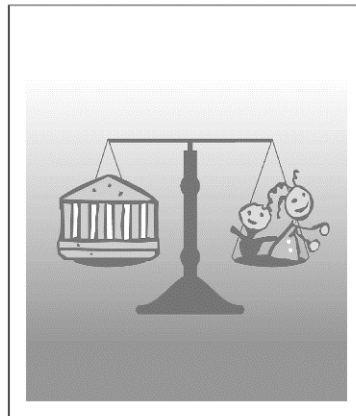


Department of Public Administration and Management

Ethics in public administration and administrative justice

ETHICS IN PUBLIC ADMINISTRATION

S T U D Y G U I D E 1 F O R P U B 3 7 0 7



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Revised edition 2001, 2007, 2012, 2015, 2016

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Printed and published by:
University of South Africa
Muckleneuk, Pretoria

PUB3707/1/2018–2019

70523266

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THEME 1: THE NEED FOR ETHICAL BEHAVIOUR IN PUBLIC ADMINISTRATION

OVERVIEW

Key questions

Key concepts

STUDY UNIT 1: THE BEHAVIOUR OF PUBLIC ROLE PLAYERS AND THE DELIVERY OF PUBLIC SERVICES

Introduction

Parties involved in the delivery of public services

The nature of mutual relationships

Review

STUDY UNIT 2: ETHICAL EVALUATION OF THE ACTIONS OF PARTICIPANTS IN PUBLIC ADMINISTRATION

Introduction

The context in which the actions of public role players are evaluated

The evaluations made by different people do not always correspond

Review

SELF-EVALUATION

THEME 1: THE NEED FOR ETHICAL BEHAVIOUR IN PUBLIC ADMINISTRATION

“everything is corrupt but the majority is quiet because their slice is waiting ...”

Klitgaard 1987

OVERVIEW



Newspaper headlines like the above are common in South Africa. However, it is not only the South African public that is regularly confronted with such headlines. In March 1999 the entire European Commission resigned after a damning report that accused a number of commissioners, including the president of the commission, of fraud, nepotism and maladministration (Tucker, Smith & Norman 1999). In 1998 Reuters reported from Nairobi, the capital of Kenya that the head of the Kenyan anti-corruption unit was fired by President Daniel Arap Moi after accusing various senior treasury officials of committing fraud (Reuters: online).

It would appear from all this that the promotion of ethical behaviour in public life is a worldwide dilemma. Why is it important for public functionaries to act ethically?

For the purposes of this study guide, it is vital that public officials understand the need for ethical behaviour in public administration because

- the behaviour of various public role players directly affects the delivery of public services,
- the distinction between right and wrong is not always clear-cut, and
- the distinction between good and bad is not always understood.

KEY QUESTIONS

- How does the behaviour of public role players affect the delivery of public services?
- How can public role players distinguish between right and wrong?
- How can public role players understand whether actions are good or bad?

KEY CONCEPTS

- behaviour
- role players
- relationships
- mutual relationships
- state authority
- right
- wrong
- good
- bad
- John Citizen

STUDY UNIT 1: THE BEHAVIOUR OF PUBLIC ROLE PLAYERS AND THE DELIVERY OF PUBLIC SERVICES

1.1 Introduction

Public administration, government and ethics, as the area of study, bring the question of an integrated concept of ethics to the fore. As role players exercising public administration, public officials and public office bearers, need to master the theory, methodology and laws relating to this practice in order to function within the boundaries in which government action can take place. People's lives are directed by the actions of public officials that take place in extended and complex circumstances. Therefore, public administration must adhere to traditional values of democracy such as responsibility and accountability as stated in the Constitution of the Republic of South Africa, 1996 (section 195). This means that public officials are in a position of trust with an obligation to deliver public services to the people in an ethical manner. Officials can be held accountable for their actions.

Public officials have a professional responsibility towards society to provide the highest level of service at all times. They do not act in their own interests but perform their actions in the interest of the people and society. Therefore, public officials need to be aware whether or not their actions are ethically correct and permissible. Ethical guidelines offer the necessary guidance for public officials to know whether their actions are right or wrong; and good or bad. Interventions such as corruptive practices and theft by public officials, however, influence the manner in which they exercise public administration and ultimately have a negative influence on the quality of public services that are so necessary for our daily lives.

