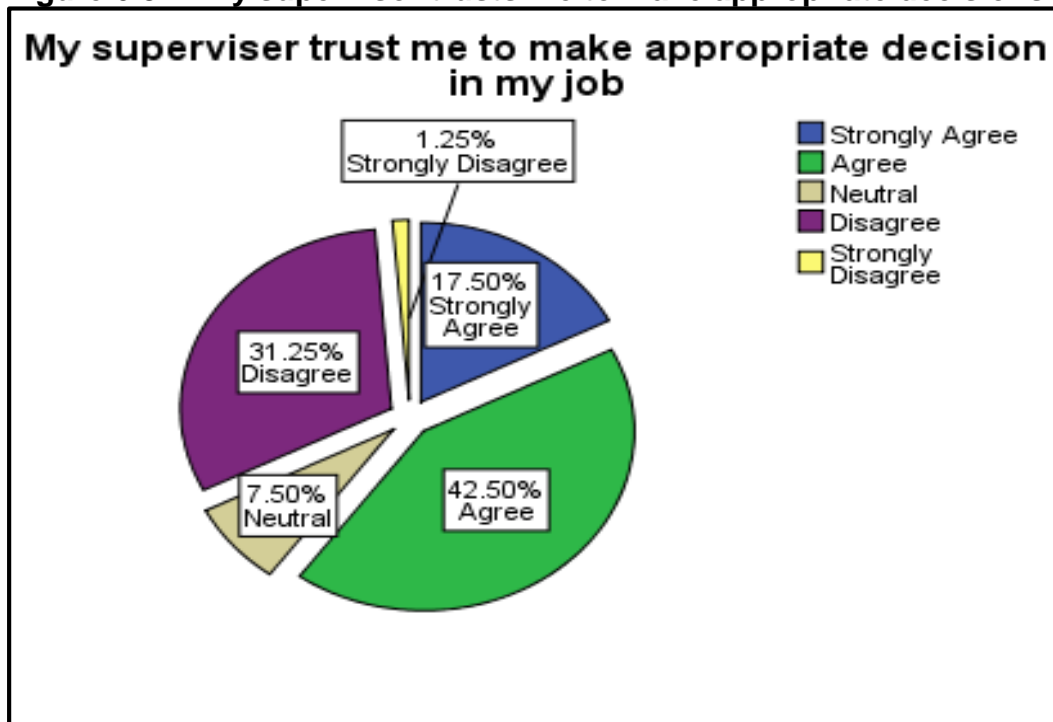


Figure 6.8 indicates that, out of 80 respondents, 42.50% agreed, 17.50% strongly agreed, 7.50% were neutral and 31.25% strongly disagreed. Leader behaviour, which is perceived by followers as more trusting, promotes and raises identification with the work group or the institution. Downe, Cowell, Chen and Morgan (2013:136) are of the view that good conduct has a positive effect on trust. Trust within the working environment is associated with dependability to top management by public officials.

High levels of trust among employees result in high levels of confidence towards management. The King IV Report (2014:13) associates trust with public officials' loyalty and commitment towards the set goals.

**Figure 6.9: My supervisor sets ethical expectations for employees**



Figure 6.9 shows that 87% of the participants were able to respond to the questionnaire. About forty three percent (43.7%) agreed, 12.6% strongly agreed and 12.6% remained neutral. Though the majority indicated that the supervisor sets ethical expectations for public officials, there is still uncertainty and disagreement amongst the employees. This indicates that not all managers set conditions for ethical expectations. If all employees know what is expected of them ethically, it would minimise unethical practices that challenge plague public institutions. Failure to clarify boundaries of behavioural conduct is a fertile ground for unethical behaviour. Malan and Smit (2001:38) argue that leadership neglects sound administration and management. In some instances, lack of commitment to the institutional ethos leads to poor quality service delivery in public institutions.

**Figure 6.10: My supervisor ensures that employees openly and honestly share the actions of our department with other colleagues**

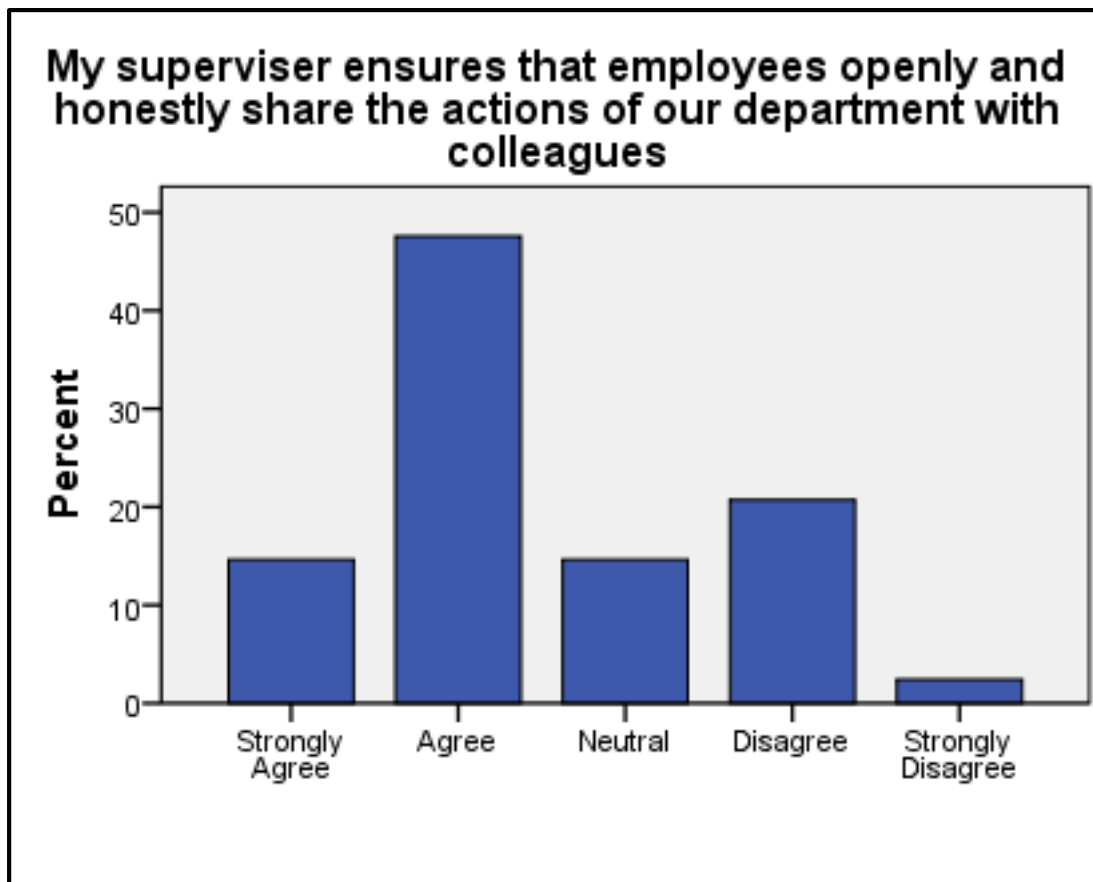


Figure 6.10 illustrates that 44.8% agreed that their supervisors ensured that employees shared the activities of the department with colleagues. Public institutions are service orientated service providers. In order to provide quality service, the client must not be turned away because the responsible person is not available. *Batho Pele* principles uphold the value for money principle. The public as taxpayers rate ethical organisations by the way the institutions respond to demands of the public. Therefore, sharing of departmental activities ensures that responses are timeous. Ethical leaders are honest with subordinate public officials. Honesty is regarded as one of the basic virtues, but it is supported by other virtues such as temperance. An honest senior public manager is open to criticism, transparent in decision making and treats people with respect, even when sanctioning an employee.

**Figure 6.11: My supervisor rewards employees who perform and adhere to professional standards**

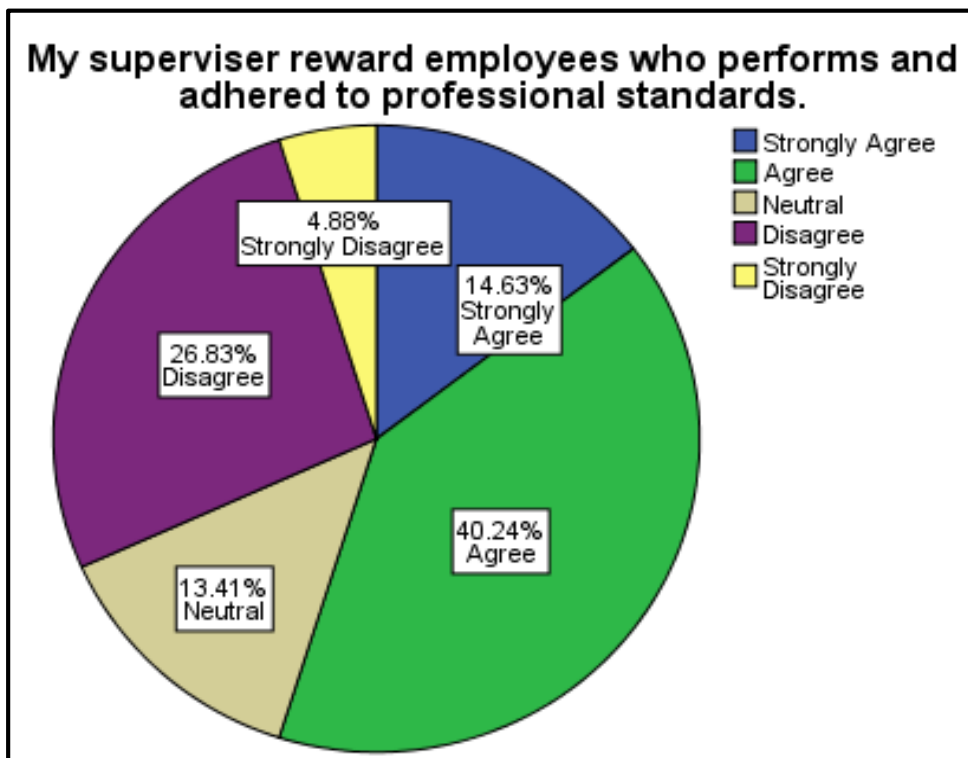


Figure 6.11 indicates that 40.24% agreed, 14.63% strongly agreed that their supervisors reward employees who perform and adhere to professional standards. However, 26.83% disagreed, 13.41% strongly disagreed and 13.41% were neutral. Rewarding and punishing the behaviours of employees form part of ethical management. Senior public managers must encourage employees to excel through rewarding good behaviour and discouraging bad behavior through sanctions. Although the results show that the majority are rewarded for good behaviour, there is a large percentage of public officials who are either uncertain, disagree or strongly disagree. Some of the respondents explained that the challenge is that the *reward depends on who you are and that there is tendency that those who worked hard are overlooked whereas those who do not work hard are rewarded.*

The follow-up interview revealed that there is a problem of favouritism and nepotism. These actions, according to respondents, contribute to low morale. The senior public

managers must be consistent when rewarding and punishing to ensure an ethical environment which is receptive to good moral conduct, individual conduct and performance. The purpose of the reward system is to attract and retain employees.

**Figure 6.12: My supervisor disciplines employees who violate ethical standards**

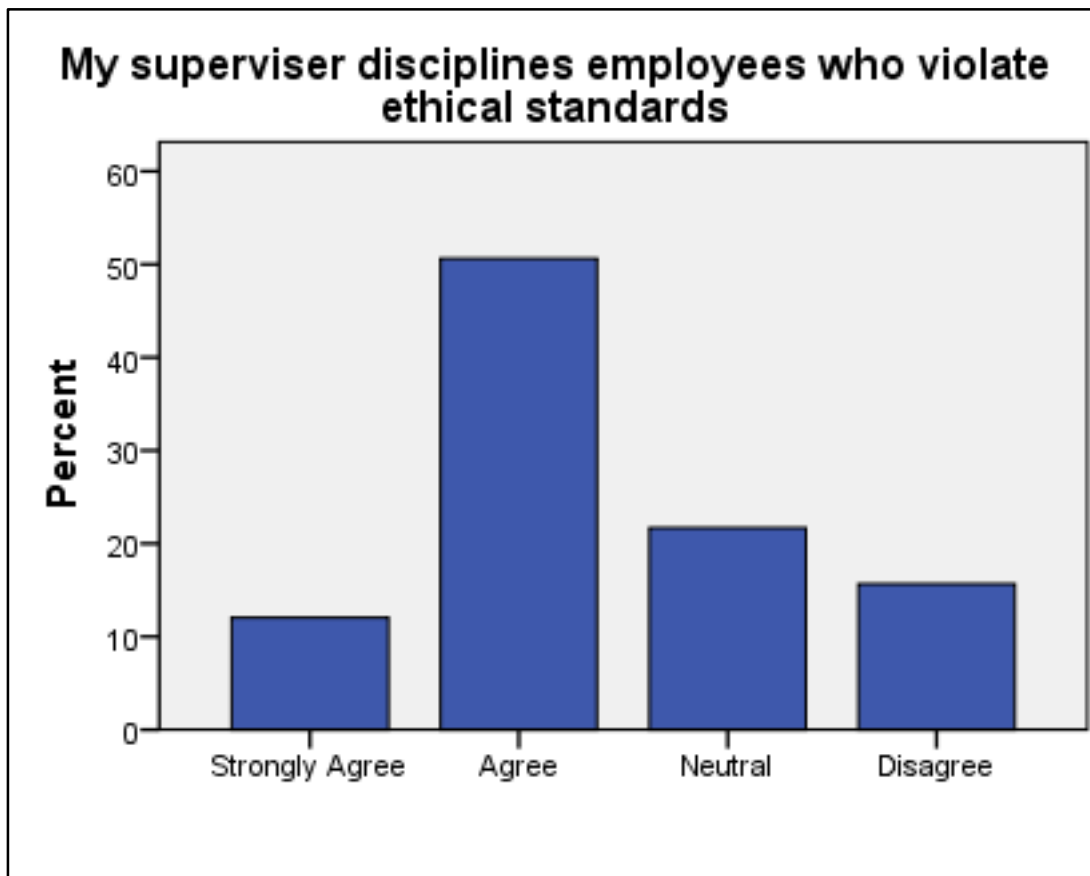
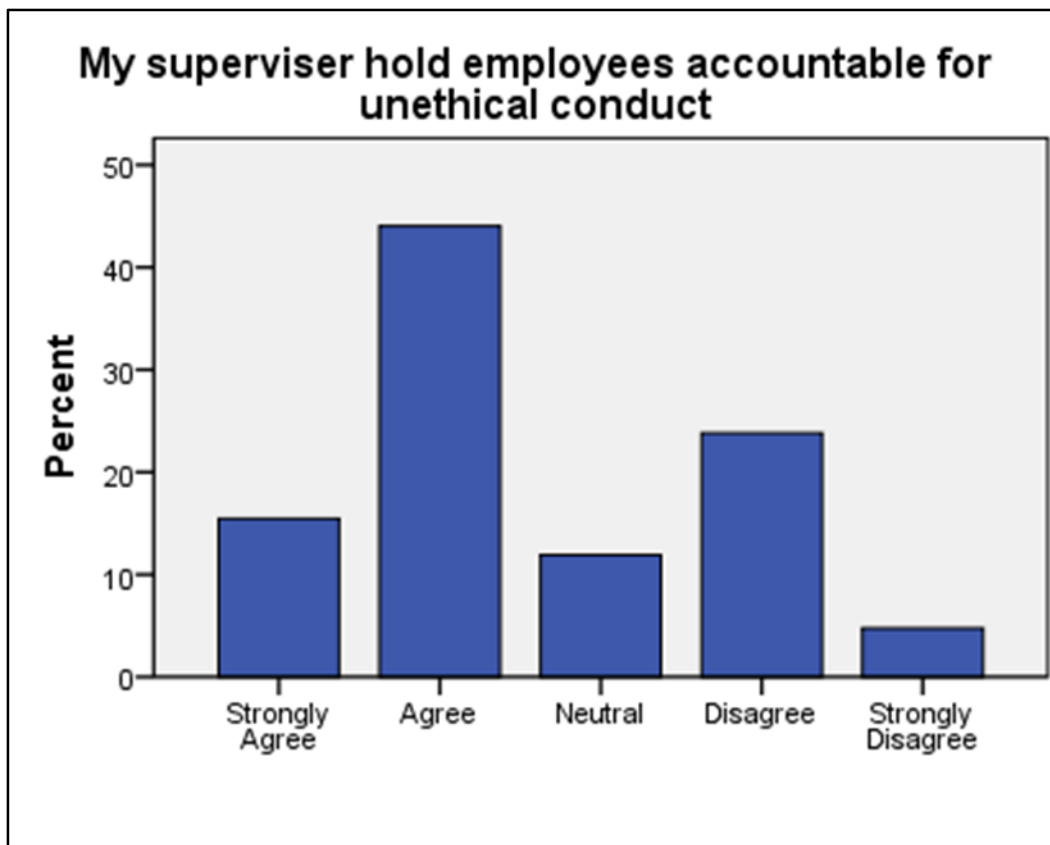


Figure 6.12 indicates that 50% of the respondents agreed and 10% strongly agreed that the supervisors discipline employees who violate ethical standards. However, 20% and 15% indicated that they disagree and strongly disagreed respectively, while 20% remained neutral. Despite the fact that the percentage of those who agreed was higher than that of those who disagreed, the findings still reflect that this is an area of concern that needs the attention of senior public managers. Disciplinary measures can serve as a strategy to retain employees or it can cause public officials to leave the organisation. Public officials who believe in ethical behaviour can feel offended if

perpetrators are not punished for their transgressions. Furthermore, in terms of retention, high ethical public officials and managers trust an environment that is ethic sensitive.

**Figure 6.13: My supervisor holds employees accountable for their unethical conduct**



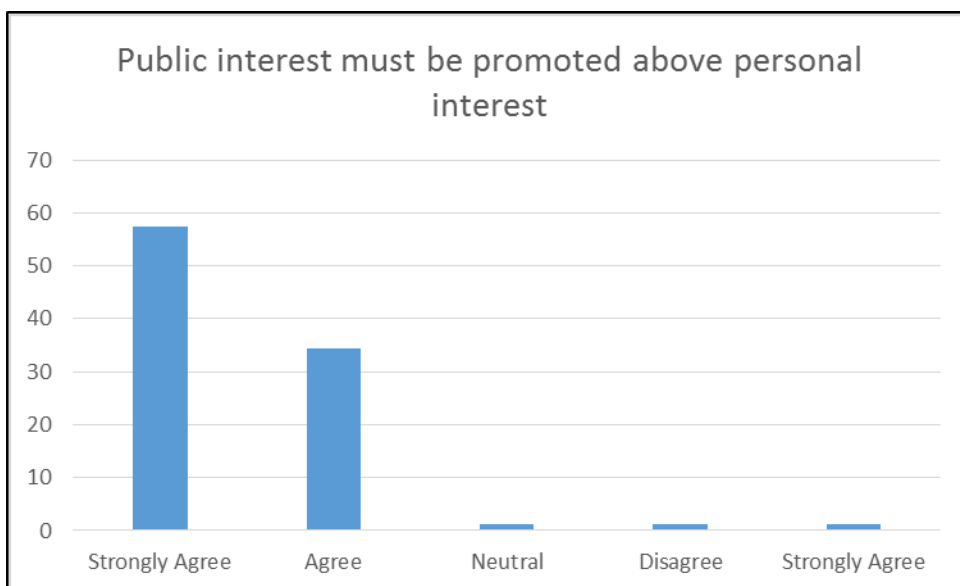
According to Figure 6.13, it is evident that 44% and 15% agreed and strongly agreed respectively that supervisors must hold public officials accountable for their actions. However, 11% were neutral, 24% disagreed and 8% strongly disagreed. Although the percentage of those who agreed seems to be high, the number of those who were neutral, disagreed and strongly disagreed shows that maintaining accountability in public the service is an area of concern. This shows that not all public officials know that they are expected to account for their actions. Some respondents indicated that only their seniors must account for their actions; because they are at lower and middle levels, they think they are excused from being answerable. Accountability means that

all public officials have a moral duty to be answerable when performing their duties. This implies that all ministers, directors-generals, senior public managers and subordinate public officials have to be accountable for their deeds and misdemeanours.

### 6.2.5 SECTION E: PUBLIC OFFICIALS' ATTITUDE AND EFFECT ON SERVICE DELIVERY

The section evaluates the attitudes of public officials and influence towards service delivery to public.

**Figure 6.14: Public interest must be promoted above personal interest**



According to Figure 6.14, public interest does not exist in a vacuum nor does public service exist in isolation from the people it is supposed to serve. Public interest is one of the factors that have an effect on the governance of the public service. The findings show that 57.5% strongly agreed and 34.5% agreed with the statement, that public interest must be promoted above personal interest. The remaining 1.1%, 1.1% and another 1.1% represent those who were neutral, disagreed or strongly disagreed. Most of the respondents understand that public interest must be considered. Furthermore,

the public service exists to serve the community it is located within. This means that public officials will be responsive to the interests of the citizens in an efficient and ethical manner.

According to Dernhardt and Dernhardt (2007:xiii), the New Public Service paradigm calls for a revision of the purpose of public administration to be people-centred. The paradigm views public administration as an environment that seeks to advance the interests of the public. Therefore, the public is viewed as a component that has moral rights to demand goods and services from the government. The morality towards the notion of public interest is supported by policy documents such as *Batho Pele* principles, the White Paper on Transformation of Public Service and the Manual Code of Conduct aimed at advancing the interests of the public in an equitable, respectable and ethical manner.