ACTIVITY 1.1

The following newspaper report is one of many on this topic that appear from time to time. The original newspaper report has been translated and adapted to serve as an example.

- Read it thoroughly.

R20 MILLION WORTH OF WELFARE MONEY STOLEN IN SA

Cape Town — More than R20 million that had been intended for welfare payments has been stolen from 1996 and August of this year.

According to the Minister of Welfare, the Eastern Cape was hardest hit by such thefts, with losses of more than R6 million, followed by Kwazulu-Natal (R4,1 million), Northwest (R3,2 million) and the Western Cape (R2,8 million).

Yesterday, the Minister stated in reply to a question by Dr Phume, a member of the opposition in the national assembly, that R6 013 540 was stolen during 1996/'97 in the Eastern Cape, R610 000 of which was taken in transit holdups.

Employees of the department will be prosecuted in connection with these thefts.

Answer the following questions:

- 1) For whom was the welfare payments intended in your opinion?
- 2) Who is suspected of committing theft?
- 3) How does theft affect those for whom the money was intended?

There can be no doubt that you have seen the story contained in the questions while answering them. The story of a public service apparently sabotaged by theft and of people who will suffer as a result. The primary suspects are Public Official and possible accomplices.

Public Officials are more than just officials who work for a given department, be it on provincial or national level. They are servants of the state. Think about the implications of this.

The actions of public officials should always be aimed at improving the general welfare of the public. Their actions must, therefore be to the advantage of the individual and the community. Section 195 of the 1996 Constitution provides that public administration must be governed by principles such as accountability, transparency, efficiency and effectiveness. These principles are basic rules of conduct or ethical conduct. This means that the public official distinguish right from wrong and good from bad, and have a commitment to do what is right and good.

When they steal money intended for the destitute such as John Citizen, it has a direct effect on him. The two of them are involved in a specific relationship, Public Official's actions have direct ethical and practical implications for John Citizen: either for good (the welfare services are delivered) or bad (the welfare services are not delivered); or for right (the welfare services are delivered according to approved policy and legislation) or wrong (the welfare services are not delivered according to approved policy and legislation). The actions of public officials also affect his relations to the minister in charge of his department, and the minister's relation to John Citizen.

1.2 Parties involved in the delivery of public services

John Citizen, Public Official and the minister are just a few examples of parties who are involved in the delivery of public services every day. What parties are involved and how do they relate to one another?

ACTIVITY 1.2

Read the newspaper report in activity 1.1 once again and answer the following questions:

- 1) For who was the welfare payments intended? Give reasons for your answer.
- 2) What position does the minister occupy in this event and to what extent is he/she responsible for the money? Give reasons for your answer.
- 3) Where and in what capacity did Dr Phume raise a question to the minister? Give reasons for your answer.
- 4) Why can we regard Dr Phume's question as important? Give reasons for your answer.
- 5) Who is suspected of the theft? Give reasons for your answer.

There are a few prominent characters in this story:

- Destitute, John Citizen who relies on welfare payments and who must now suddenly do without this money because of an unexpected lack of funds, taxpayer John Citizen who must sacrifice a part of his income in the form of taxation in order to help destitute John Citizen.
- The Minister of Welfare a political office-bearer who takes political responsibility for the delivery of welfare services to destitute John Citizen.
- The member of parliament who calls the minister to account for the delivery of welfare services, acting on behalf of both John Citizens.
- The Public Official, who was supposed to do his or her job to deliver welfare services to destitute John Citizen but who is now the prime suspect in the case of the stolen welfare money.
- Possible accessories and accomplices.

Can you think of any other parties that are involved?

Where would you say the state fits in? Is the state a participant or role player besides the public official, political office bearer and member of the legislature?