**Figure 6.15: Personal moral judgement is an essential guideline to doing the right things in my work**

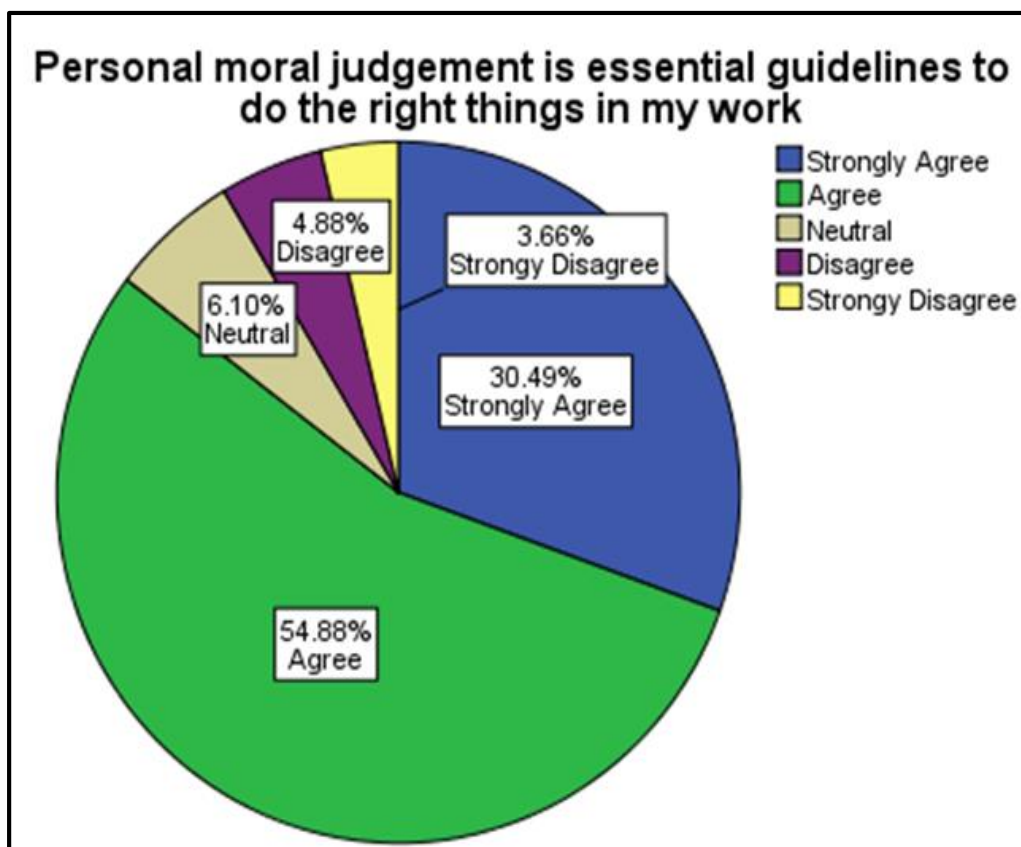
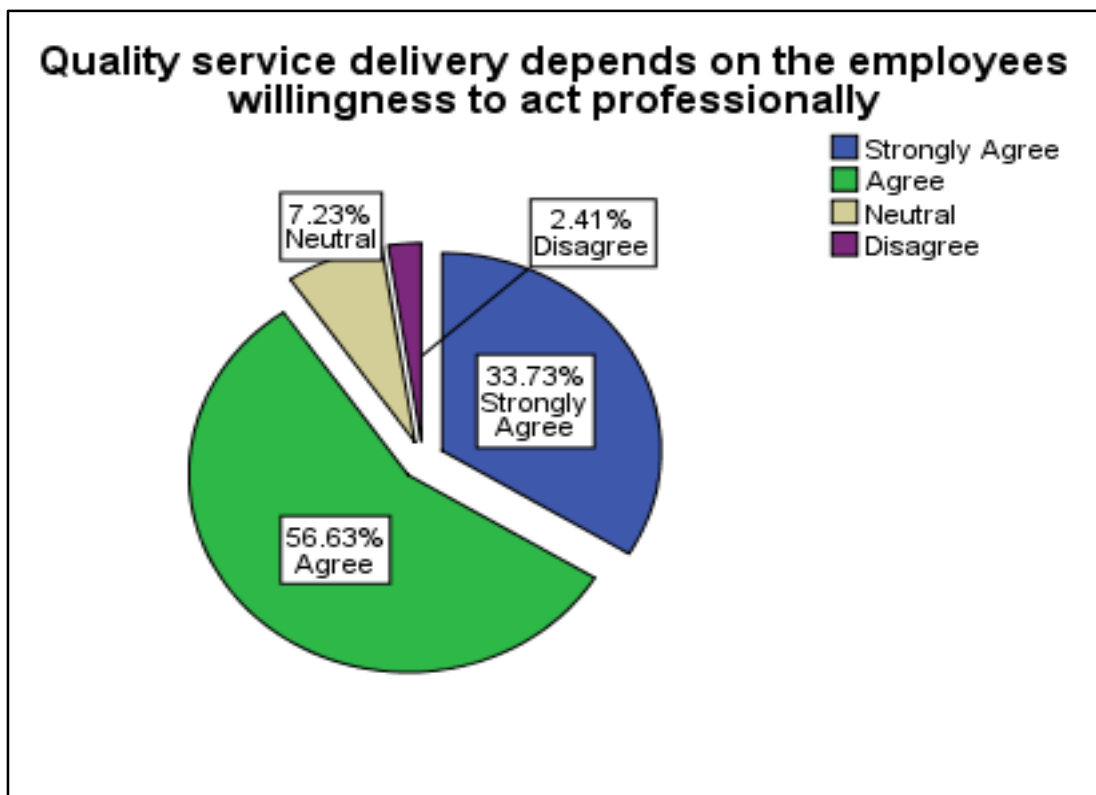


Figure 6.15 illustrates that, out of 87 respondents, 30.49% strongly agreed and 54.88% agreed that personal moral judgement is an essential guideline in doing the right thing in the work place. However, 6.10% of the respondents were neutral, meaning that they were uncertain, while 3.66% disagreed, 30.49% strongly disagreed and 5% did not respond to the item. Most of the respondents indicated that the leaders' characters influence their operations despite their personal judgement. A high percentage of respondents believed that their managers' characters have an effect on their actions, therefore their personal judgement is not taken into consideration. Upon follow up with one of the respondents in senior level, indicates that *most junior staff do not think that senior managers or supervisors observe their character and conclude as to what type of a person is..* In the lower levels, some respondents indicated that whether one behaves or not, it depends on favouritism.

This implies that supervisors or senior public managers must encourage personal integrity during departmental meetings or when public officials are assessed to influence behaviour. Public officials must be encouraged to exercise their personal judgement in routine matters that affect their operations. Senior managers should empower them to be able to make alternative choices when confronted by dilemma. Training and development to take personal skills and competencies into account. Performance assessment must include personal conduct as an item that would add value to behavioural conduct. In this way, subordinate public officials will feel the sense of belonging and empowerment. The trust needed for relationship between the subordinate and the senior manager increase to enhance performance.

**Figure 6.16: Quality service delivery depends on the employee’s willingness to act professionally**



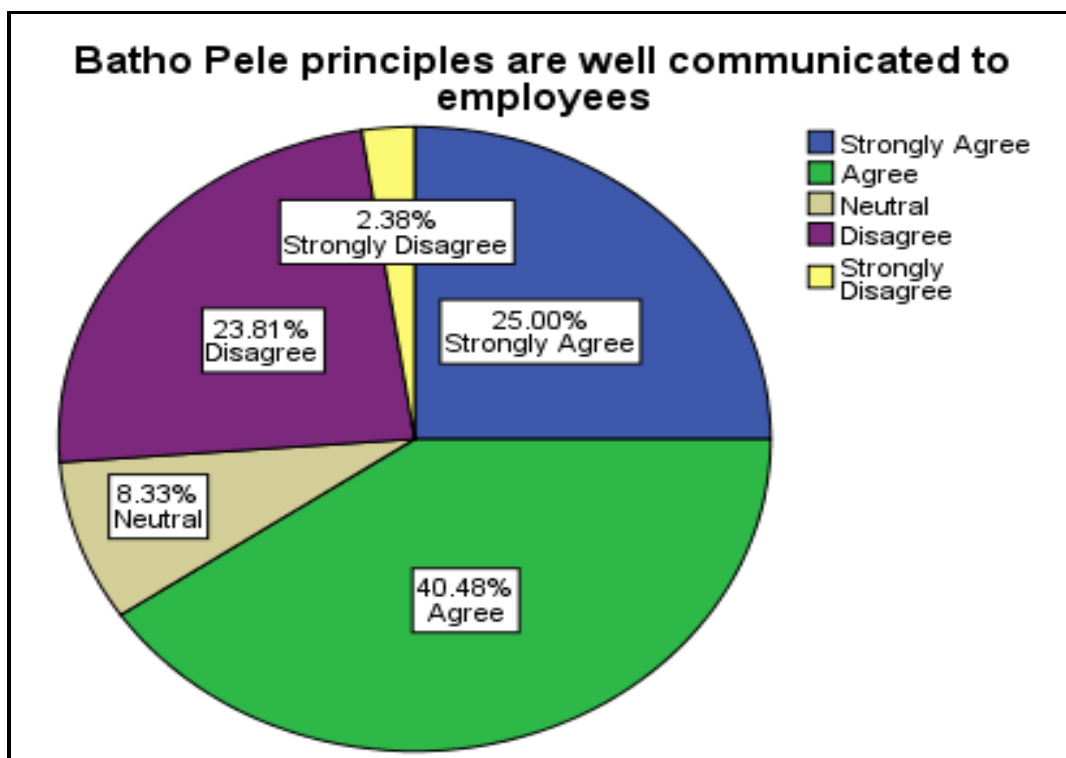
According to Figure 6.16, the majority of the respondents agreed that public officials have a moral duty to fulfill their obligations using a higher standard and in a professional manner. The Manual Code of Conduct also requires that public officials must do their work in a highest professional standard to promote efficient and effective service delivery. Out of 87 respondents who participated in the survey, 33.73% and 56.63% agreed and disagreed respectively that there is willingness to render the service. A small percentage (7.23%) and (2.41%) disagreed and strongly disagreed. Although the results reflect high rate percentage of respondents who agreed that they have willingness to act in a responsive manner, there still elements of dissatisfaction about public officials’ attitudes. The findings are commended as most of the respondents were willing to carry out their duties in a professional manner to ensure quality service delivery to the public.

**Figure 6.17: Citizens as customers are allowed to raise their dissatisfaction in terms of poor service delivery**



Figure 6.17 reveals that 27.6% strongly agreed and 49.4% agreed to the fact that citizens, as customers, should raise their dissatisfaction with poor service delivery. Only 13.8% were neutral, while 5.7% disagreed that the Manual Code of Conduct and *Batho Pele* principles provided guidelines to protect citizens as the rightful owners of the services emanating from government. *Batho Pele* principles advocate for the rights of citizens and this is in line with the Bill of Rights, Chapter 2 of the Constitution. According to *Batho Pele* principles, citizens must be given value for money when it comes to provision of goods and services. The Redress principles further acknowledge that the public service exists to further the interests of the citizens. The Manual Code of Conduct emphasises that the relationship between public officials and the citizens is important. The voice of citizens must be heard, acted upon without prejudice. Citizens must be respected and given feedback as to why the service was not delivered up to their satisfaction. During the visit to various offices to collect data, the researcher noted that most of the senior public managers were aware on the importance of relationship with citizens and how to relate to them.

Figure 6.18: *Batho Pele* principles are well communicated to employees



*Batho Pele* is a document that is meant to address public officials' attitude towards the public and service delivery, an area which had been a major concern to the government since the new democratic dispensation. This principle is responsive to the ideals of the White Paper on Transformation of Public Service developed in 1995. According to Figure 6.18, 40.48% and 25% agreed and strongly agreed respectively. However, 23.81%, and 2.38% disagreed and strongly disagreed respectively, while 8.33% were neutral. The findings reflect that not all public officials are knowledgeable about the content of the *Batho Pele* principles and their implications to public service delivery. In South Africa, the principles are regarded as the *blue* print of service delivery. The problem is that government has trivialised the importance of *Batho Pele* by reducing the principles as mere posters on various departments' walls and corridors. What is surprising is that some staff members, during data collection, revealed that, to them, the principles are a procedural formality which they perceive as having no significance to their duties. Almost every office has a poster of Batho Pele principles. The question is what is it that went wrong to force citizens to raise their dissatisfaction through protests?