There is no doubt that you will recall the second-year module on rights and obligations, (if you studied at Unisa last year) where we used the social contract as our theoretical point of departure. Now, read what Robson (2014:26–27) writes about this relationship between the public and public institutions in your prescribed book. Keeping that theoretical point of

departure in mind, one could argue that a social contract exists between John Citizen and the state. Among its many stipulations is the fact that John Citizen exchanges some of his authority and means for protection and state care.

ACTIVITY 1.3

- What exactly are the functions of the state?
- Read the article extract below and then answer the questions that follow:

(T)he primary functions of the state thus identified, were classified into the three categories of, firstly, protective and coercive line functions; secondly, promotive and developmental line functions; and thirdly, enabling and facilitative staff functions ...

Of the three categories of state functions, government's projective and coercive responsibilities were deduced from man's right to life, liberty, and property, and from which government derives its duty to provide everyone with a secure environment in which he may pursue the satisfaction of his needs in safety, peace, and good order, and, thereby to live a life of self-fulfilment in harmony with his fellow-men.

While the protective and coercive functions of the state derive from the duty of government to make life possible, i.e. to ensure man's survival, its promotive and developmental functions are deduced from its obligation to make life good, i.e. to create the most favourable environment in which man may achieve happiness and fulfilment beyond the satisfaction of the bare needs of life ... This is taken to imply the rendering by government of both direct and indirect assistance and services to society in order to foster social living by constructively providing and expanding equal political, economic, social, and cultural opportunities for all citizens to realise the potentially best within themselves, materially, morally, and intellectually, and thereby to enhance the quality of life for all.

The *criterion of authority* sets government above all other entities within the state, [country-ed] to achieve through its sovereign power that which no other institution can accomplish. Thus, where the performance of any activity requires authority for compelling obedience from all, that invests that obligation with moral acceptability, that prevails over the authority of any non-governmental body, that commands the ultimate sanctions of imprisonment or execution, or that is backed by the overwhelming force of state, that activity can be undertaken only by government.

(Loxton 1994:96–98)

- 1) Loxton divides state functions into three main categories.
 - Write them in your own words.
 - 2) Write a paragraph of about thirty words in which you explain what makes it possible for public officials to do the following:
 - Compelling employers to deduct taxes from their employees' salaries and transfer these funds to the Internal Revenue Service
 - Demanding license fees from vehicle owners annually
 - Paying out state pensions only to certain people
 - Acknowledging only certain qualifications.
-

If we argue that John Citizen has released some of his authority to the state in exchange for protection and care, the various legislators, executive office holders and public officials can all be regarded as instruments of the state. While they are delivering services or executing official functions, whether it is protective, promotional or facilitative in nature, they are always acting on the basis of state authority derived from the Constitution of the Republic of South Africa, 1996. The state as role player can, therefore, not be distinguished from its instruments. Thus, the state is:

- the protector of the rights and property of all members of society
- the primary caregiver on which destitute John Citizen relies for welfare payments
- the receiver of part of taxpayer John Citizen's income in the form of some kind of taxation
- the direct source of authority for the Minister of Welfare and Public Officials who, in terms of the 1996 Constitution, respectively bear political and administrative responsibility and accountability for delivering a welfare service to John Citizen in an ethical manner

Public officials are, therefore, placed in a position of trust. But what are the implications for that position of trust if a public official