**Figure 6.19: I have witnessed acts of fraud by other colleagues**

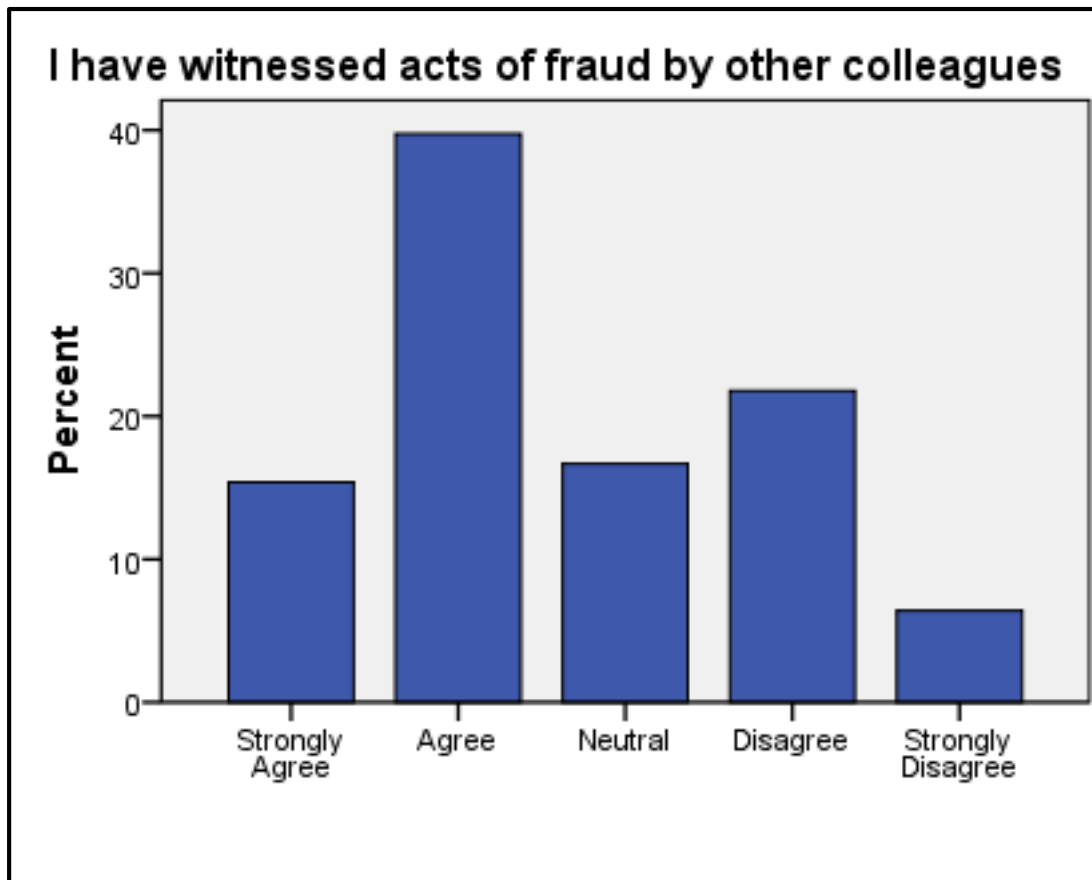
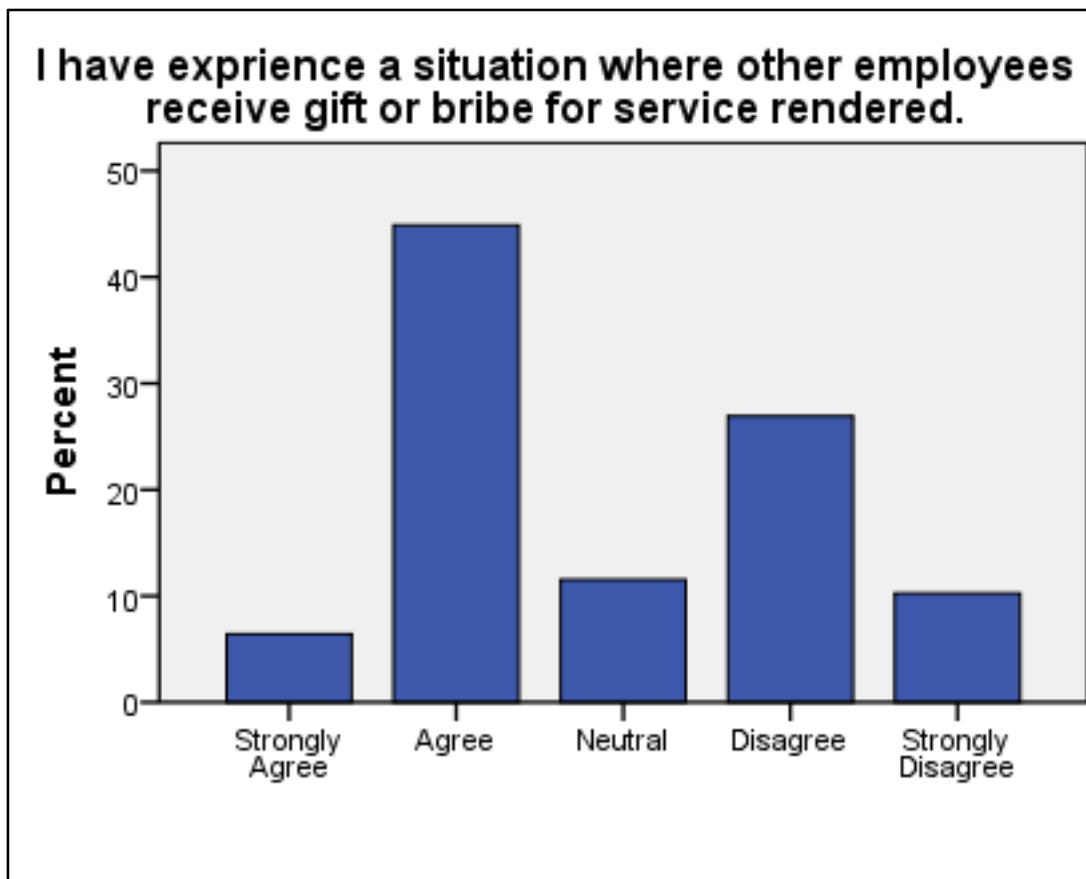


Figure 6.19 confirms that the majority of the respondents, 35.6% and 13.8% agreed and strongly agreed respectively that they have witnessed acts of fraud by their colleagues. The remaining percentage of respondents, 14.9% were neutral, 19.5% disagreed, strongly 13.8% disagree, while 10.3% did not respond to the statement. Literature on ethics reveals that fraud is one of the causes of corruption. The South African public service has progressive legislation, frameworks, rules and Codes of Conduct to enhance ethical behaviour of public officials, yet unethical practices persist. This area requires the attention of senior public managers and awareness on the consequences of unethical behavior should be raised. Unprofessional behaviour can result in corruption. The manner in which disciplinary processes are handled can result in unethical conduct.

**Figure 6.20: I have experienced a situation where other employees receive gifts or bribes for services rendered**



According to the findings in Figure 6.20, 44.87% agreed, 6.41% strongly agreed, 10.26% disagreed, 11.54% were neutral and 26.92% strongly disagreed. The findings confirm those of other scholars that public service institutions are characterised by acts of bribery. In the South African public service, bribery is seen as a way of getting favours. In a democratic country like South Africa, bribery challenges have had a negative effect on departments' efforts to perform at higher standards. The Code of Conduct discourages acceptance of bribes, but does not specifically identify what constitutes bribery. For example, the Tshivenda adage "*tshanda i ya tshanda vhuya*" meaning that if one extends the hand for favour, the recipient has to return favour in a form of bribery as a way of showing gratitude. Issues of bribery in government departments is a challenge for government as it cut across categories of public officials. To minimise acts of bribery, senior managers must strengthen the reinforcement of policies that aimed at reporting wrongdoings by colleagues. This will also encourage public officials to be transparent in their dealings. Also the senior managers create a level of trust by not disclosing names of public officials who blew whistle, protection to whistle blowers must be guaranteed.

## 6.2.6 SECTION F: PERCEPTION OF ETHICAL AWARENESS IN THE PUBLIC SERVICE

**Table 6.2.6.1 Are you aware of the Manual Code of Conduct?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	36	41.4	42.9	42.9
	Agree	36	41.4	42.9	85.7
	Neutral	6	6.9	7.1	92.9
	Disagree	5	5.7	6.0	98.8
	Strongly Disagree	1	1.1	1.2	100.0
	Total	84	96.6	100.0	
Missing	99.00	3	3.4		
	Total	87	100.0		

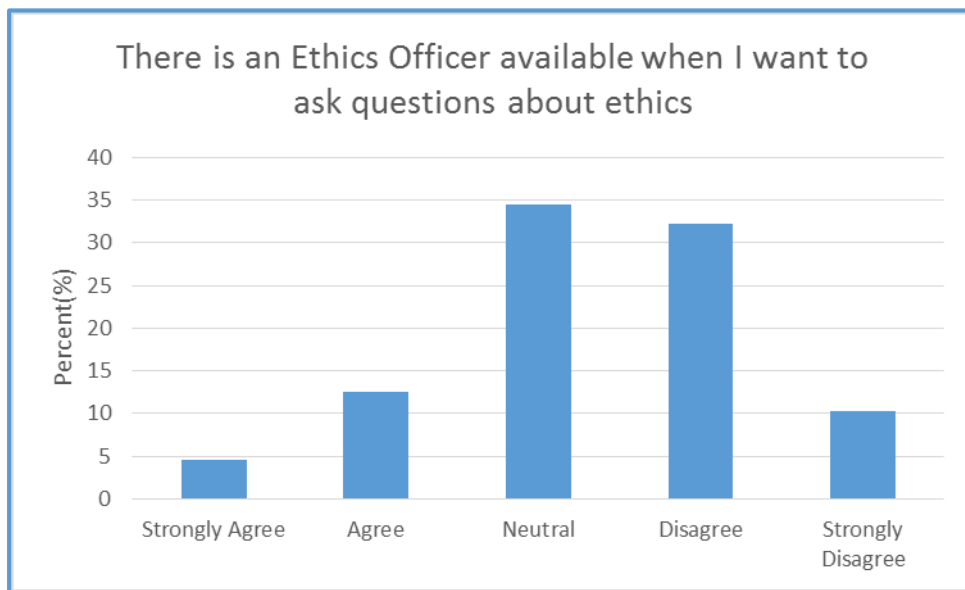
The response in Table 6.2 indicates that 41.4% of the participants strongly agreed and 41.4% agreed that they are aware of the Manual Code of Conduct, while 6.9% were neutral, 5.7% disagreed and 1.1% strongly disagreed. The follow-up interview revealed some of the respondents were still new in the departments and that they had not received any training since they joined the departments. Some public officials indicated that to them, the Manual Code of Conduct is mainly about dress code. The researcher noted that awareness differs according to level of staff, type of work and experience of respondents. The respondents at higher levels indicated that they had attended training about the Manual Code of Conduct and knew the content but find it ambiguous and complicate to intepret. Others said that they were aware of the code's existence, but were uncertain about its contents. A major concern is that most of the respondents pay lip service to the content. Senior public managers have a duty to ensure that public officials are aware and receive training on the Manual Code of Conduct. The Manual Code of Conduct in the South African public service lays down the norms and standards which public officials must adhere to when performing their duties. The Manual Code outlines how public officials must relate and interact with other stakeholders such as other employees, the public and superordinate public officials. Disoloane (2012:235) argues that senior public managers, as well as Heads of Department have a responsibility to ensure that the Code of Conduct conforms to the basic values and principles underpinning the public service.

**Figure 6.21: I often get training or updates on professional ethics and standards**



Figure 6.21 shows that respondents had not been trained on ethics and standards. The responses range from 4.6% of the participants who strongly agreed, to 23% who agreed, 12.6% who were neutral, 44.8% who disagreed and 11.5% who disagreed. This indicates that Management is not taking the issue of ethics seriously in their departments. Public officials operate in a static environment which is characterised by changes in policies, procedures and legislation; therefore, they need to be updated on the new developments. For public officials to be *hands-on* in articulating the services, regular training is required for the public officials to enable them to be abreast with an array of regulations, policies as well as government programmes. In other words, some of unethical conduct occurs due to lack of knowledge or ignorance. This is an area that affects the environment and makes it difficult for the departments to realise the service delivery mandate.

**Figure 6.22: There is an Ethics Officer available when I want to ask questions**



According to Figure 6.22, 4.6% strongly agreed, 12.6% agreed, 34.5% were neutral, 32.2% disagreed while 10.3% strongly disagreed. In South Africa, the role of the Ethics Officer is still characterised by uncertainty. Most of the respondents disagreed that there was an Ethics Officer responsible for ethics in their respective departments. The Senior Management Integrity Handbook stipulates that an Ethics Officer must be appointed for each public institution. The role of an Ethics Officer is to deal solely with matters that need the attention of ethics. The absence of an Ethics Officer is problematic to government as some cases are not investigated, those who were investigated lacked follow-up. The recommendations from the Public Sector Integrity Framework seek to improve ethics in public service institutions. In some instances, the recommendations of the disciplinary action were not implemented.

**Table 6.2.6.2: If yes, do you get help to deal with ethical dilemmas?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	2	2.3	4.1	4.1
	Agree	13	14.9	26.5	30.6
	Neutral	11	12.6	22.4	53.1
	Disagree	18	20.7	36.7	89.8
	Strongly Disagree	5	5.7	10.2	100.0
	Total	49	56.3	100.0	
Missing	99.00	38	43.7		
<b>Total</b>		<b>87</b>	<b>100.0</b>		

According to Table 6.2.6.3, 2.3% strongly agreed, 14.9% agreed, 12.6% were neutral, 0.7% disagreed and 5.7% strongly disagreed. This indicates that senior public managers must ensure that public officials who encounter ethical dilemmas are guided with the help of an Ethics Officer to follow the required processes.

**Figure 6.23: I often report misconduct through the national hotline set up in my department**

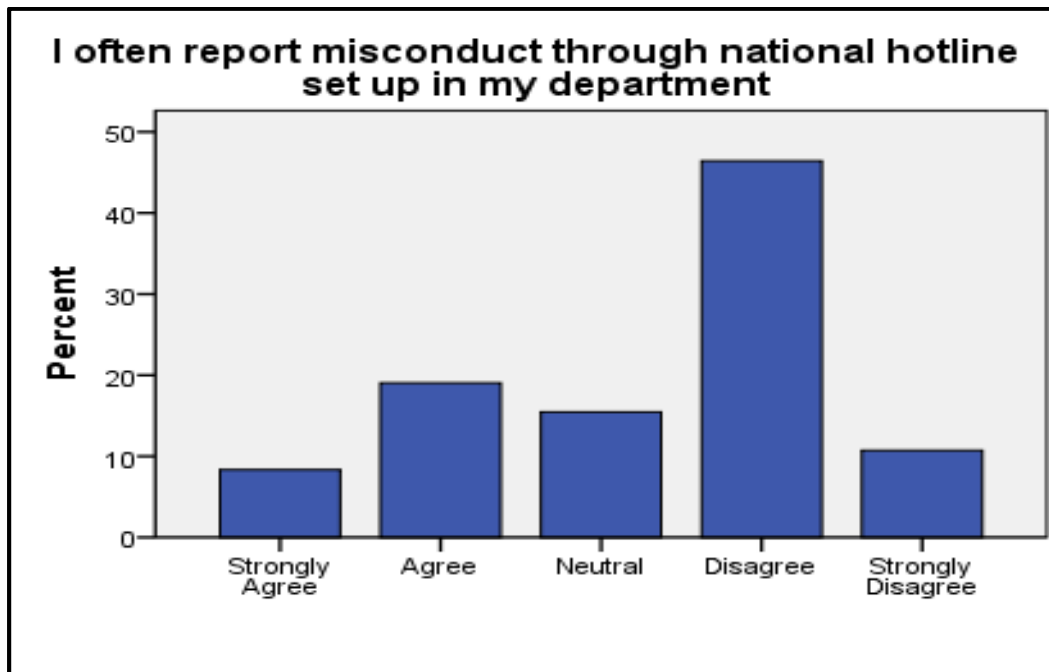


Figure 6.23 shows that 8% of the participants strongly agreed and 18.4% agreed that they often report misconduct cases through the National Hotline within their departments. The remaining respondents, 14.9% were neutral, while 44.8% disagreed and 10.3% strongly disagreed. The results show that the majority of the respondents, including those who were neutral, did not use the hotline service. The main reason for this is fear of reprisal by colleagues or superiors. Apart from the comprehensive anti-corruption legislation and initiatives meant to curb corruption, the National Hotline is one of the management tools that guarantees anonymity when reporting the unethical conduct of public officials. Since its inception in 1994, public officials, unlike public outsiders, are reluctant to report misconduct through the national hotline. In 2009, the DPSA conducted a survey in the Limpopo provincial departments to assess the

effectiveness of the hotline and the findings indicated that it is one of the anti-corruption tools that is less preferred by employees. One of the reasons given for its unpopularity is fear of reprisal. For the national anti-corruption hotline to be chosen as a preferred tool to report corruption, an integrated approach which involves a thorough review of legislation that aimed at protecting the reporters should be done to address the reluctance of public officials to report.

**Figure 6.24: If I report a colleague for ethical violations, there would be retaliation**

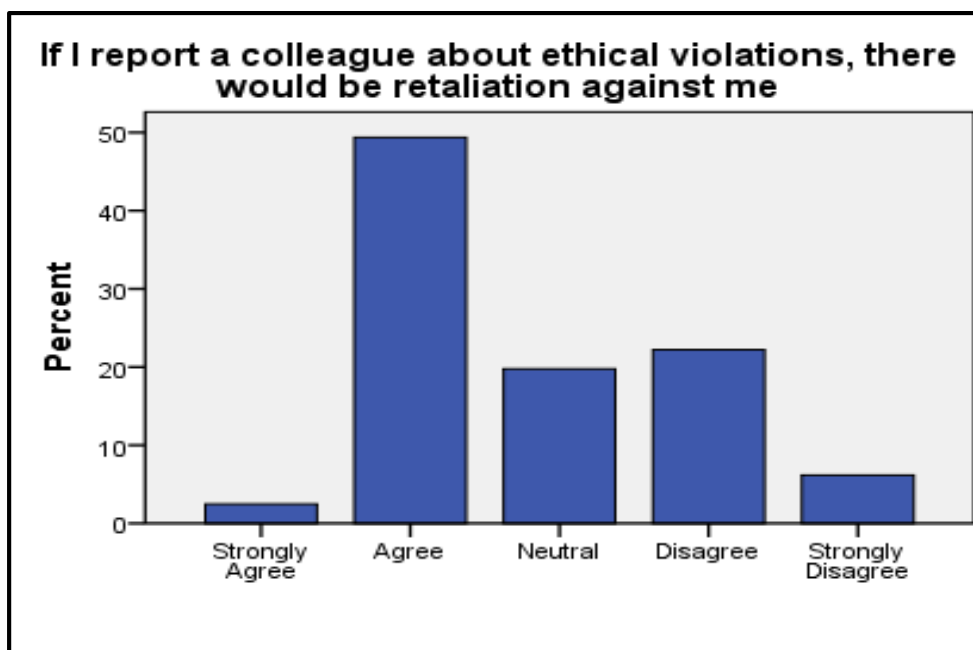
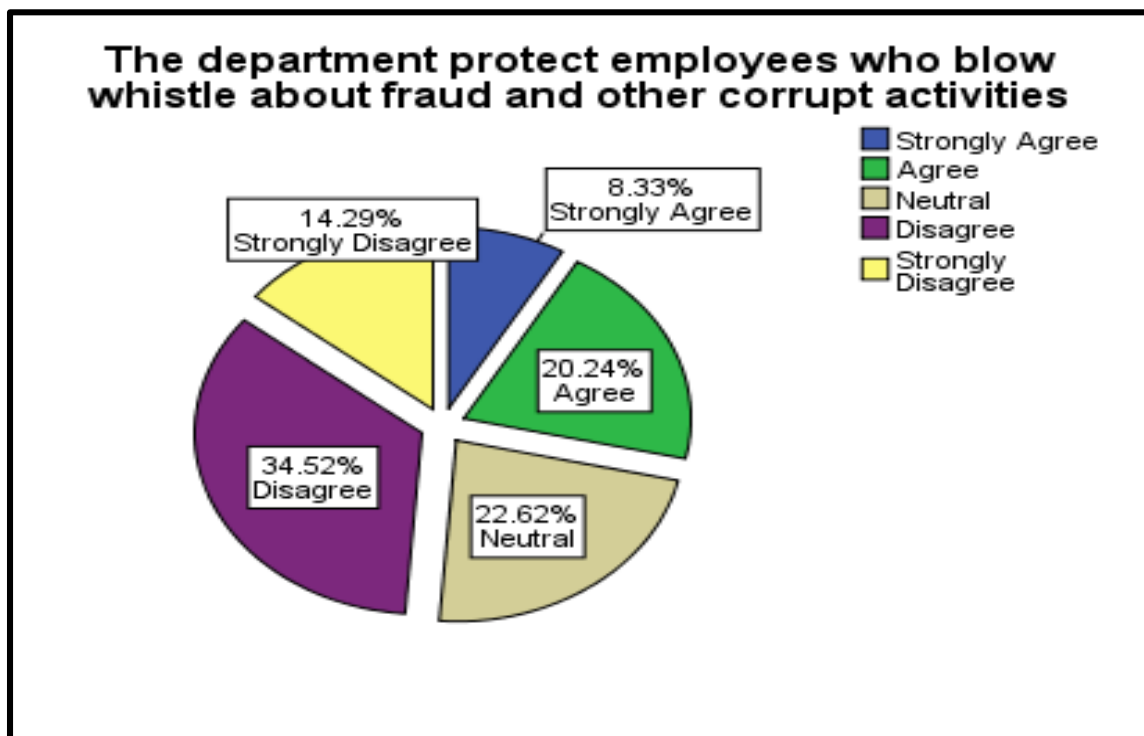


Figure 6.24 indicates that 2.4% of the participants strongly agreed and 49.38% agreed that if they report a colleague about ethical violations, there would be retaliation against them. However, 22.22% disagreed, 19.75% were neutral and 6.7% strongly disagreed. This confirms that public officials, particularly administrative officers at lower levels, are not protected when reporting violations of ethical conduct. Some scholars expressed concern that violations of ethical conduct occur in front of the public service officers, yet they fail to report them. In South Africa, the culture of *ipimpi* (meaning someone who betrays fellow colleagues to gain favour from the employer), a phenomenon which was popular during the apartheid era and still haunts public officials' trust amongst themselves.

Some public officials indicated that they fear retaliations by offenders, particularly if it has to do with their seniors. Retaliation come in various forms, for example, sexual harassment, bullying, marginalisation at the work place, unexpected transfers, demotions and even dismissals without fair reasons. Under such circumstances, senior public managers must have courage to encourage public officials to report wrongdoings and guarantee their safety including protection.. From the findings of the study, it would seem that only employees at the middle and senior levels are protected than the subordinate public officials.

**Figure 6.25: The department protects employees who blow whistle about fraud and other corrupt activities**



According to Figure 6.25, 20.2% of the respondents agreed, while 8.3% strongly agreed, 22.6% were neutral, 34.5% disagreed and 14.3% strongly disagreed. The follow-up interview revealed that those who disagreed were in the majority. Most of them also indicated that whistleblowing in the departments was a waste of time as nothing was being done. One middle management respondent indicated that there was no need to encourage his subordinates to blow whistle as they would be targeted

and victimised by senior persons for whistle blowing. South Africa is characterised by distrust between employees and employers. The objective of whistleblowing is to report unethical behaviour by a member of the organisation to someone who is able to do something about it. In other words, employees or employers go beyond the call of duty to protect the interests of the public through exposing corruption or fraud or illegal practices that benefit an individual or a group. The challenge is that whistleblowing is associated with betrayal of loyalty to an institution, treachery or a smear campaign; this reduces its effectiveness. The protection of whistle blowers may encourage the reporting of unethical practices and this is essential for instituting a culture of ethical behaviour.

**Table 6.2.6.2: I am aware of the Public Financial Management Act, 1999 guidelines to prevent financial abuse**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	15	17.2	18.1	18.1
	Agree	48	55.2	57.8	75.9
	Neutral	5	5.7	6.0	81.9
	Disagree	12	13.8	14.5	96.4
	Strongly Disagree	3	3.4	3.6	100.0
	Total	83	95.4	100.0	
Missing	99.00	4	4.6		
Total		87	100.0		

Table 6.2.6.3 illustrates that the majority of the respondents (57.8%) agreed, while 18.1% strongly agreed that they were aware of the Public Financial Management Act, NO.1 of 1999. However, of the remaining percentage of participants, 6.0% were neutral, 13.8% disagreed and 3.4% strongly disagreed. One respondent stated that *employees and employers who are not aware of the Act easily fall into the trap of misusing and looting money. Money is needed to fight corruption.* This indicates that the majority are able to link the guidelines of the PFMA with ethical behaviour. Those who are neutral and who disagree may not be aware or are ignorant of the guidelines' existence. Some indicated that their duties had nothing to do with funds, so there was no need to bother about the Act. The knowledge of the PFMA to public officials should

be mandatory regardless of level or position of the employee. Subordinate public officials are in the forefront of service delivery. Daily, they are exposed to risky situations of being tempted by citizens or customers who demand services. They are exposed to bribery and kick-backs to get the service done. Those who are aware of the PFMA may not be influenced to accept bribes as they would know the consequences. The main objective of the act is to promote sound financial management to ensure the effectiveness and efficient use of resources. Efficient allocation of resources, in terms of funding government programmes, is the cornerstone of effective public service delivery. Although a large number is aware of the Act, the problem is that the Act has limitations of enforcement; it does not have measures to deter or prevent corruption or even measures to impose punitive action against perpetrators.