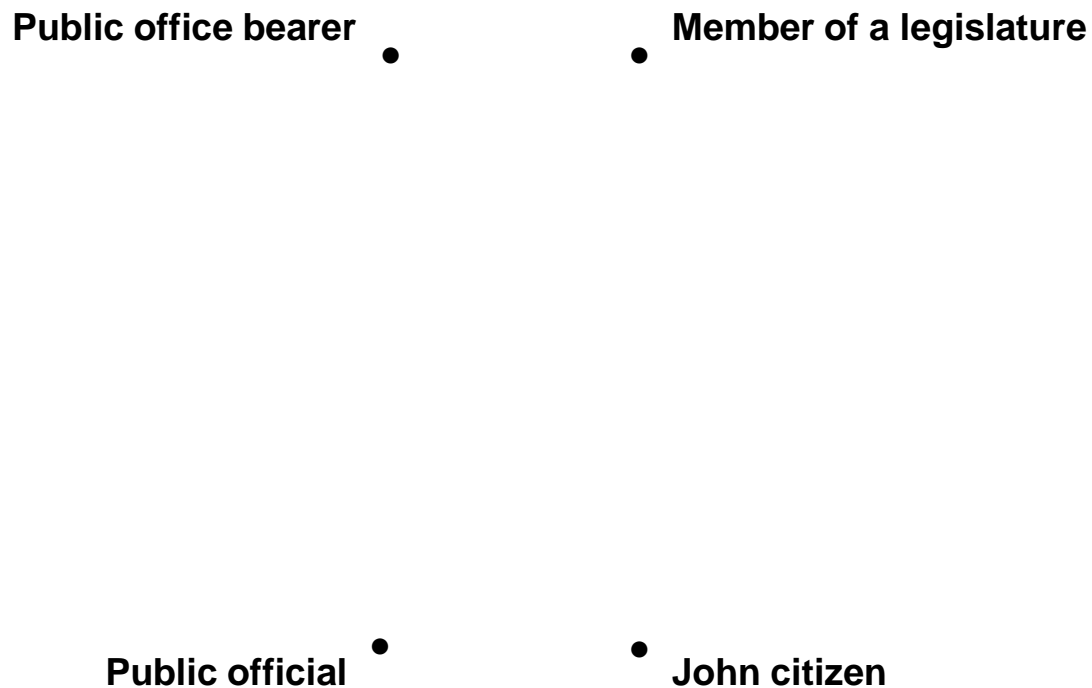
- in the process of protecting the rights and property of the public, assaults a car hijacker in the process of arresting him?
- receives a commission to ensure that someone who is not eligible for a state pension receives it?
- receives payment to ensure that certain companies pay less VAT (Value Added Tax) to the Internal Revenue Service than they are supposed to?
- withholds vital information from the minister or head of a department, or twists facts to suit his or her own ends?

1.3 The nature of mutual relationships

The questions with which we concluded the previous section suggest that there is more than just a position of trust for public officials perhaps a relationship of trust?

Would you agree that the various parties involved in the delivery of public services have a certain relationship (figure 1.1) with one another?

FIGURE 1.1
RELATIONSHIPS OF PUBLIC ROLE PLAYERS WITH ONE ANOTHER



ACTIVITY 1.4

- 1) Connect the dot of each role player with a straight line to create the outlines of a square.
- 2) Now connect the role players diagonally.
- 3) Keeping activities 1.1 and 1.2 in mind, indicate the nature of the relationships between the role players on the lines.
- 4) Would you say that you can now see relationships that did not emerge clearly in activity 1.1?

– If there are any, name them.

Once the four parties involved in the delivery of public services, that have been identified in the previous section, are plotted as the four corners of an imaginary square on a piece of paper (see figure 1.1), you will note that each role player can be connected to at least two others by drawing lines between them. By drawing diagonal lines, you will note that each role player can be connected to a third one.

If these imaginary lines represent relationships we can say that a specific role player in the delivery of public services is related to at least three other role players. It would appear that if we identify four categories of role players there are at least six relationships that can be identified (figure 1.1). When we see these as two-way relationships; no fewer than twelve different relationships become apparent.

What do we mean by the word **relationship**? De Beer states as follows:

The word **relationship** refers to the mutual attitudes, positions and affinities that are held, the expectations, ideals and goals that are set, and especially the actions that are undertaken towards one another. Peoples' attitudes, expectations and actions towards one another are determined by morality and ethics (De Beer 1989:169, our translation).

Public officials are, therefore, expected to have a positive attitude towards all parties in a relationship and to be committed to delivering public services in an ethically acceptable manner.

ACTIVITY 1.5

If we accept that each of the connecting lines in the above sketch represents a relationship between the role players which elements, according to De Beer, comprise relationships?