**Figure 6.26: I am aware of the following mechanisms from government that would assist to fight corruption**

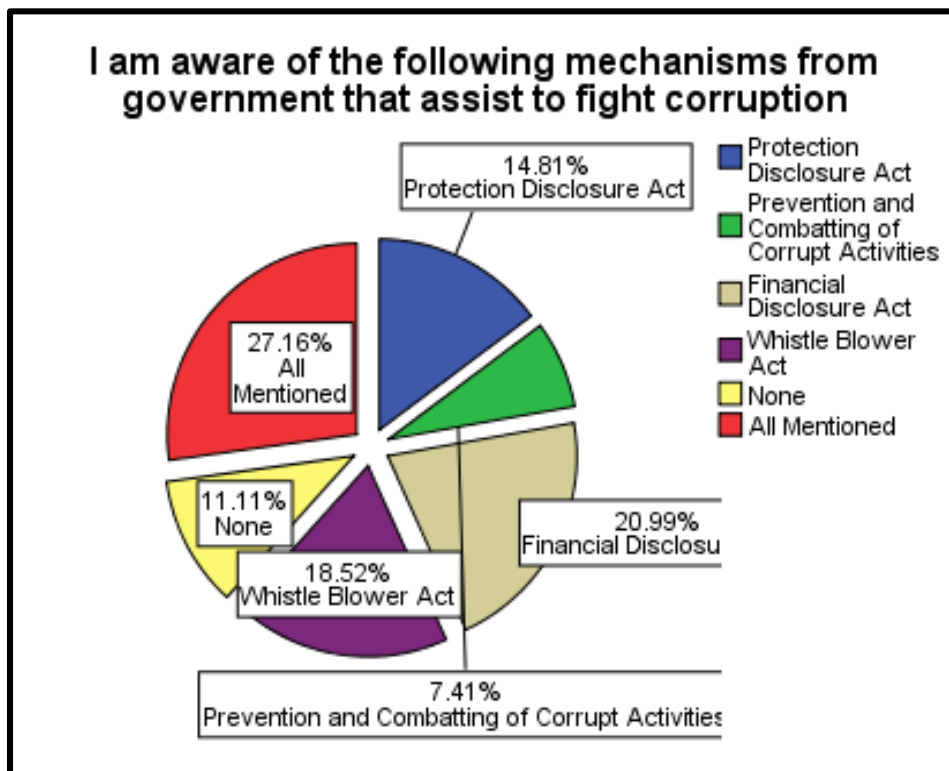


Figure 6.26 shows that 27% of the participants were aware of all the legislative mechanisms from government that would assist in the fight against corruption. The remaining percentage of participants were familiar with selective mechanisms.

Twenty-one percent (21%) of the participants showed that they were aware of the Financial Disclosure Act, followed by 18.5% who were aware of the Whistle Blowing Act of 2004, 18.52% of the Protection Disclosure Act, 14.8% and the Prevention and Combatting of Corrupt Activities, 7.41%. The remaining 11.1% of the participants indicated that they were not aware of these mechanisms.

The researcher is not surprised by the findings as they are congruent with the literature review which indicates that the South African Public Service has numerous legislations and policies to fight unethical practices. Public officials seem to have lost track of various ethical frameworks, and there is also confusion due to complex legislations. One can deduce from these findings that the training and development of public officials on ethical behaviour is lagging behind. Awareness of the legislation and policies is key in dealing with unethical behaviour within public institutions.

**Table 6.2.6.4: In your opinion, can you say the abovementioned mechanisms are effective in combating corruption and other unethical conduct?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	42	48.3	50.6	50.6
	No	41	47.1	49.4	100.0
	Total	83	95.4	100.0	
Missing	99.00	4	4.6		
Total		87	100.0		

Table 6.2.6.4 presents the response rate of the participants. Fifty percent (50%) agreed that they thought the mechanisms as stated in Figure 6.5 above are effective in combating corruption and other unethical conduct. Of the total number of participants, 49.4% disagreed that the mechanisms are effective in dealing with unethical conduct. Literature review also raises concern that South Africa continues to promulgate a series of legislations and anti-corruption frameworks to promote ethics in public service institutions. The challenge is that acts of unethical practices continue to pose a threat within the public service. This is a challenge that senior management

needs to address. The findings call for ethical awareness and tangible training on different mechanisms as reflected in figure 6.3.6.10 above. In this question, the reason for not being effective is measured against the corruption that is on-going and prevalent in public service.

## **6.4 CONCLUSION**

The discussion reflected on the methodologies used during data collection and the challenges that the researcher encountered while carrying out the survey. The questionnaire shows that they were comprehensively constructed to address the issues regarding promotion of ethics. Various tools to promote ethics were factored in and assessed. The analysis used an open-ended questionnaire for section B, semi-structured questions for section C and the Likert Scale for sections D to F. It is evident that the promotion of ethics in the public service is multi-dimensional and requires a holistic approach to dealing with unethical practices.

## CHAPTER 7

### CONCLUSIONS AND RECOMMENDATIONS

#### 7.1 INTRODUCTION

The Chapter will offer conclusions and recommendations based on the findings of the study. Discussions will draw inferences from problem statement as presented in Chapter 1 of the proposal. Research conclusions will be based on the literature review from Chapter 1 to Chapter 4. The empirical findings emanating from the survey in Chapter 6 will be linked with the objectives of the study, hypotheses and research questions to determine if the study has achieved its purpose. The topic of Ethical Leadership in the Limpopo Provincial Public Service of South Africa: An Imperative for Good Governance examines the role played by ethical leadership in fostering ethical behaviour in public institutions. The chapter recommends a model of integrative ethical leadership which is perceived to be of importance in improving ethical behaviour in public institutions. Furthermore, recommendations were presented to redress ethical dilemma that confront senior public managers on a daily basis.

#### 7.2 CONCLUSIONS OF THE STUDY

Chapter One is the basis of the study. An overview of the introduction of the study provided the background on what ethics is, and how is ethics related to the role of leadership in public service. The discussion of the problem statement highlighted challenges of unethical behaviour and the implications it has on the governance of the Limpopo provincial public service. Factors that contributed to problem statement were explored and analysed. The chapter looked at the significance of research and its contribution to beneficiaries such as public officials, public and the academic discourse on ethical leadership and related subjects in terms of leadership. Statements of hypotheses and objectives of the study were looked at to guide the discussions of the

research. The study setting was indicated in research design and what ethical consideration will be followed to ensure good relationship between the researcher and the participants. Organisation of chapters provided an overview of what would be discussed in each chapter of the study. It is deduced from this chapter that public service is beset by challenges of ethics which necessitate attention by the ethical leadership. The findings in Chapter 6 of data analysis conclude that indeed senior managers are confronted by challenges of ethical behaviour in its structures and processes and relationship with followers.

Chapter 2, deals with the literature review on ethical competence and leadership towards public service. The chapter focused on the competency skills of senior public managers that characterised leaders to be ethical. The mixed theories of ethical leadership are critical as they provided depth insight into the knowledge of normative ethics as foundation for public administrative ethics, and how they affect the moral reasoning of the public managers as well as subordinate public officials. Ethics is a complex subject that need one to harness different theories to be able to determine the sources of challenges to inform management thereof. The government policies which aimed at advancing sound ethical behaviour draw from mixed theories and integrate various values to make informed decisions. Virtues are sourced from religious, Ubuntu, utilitarianism, deontological, social learning to come up with what is an ideal value for leadership integrity.

In South Africa, the sources of guidelines to promote ethical leadership from the Constitution of the Republic of South Africa 1996, legislative frameworks such as White Paper on Public Service Delivery of 1997 (*Batho Pele*), the role of accountability in forstering good governance was covered. The values of Public Service in Souoth Africa still reflect ideals of western, religious and traditional African theories. The integration of these mixed theories create awareness on what constitute good or bad behaviour and the implications thereof. The rationale behind mixed theories is that each theory has limitations which need the other theory to complement the moral reasoning of each. It is evident from the exposition in this chapter that the role and behavioural conduct of ethical leadership determine the morale of the institutions

which has implications for institutional performance. The chapter concluded that the success of ethical leadership lies in harnessing efforts of others to achieve the intended goals through living by example in terms of character. Such integrity is complemented by knowledge of values that underpins good governance being complemented by competency skills for ethical leadership.

In Chapter 3, the study focused on the role of unethical leadership and the effect on corruption as one of the contributory factors of ethical challenges. Corruption has been widely discussed and debated upon by various researchers, scholars, civic society, government and government agencies. It indicated that corruption and maladministration have become common phenomena in the South African public service that is associated with leadership failure. Determinants of corruption were identified and analysed. Through the data interpretation, the findings in Section E concluded that departments are still confronted by acts of corruption due to moral lapses of both leadership and subordinate public officials and lack of training and development. This implies that corruption is both individual and systematic, the role of the human factor being magnified as the main determinant of poor governance in public institutions. Although there is a debate that corruption is more of an institution's moral failure than individual, the role of an individuals in decision making is a centre for scrutiny by stakeholders, executive and colleagues.

Chapter 4 of the study dealt with the identification of legislative frameworks and institutional mechanisms aimed at fighting corruption in public service. The purpose is to determine the efficacy of existing mechanisms and how such mechanisms can be improved. It is evident that the South African public service has one of the progressive legislative infrastructure to deal with corruption in the public service. It is deduced that government has put efforts through the comprehensive introduction of mechanisms to fight corruption. The implementation process is another area that need further study to determine why the ethical infrastructure is not effective in promoting of ethical behaviour.

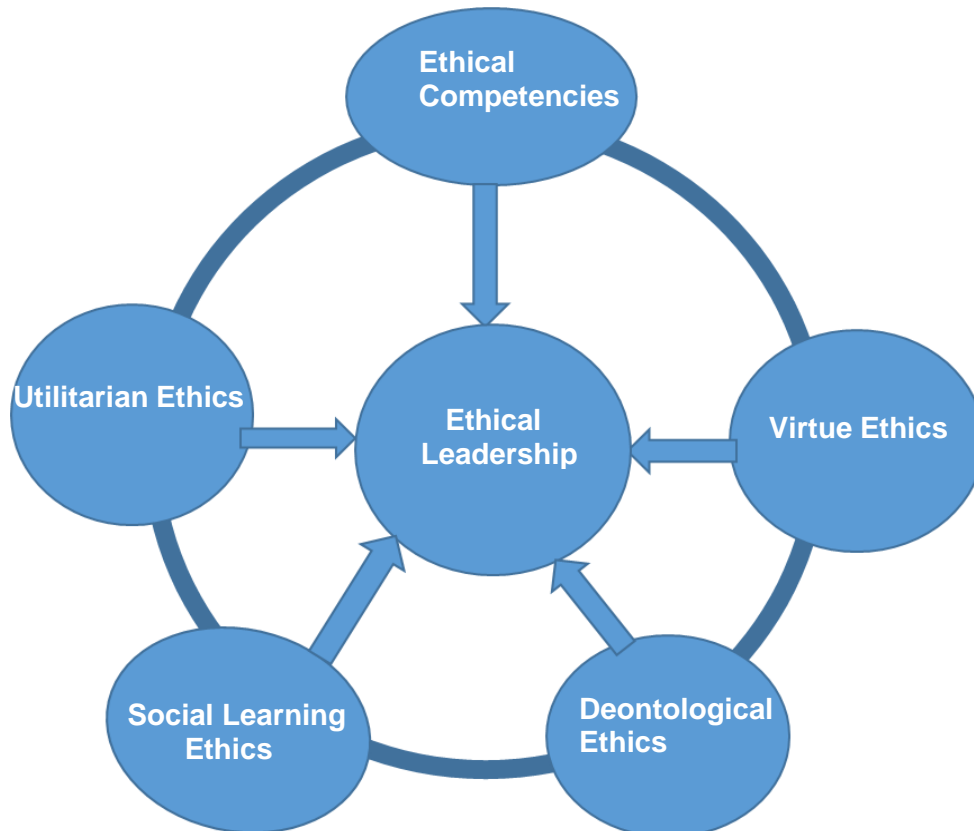
Chapter 5 presented the research design and methodology used to collect data. The research used qualitative approach to investigate the role of ethical leadership in promoting of good governance. The methodology guides the development of research instrument to achieve the objectives, hypotheses and able to respond to research questions. The research methodology provided the setting for the study which is appropriate to investigate the phenomenon.