Read the quotation above once more and complete the missing words:

- How do you feel about the other role player? (....., or)
 - What do you from the other role player? (....., and)
 - What do you to the other role player? (the undertaken towards one another)
-

Would you agree that we can summarise the abovementioned seven constituent parts of relationships (according to De Beer's definition) by asking the following three questions:

- How do you feel about the other role player? Such feelings normally underlie one's attitudes, positions and affinities towards someone else. Do you trust him or her?
- What do you expect of the other role player to be ruthless perhaps? Are those expectations, ideals and goals you have about the other role player fair and reasonable?
- What do you do to the other role player? Are the actions we perform towards one another not often the result of underlying attitudes, positions and affinities?

The action even reflects an expectation (positive or negative) that the one role player has of the other. For example, I do not trust the minister and I, therefore, expect that he/she will use the slightest pretext to fire me. I, therefore, fly in the face of all rules and regulations to get an appointment for the consultant she favours. In this way, I hope to win her favour.

This is a sub-rectifying view of relationships. There is also the view of relationships as a result of rights and obligations.

Is the nature of the relationship identical in all twelve cases, or are there differences? Let us get practical.

ACTIVITY 1.6

Read the newspaper report in activity 1.1 once more, and do the rest of the activity 1.6.

1) Are all officials in the relevant department under suspicion?

- Circle the appropriate answer
- Give reasons for your answer

Yes / No

2) Let us suppose that there are two categories of officials in the department: those **who are under suspicion and those who are not under suspicion**

- By keeping the contents of the newspaper report in mind, answer the questions in Table 1.1.
- Please feel free to give your own opinion, especially when the answers are not readily apparent.

TABLE 1.1
THE RESPECTIVE RELATIONSHIPS BETWEEN TWO OFFICIALS FROM THE
DEPARTMENT OF WELFARE AND JOHN CITIZEN

RELATIONSHIPS IN TERMS OF:	OFFICIAL UNDER SUSPICION	OFFICIAL NOT UNDER SUSPICION
How does he feel about John Citizen? (attitudes, positions and affinities)		
What does he expect of John Citizen? (expectations, ideals and goals)		
What is he doing to John Citizen?		

You can repeat this exercise for all the relationships. Can you see any connection between the role players' attitudes and expectations of each other, and their eventual actions?

What has not yet emerged very clearly is the basis underlying peoples' attitudes, expectations and actions. De Beer (1989:169) suggests that it is morality or ethics that which should or should not be done. Indeed, he reflects on the question whether there are any norms for what should and should not be done, and if there are, what would be the basis for those norms (De Beer 1989:169).

Thus, when we reflect on the ethics or morality of the relationships between role players involved in the delivery of public services we could ask the following questions:

- How *should* you (should you not) feel about the other role players?
- What *should* you (should you not) expect of the other role players?
- What *should* you (should you not) do to (or for) the other role players?

We shall further reflect on these questions in the rest of this study guide.

1.4 **Review**

You have reached the end of this study unit. Test your knowledge and ensure the following:

- Can you identify and **distinguish** between the **parties** (public officials, political office bearers, legislators and society) involved in the delivery of public services. *Do you know who is involved with or affected by public administration?*
- Can you explain how public administration must be performed in terms of the 1996 Constitution?
- Can you explain what **ethical conduct** means?
- Can you explain what type of commitment public officials should have towards performing their functions?
- Can you **explain** the functions of the **state**?
- Can you **explain** the **nature** of the relationships between the identified parties?
- Do you know and **understand** that these mutual relationships can take on different forms such as attitudes, feelings, dreams and expectations, and especially actions?
- Can you explain the implications of public official's special **position of trust** for their relations to other role players?
- Can you **explain** how the delivery of public services is affected by the actions of the various role players?

STUDY UNIT 2: ETHICAL EVALUATION OF THE ACTIONS OF PARTICIPANTS IN PUBLIC ADMINISTRATION

2.1 Introduction

In the previous study unit your attention was drawn to the relationships between the various role players in public administration. It is undeniable that those relationships affect the delivery of public services. Keeping that in mind, it makes sense that we can evaluate the relationships in order to make a distinction between right and wrong, and also good and bad.

The question asked in this study unit is: is it possible for public role players to distinguish between right and wrong, and good and bad?

ACTIVITY 2.1

Read the following newspaper report and do the activity.