Chapter 6 concluded the investigation of the study through data analysis and presentation of findings. The findings on data analysis and presentation enabled the researcher to achieve the aim of the objectives and confirmed the assumption that ethical leadership is linked with effective promotion of ethics in public service institution. Furthermore, the findings concluded that there is a relationship between ethical leadership and good governance. The result also revealed that government systems and structures also contribute to be part of the determinants of ethical or unethical environment. For example, lack of achieving effective eradication of unethical activities within public service is also contributed by limited funding to harness the efficient operations of mechanisms aimed at promoting ethical behaviour. The lack of training and follow up of cases of misconduct due to limited resources is another systematic factors that deprive efforts of government to promote good governance. Optimal function of anti-corruption depends on availability of resources. Unethical leadership affect the trust of public officials which in turn has adverse effect on the public confidence on government.

### 7.2.1 Integrative Model of Ethical Leadership

Ethical leadership is a cognitive process of moral development based on moral reasoning and moral action. The model below presents the evolution of moral theories that have bearings on the public service values. The assumption is that there is no single recommended theory which is able to deal with various kinds of ethical dilemma of senior public managers, both at personal and professional level. The environment in which the evaluation of ethical leadership construct occurs, is ever-changing, characterised by complex social interaction between the leader and the followers, superiors and society. Unlike in the private organisation, in the public institution leadership's character is highly exposed to conflictual obligations which are at the centre of public scrutiny. The model proposes that ethical leadership is the integration of different values; virtues, deontology, social learning, utilitarian and ethical competencies as a holistic approach to deal with ethical dilemma in institutions.

**Figure 28: Proposed Integrative Model of Ethical Leadership**



The virtues ethics are core values that serve as foundation for moral behaviour. This stage enables an individual to have knowledge of what is appropriate behaviour in terms of doing right or wrong. Virtues are informal, as such they are universal applicable to human being. Personality behaviour commands values such as temperance, courage, justice, respect, honesty, trust, truthfulness, prudence and humanity. These values shape individual's belief, attitudes and character which orientate the individual to behave in a particular manner. Ethical leadership begins with the understanding of this values which motivates the moral reasoning of an individual and determine whether the action taken is ethical or unethical. Mainly at this stage the senior public manager is concerned about personal integrity at professional or at personal level.

The deontological values are characterised by maxim or rules. The deontological are based on responsibility/obligation/duty to take action that shape the character of an individual. The obligation to act is defined in rules and codes of conduct and policies that defines the parameters of good behavioural conduct. It is within duty bound that senior public officials apply acts, rules and policies honestly and justly when making rational decisions. The rules assist to regulate relationship between the leader, the follower and the superiors. In South Africa, the Manual Code of Conduct articulates how public officials should behave towards their superiors, community and amongst themselves. Public institutions operate in an open system where the external factors influences the internal systems and processes of service delivery. For example, policies from government have implications on the culture of the institution. In other words, the senior public managers together with subordinate public officials need to adjust their behaviour to conform to rules, policies and legislations.

The decision making is a process, as such deontology take into account the action taken and not the outcome of the decision. The causes of corruption, scandals, fraud, maladministration are subtle, by the time they manifest themselves, government resources have been depleted. Leaders whose reasoning is dominated by deontology theory are not vigilant on processes but on outcome. With the deontology, monitoring of the process and not waiting the end result, can leverage the capacity to detect unethical practices in early stage. The Esidimeni mortalities of mental handicap

patients in South Africa could have been prevented if the senior public managers, political superior who are the MEC and the Premier have monitored the process. The high death rate was a result that the process of relocating and its implications were ignored in favour of end results. The public senior manager has responsibility to ensure that the environment is receptive to ethical infrastructure, both at personal and professional level. The strength of the deontology ethics is the *will* factor, which is important to re-inforce action for sanctions or reward of bad or good behaviour. Lack of will to act against unethical behavioural conduct is one of the ethical challenges that confront public institutions on daily basis. Good governance in public institution depend on the *will* of senior public manager to act or fight against acts of unethical behaviour.

The social learning ethics evolves around modelling of behavioural conduct. Followers observe, imitate and model the senior public manager's behaviour and shape their character. For example, the decision that a senior public manager takes is reflective of his/her conduct. Followers respect and listen to a leader who exhibit good conduct characterised by integrity. The senior public manager is able to show confidence which is beneficial to command respect and trust. Cooper and Menzel (2013: 27) assert that followers reciprocate constructive relationship from the senior public manager's behaviour through observing his/her commitment to *walk the talk* or *talk the walk*. In South Africa, one of the causes of unethical practices in public institution is the coalition of service provider whereby they collaborate in defrauding the government through the inflation of prices which seems to be similar across the board. In such circumstances, it means that other service providers imitated the leader who has a bad reputation, model his/her behaviour to an extent that they are easily influenced.

The utilitarian ethics evaluates the effectiveness of decision taken based on the outcome of such action. The action must benefit most of the people and not few, is then that the senior public manager can say that he/she has taken the right action. The concern is not only about him/herself, but about achieving the *utility* (purpose) of action, that is the achievement of the institution's goal. In South Africa, public service's overriding goal is to satisfy the well-being of its citizens through the disbursement of goods and services. In utilitarianism, theory, the senior public

manager's decision making would be strengthened by the democratic values such as social equity, justice, representativeness, accountability, to attain the desired goals. Leaders who aspire the utilitarianism discourage ethical egoism which has bearing on conflict of interest today in public service.

Ethical competence is another framework developed by Cooper and Menzel, authors of many books of public service ethics. The framework attempt to complement ethical reasoning of ethical leadership. Ethical competencies and theories of ethical leadership are regarded as mutual re-inforcing. Ethical action requires moral reasoning to achieve the intended goals, whereas moral reasoning calls for action to achieve such. This implies that both processes need conceptual knowledge and skills to put ethical behaviour at the forefront of the institution's agenda. The element of managing ethics requires capacity to ensure that processes, systems and structures are aligned to ethical infrastructure. All ethical theories requires complement of technical and conceptual skills to capacitate senior public managers to understand the dynamics of social interaction and its impact. Cooper and Menzel (2013: 13) argue that ethics commands senior public managers to do things right, but they also must do right things. Training of ethical behaviour equip public officials with knowledge and skills to identify and act on public service values, commitment to high standards, communicating standards and codes of ethics and laws.

Ethical challenges, according to the findings of the study is complex, multi-dimensional with illusive outcome. The model argues that critical ethical decisions are not made in a social vacuum, human element is at the centre of the process. Cohen and Eimicke (1995:10) agree with Frederickson (1997) in that individual public manager should be able to accept responsibility for their actions and decisions taken. Furthermore, their actions should be weighed against their personal ethics and that of the institution. This study conclude that an integrative model is appropriate for effective leadership in relation to the promotion of ethical behaviour. The model has taken the limitation of each theory into account. Virtues alone are not enough as they lack action, deontological ethics can be evaded where rules and procedures are manipulated and flouted to suit one's behavioural conduct, social learning theory is silent about not imitating bad behaviour, in utilitarianism, results alone cannot guarantee morality of

the process. For example, municipalities who get unqualified audit reports whereas they have flouted the process leading to that outcome such as cheating.

### **7.3 LINKING CONCLUSIONS WITH STUDY OBJECTIVES**

The objectives below will be discussed in an attempt to support the empirical findings from research survey. Themes used during the development of instrument will be revisited to support the objectives that necessitated the investigation on the role of ethical leadership and its implications to public service ethos.

#### **7.3.1. Over-arching Objective 1 : To determine the role of ethical leadership in promoting ethical behaviour in the public service (chapter 1-4)**

The objective is an over-arching objective of the study which encompass chapters from one to four in an attempt to examine and explore how ethical leadership promotes ethics in public service institutions. The argument considers the role of ethical leader in acquisition of morality, looking at personal and professional conduct in enforcing good behaviour and limit the occurrence of unethical behaviour which is counterproductive to institutional performance. The question to be asked is how to achieve good governance in a domain (public service) which is value-laden against the citizens whose demands and services are also value-laden? This question has bearing in the Constitution of the Republic of South Africa, 1996, which prescribed public administrative ethos to be adhered to by public officials. The findings from the study indicate that the main objective have been achieved. The findings is aligned with the problem statement as presented in Chapter One. Corruption mainly is prevalent in the implementation stage where there is exchange of goods and services between the public officials and the public. It is evident from the research findings that ethical leadership is regarded as senior managers who promote ethical behaviour as a pre-

requisite of good governance. Corruption, maladministration, fraud and scandals are the outcome of ethical challenge.

### **7.3.2 Objective 2: To explore the importance of ethical leadership in the promotion of institutional performance in the Limpopo public service (Chapter 2)**

The study examines the ethical competencies of senior public managers in contributing to institutional performance through the creation and maintenance of ethical climate which posit on institutional culture. The moral purpose of the senior public manager as a moral person and moral manager was thoroughly explored and serve as basis for determinant of institutional performance. Chapter 2 of the study focused on how the senior manager leverage competency skills to confront ethical dilemma. The discussion of theoretical framework that underpins ethical leadership orientate the study on the importance of moral reasoning and effect on the performance of ethical leadership. The objective is further supported by the statement of hypothesis in Chapter 1, item 1.7 which state that ethical leadership promotes productivity of employees, hence institutional performance. The role of ethical leadership is instrumental in fostering positive ethical environment, which in turn influence quality performance. It is evident that there is a positive relationship between ethical leadership and the institutional performance.

### **7.3.3 Objective 3 : To determine the effect of leader's conduct on the leader-follower exchange (Chapter 2).**

The objective is supported by the research question, *how the personal conduct of the public service leader influences the relationship between the leader and the followers*. Brown and Trevino (2006: 595) confirmed that leadership's conduct has a direct and indirect effect on the attitudes and morale of the followers. The study measured the effect of leader's conduct in Section 6.3.3 which evaluates the perception on the leader-follower exchange. The study instrument was developed looking into

contextual variables that determines the integrity of the leader when relating to followers. Ethical variables such as; honesty, integrity, openness, ethics, accountability, respect, caring, trust and fairness are used in the questionnaire to measure the dimension of ethical leadership's as indicated in Chapter 2. The findings in the data analysis from Chapter 6 of the study has achieved the above objective in determining how leadership behaviour the attitudes and morale of public officials.

During data collection, one of the participant interviewed indicated that there is problem of favouritism which affect public official's attitude towards commitment. Acts of favouritism posit on biaseness, meaning that there is unfairness in treating subordinate public officials by managers or supervisors. Others mentioned that there was a problem of consultation as the subordinate public official were not included in some matters that affect them. An example of performance management incentives which were not consistent with performance. The issue was the reason for strikes in some departments in the province. The problem with negative effect to relationship between the leader and follower is that it is extended to job satisfaction.

Mafunisa (2013: 757) mentioned that subordinate public officials look up to senior managers for moral guidance as the interaction between the leader and follower is relational. Therefore, it is of imperative that the public officials feel a sense of belonging for the sake of improved productivity. Walumbwa *et al.*, (2011: 207) suggest that it is the leader's responsibility to encourage followers to engage in identification and to represent the values and identities of the members.

#### **7.3.4 Objective 4: To identify the manifestations of unethical leadership in the Limpopo public service (Chapter 3)**

The objective is aligned with a statement of hypothesis which states that *there is a link between unethical leadership and corruption*. It is evident from the findings in Section E, Figure 6.3.5.6 of the research study in Chapter 6, that the departments are still experiencing act of unethical conduct by public officials. Fraud is one of the conflict of interest that challenges governance in the Limpopo public institutions. The

researcher acknowledges that there are various factors that constitute to bribery and fraud in public institutions in exchange of services rendered such as nepotism, public officials doing business with state, inflating of prices and extortions. The majority of participants confirm the objective when they indicated that they have witnessed fraud and bribery by colleagues within their departments. Fraud and bribery is one of the unethical conducts that challenges the efforts of management in ensuring that there is ethical compliance. Manifestation of corruption has detrimental effect to institutional performance and in turn affect the trust of public the department intend to serve.

### **7.3.5 OBJECTIVE 5: To examine the effectiveness of existing mechanisms in fighting unethical conduct by a leader**

The objective is achieved through the discussion of mechanisms to promote ethics in public service. Chapter 4 of the study examine the existing mechanisms to fight corruption and the impact on ethical leadership. Section F in Chapter 6 of this study, assess the perception of ethical awareness by public officials. During data collection, an interview with one of the middle managers indicated that it is the first time to know that some of the mechanisms exist. It is evident from the literature review and empirical findings of the study that this area need the attention of senior management. The majority of respondents indicated that though there are existing mechanisms to deal with unethical conduct, the implementation of the mechanisms is an area of concern which renders the mechanisms not so effective. Government has enacted an array of legislatives, ethical frameworks and come up with strategies to deal with ethical challenges. Furthermore, the objective is linked to the statement of hypothesis in Chapter One of the proposal which states that there is a link between unethical leadership and corruption.

The conclusion coincide with the findings from PSC Report (2009: 26) that public officials are not using the NACH to report unethical conduct. Some of the government vehicles have stickers which indicate that anyone can report crime or corruption and provide the NACH contact number. What is of concern is that most of the public officials are aware of the NACH but they regard it as less significance as they do not

trust the fact that it is anonymous. Lack of trust renders any mechanism ineffective. Public officials are selective in awareness of the mechanisms that fight corruption as the majority of the public officials indicated that they not familiar with some of anti-corruption strategies (see Figure 6.3.6.10).

Acts such as Prevention and Combatting of Corrupt Activities, 3 of 2000 and Protection Disclosure Act, 26 of 2000. The Code of conduct is well-known by almost public officials. It is one of the mechanisms that is widely communicated in offices and on departmental websites. The challenge with Code of Conduct is the content of the document, the same applies to *Batho Pele* content. According to report findings (Figure 6.3.6.8) revealed that the majority of the public officials do not trust the acts. Media seems to have taken the place of whistleblowing. Furthermore achieve the effectiveness of the mechanisms, ethics training should be conducted for all levels of the workforce with the support of the top management. The aim is to ensure that everyone with same principles has skills and capacity to respond during ethical dilemmas.

#### **7.4 RECOMMENDATIONS OF THE STUDY**

From the above expositions, the following recommendations can be forwarded:

- It was noted that most of the training programmes are generalised and not specific to an individual's ethical performance. It is therefore recommended that to ensure that training on ethical behaviour is relevant to one's duty, each unit must have its sub-programme to orientate its staff about programmes to address the specific needs relevant to the unit level.
- It was established that some of the officials have never been trained on ethical governance. It is therefore recommended that middle managers or immediate supervisors must conduct a mini-survey within departments to determine how many public officials requires training in ethical governance and at what level.

- It was concluded that although there is ethical awareness in the public service departments, public officials' ethical awareness is low due to lack of training or ineffective training. Senior managers must promote ethical awareness in their departments about the basic values and principles identified in Section 195 of the Constitution, 1996.
- In the departments, the posters of *Batho Pele* principles exist, the challenge is that some public officials do not adhere to those principles. It is recommended that senior public managers must encourage subordinate public officials to familiarise themselves with principles for them to be responsive to public demands. Education and Training awareness is one mechanism that foster ethical behaviour.
- It was found that ethics officers do not exist in some public service departments. This does not bode well for ethical leadership. It is therefore recommended that Ethics Officers must be appointed in departments to promote ethical behaviour in the provincial public service.
- The findings indicate that there is inconsistency in recognition of ethical performance by public officials at lower levels. It is therefore recommended that management must improve the existing reward system to take into recognition the efforts of the subordinate public officials in order to encourage them to behave in an ethical manner.
- It was established in the study that most public officials witnessed misconducts of fraud and bribery by colleagues but failed to report for fear of reprisal. Senior management, although they are instrumental in enforcing ethical compliance, must ensure that whistle-blowers are protected. Whistle-blowing by public officials is one of the strategy that enhances the effectiveness of anti-corruption strategies. Therefore it is recommended that management create an enabling environment free of reprisal for whistle-blowers. Management must ensure that policies which support whistle blowers are known to public officials. Workshops or seminars can be organised at unit or departmental level to impart knowledge of the Protected

Disclosure Act, 2 of 2000 which protects whistle blowers. In this way, public officials will be encouraged to report acts of unethical practices to Management.

- Lack or inadequate training re-surfaced as a challenge that inhibits awareness of policies and legislation by public officials. The findings indicated that although the level of awareness on the Code of Conduct is high, there is a concern that some public officials disagree on the effectiveness of the Code of Conduct and also to policies prescribed in South African public service to promote ethics in public institutions. Over and above the findings, public institutions are confronted by numerous legislations and policies that are complex and frustrating. It is recommended that management prioritise training of ethics to enhance conceptual knowledge and skills for senior public managers to create standards for ethical behaviour. In-house seminars or train-the-trainer approach should be considered to educate subordinate public officials about the consequences of failure or adherence to Codes, *Batho Pele* and other related policies. Training and education enables the public officials to know what is expected from them, how to relate with peers, superiors and community.
- It is evident from findings that implementation of ethics is ineffective as public officials felt that those who commit fraud, corruption and other transgression of ethical conduct are not punished or reprimanded. It is recommended that senior public managers re-inforce sanctions to discourage unethical practices within units and departments.

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## ANNEXURES

### Annexure A: Questionnaire instrument

#### QUESTIONNAIRE INSTRUMENT

Please note that the data collected through this questionnaire will only be used to argue the case on ***Ethical Leadership in the Limpopo Provincial Service of South Africa : An imperative for Good Governance for scholarly research***. Your response will be treated as confidential. Indicate **X** for ticking your choice.

#### SECTION A: DEMOGRAPHIC INFORMATION

1. SEX: Male
- Female

#### 2. EDUCATIONAL BACKGROUND

- Grade 12
- Diploma
- Degree
- Post degree

#### 3. AGE NEXT BIRTHDAY

20-29	30-39	40-49	50-59	60-65
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#### 4. OCCUPATIONAL GROUP

- Administrative
- Middle Manager
- Senior Manager


#### 5. EXPERIENCE

Number of years in current position

1-5	6-10	≥10
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#### SECTION B: CONCEPTUAL KNOWLEDGE

In this section, the study seeks to assess the respondents' understanding of the concepts that underpins ethical leadership and its impact on good governance.

1. What do you understand by the concept ethics?

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2. What do you understand by the concept leadership?

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3. In your opinion, can you define ethical leadership?

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4. What do you understand by good governance?

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### SECTION C : PERCEPTION ON THE LEADER-FOLLOWER EXCHANGE

In this section I am assessing the effect of supervisor/senior public manager's character in promotion of ethical conduct with employees.

1. Is ethical leadership an important aspect in public institution?

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2. Is there any relationship between ethical leadership conduct and employees' behavioural conduct?

- a) Yes
- b) No

4. In your opinion, would you say that honesty is practised?

- a) Yes
- b) No

5. In your opinion, would you say that trust between the leader and the employees is important for ethical leadership?

Yes   
No

## SECTION D : IMPORTANCE OF ETHICAL CONDUCT AND INSTITUTIONAL PERFORMANCE

**CODES :** Use X to indicate your response  
**1= Strongly Agree; 2=Agree; 3=Neutral; 4= Disagree; 5= Strongly Disagree**

This section intend to assess the effects of ethical leadership in institutional performance.

	<b>My supervisor/leader.....</b>	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	Listens to what employees have to say					
2	Ensures that employees openly and honestly share the actions of our department with colleagues					
3	Makes fair and balanced decisions					
4	Trust me to make appropriate decision in my job.					
5	Hold employees accountable for unethical conduct.					
6	Made me feel that I am part of the team and value my contribution to department					
7	Explains to employees why certain decisions were taken or not.					
8	Set ethical expectations for employees					
9	Ethical leadership result to positive staff morale					
10	Disciplines employees who violate ethical standards					
11	Reward employees who performs and adhered to professional standards.					

## SECTION E: RELATIONSHIP BETWEEN PUBLIC OFFICIALS AND PROFESSIONALISM

The section seeks to evaluate the attitudes of public officials towards their obligations of ensuring that service delivery is carried out in a professional manner.

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	Public interest must be promoted above personal interest					
3	Personal moral judgement is essential guidelines to do the right things in my work					
4	Quality service delivery depends on the employees' willingness to act professionally					

5	Citizens as customers are allowed to raise their dissatisfaction in terms of poor service delivery					
6	Batho Pele principles are well communicated to employees					
7	My supervisor holds employees accountable for their conduct					
8	I communicate with customers/stakeholders about services offered by my department					
9	I have witnessed acts of fraud by other colleagues					
10	I have experience a situation where other employees receive gift or bribe for service rendered.					

## SECTION F : PERCEPTION OF ETHICAL AWARENESS IN THE PUBLIC SERVICE

This section intend to assess the public officials' awareness on mechanisms to improve ethical behaviour.

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	Are you aware of Manual Code of Conduct?					
2	I understand the content of the ethics code					
3	I often get training or updates in relation to professional ethics and standards.					
4	If yes, do you find it effective in reducing unethical conduct of officials					
5	When I was appointed, ethical expectations were communicated to me					
6	If I report a colleague about ethical violations, there would be retaliation against me					
7	There is an Ethics Officer available when I want to ask questions about ethics					
8	If yes, do you get help in relation to ethical dilemma					
9	Auditor General's recommendations are implemented in my department					
10	I often report misconduct through national hotline set up in my department					
11	The department protect employees who blow whistle about fraud and other corrupt activities					
10	I am aware of Public Financial Management guidelines to prevent financial abuse					
11	The recommendations of Public Protector are adhered to in my department.					

13. I am aware of the following mechanisms from government that assist to fight corruption:


- a) Protection Disclosure Act
- b) Prevention and Combatting of Corrupt Activities
- c) Financial Disclosure Act
- d) Whistle Blower Act

In your opinion can you say the abovementioned mechanisms are effective in combating corruption and other unethical conduct?

Yes

No

If No, state the reason: -

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**THANK YOU**

## Annexure “C”: Consent Form

I would like to request your assistance to participate in my research as a key informant. Data collection is through questionnaire and interview to selected senior public officials and some subordinate public officials. The interviews and questionnaire data collection will be done under anonymity and strict confidentiality in accordance to ethics protocol as approved by the University’s Ethics Committee. Code names will be used instead of real names on the questionnaire. Information collected would be used for the solely purpose of the research.

### CONSENT LETTER

I (participant)-----hereby consent to participate in the research study entitled **“Ethical Leadership in the Limpopo Provincial Public Service of South Africa: An Imperative for Good Governance”**. The purpose of this study is to explore the role of leadership in promotion of ethics in public service institutions to enhance good governance. It was explained to me that the participation will be voluntarily and the information provided by me will remain confidential. The condition of the study have been fully explained to me and I fully understand the circumstances of my participation.

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**Signature**

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**Date**