IF YOU'RE GOING TO LAGOS, TAKE ALONG SOME BRIBE MONEY

Tim Sullivan

Lagos, Nigeria — The sign above the check-in counter speaks volumes about Lagos's Murtala Muhammed International Airport.

"Don't Give Bribe", it orders in block letters.

Underneath those signs, travellers have long counted bills into the hands of waiting airport employees and thuggish-looking secret police officers.

A short walk away, customs officers gladly stop harassing travelers — after demanding tips.

"What do you have for me?" is nearly as commonly heard in the airport as "Have a nice flight."

Security officials sometimes stare blankly at the ceiling as luggage rolls through X-ray machines. The lights in the terminal occasionally flicker.

It makes a traveller wonder: What kind of a place is this?

Well, it's an improving one, according to airline passengers, air travel [sic!] specialists and pilots.

Like much in Nigeria, the situation at Murtala Muhammed has changed greatly since the death in June of the country's brutal dictator, General Sani Abacha, ushering out a regime notorious for its corruption and incompetence.

The demands for bribes have decreased, security officials have perked up and the airport's lights are now fairly dependable.

"We're seeing visible signs of improvement", says Peter Quaintmeyer, technical director for the International Federation of Air Line Pilots' Associations, which panned the Lagos airport for critical safety deficiencies in June.

"Lighting was poor, markings were poor on the taxiway, security was totally inadequate ... there was sometimes a lack of radar services", he says. But these days, according to Quaintmeyer and other aviation experts, the situation has dramatically improved.

"Things are being tidied up", he says.

But the situation is still a long way from perfect.

An entire culture of corruption flourished during Abacha's five-year rule, starting at the very top "Abacha himself is believed to have stolen billions of dollars" and reaching Nigeria's lowest bureaucrats. These days, Nigeria's rulers are trying to prove to the world that the corruption so rife during the Abacha reign is a thing of the past.

Still, it's not a bad idea to keep some bills on hand at the airport, just in case. If the demands for cash are nowhere near as blatant or widespread as they once were, there are plenty of airport officials still in search of extra money.

"The Lagos airport is one of the most corrupt you can find", grumbles Cyprian Anosike, a Lagos businessman.

"Each time I travel through the airport, and this is frequent, I am stopped at every point by customs or immigration officers attempting to extort money."

Anosike added that the situation is getting better, but commented, "my hope is that the improvement will proceed more rapidly".

© 1999 NEWS24 – 03 March 1999 09:41 AM

Johannesburg, RSA (GMT +2) (Extracted from original report)

1) Is there a public service involved here?

– if so, which one?

- 2) Name the various role players mentioned in the newspaper report.
- 3) What would you say is the main problem identified in the report?
- 4) Write a short paragraph in which you give your opinion about the way in which these airport officials try to get hold of extra money for themselves.

– How would you evaluate their behaviour?

Many people who have travelled abroad by plane will testify that one's first and most important impression of a new country is how one is treated by the airport personnel. Foreigners often feel helpless in the face of the attitudes of customs officers and especially security personnel at airports.

No doubt you have identified a number of role players in the newspaper reports. Check if this accords with the classification of role players you have made in study unit 1. You probably highlighted corruption as the major problem involved. What does the word **corruption** mean? Look up the word in a good dictionary and write the definition in the margin of the study guide, opposite this paragraph. According to Rose Ackerman (1999:91) corruption is "The misuse of public power for private gain". Venter (2014:70) writes that fraud, corruption and extortion are illegal. How do you feel about corruption?

In your evaluation of the way in which Lagos airport personnel apparently top up their incomes you probably used words like enterprising, right, wrong, underhanded or criminal. Did you notice that whatever word you used there is also an antonym for it? If you have said that his kind of behaviour is wrong, someone else could say that it is right. What can this phenomenon be attributed to? Venter (2014:70–71) believes that it has to do with the conscience of a particular official, and writes:

However, in a larger range of issues the law may not necessarily accord with the dictates of a particular official's conscience. An official, for reasons of conscience, sympathy, and compassion, may alleviate the plight of a member of the public by provision of a benefit when the applicant may in fact have no lawful entitlement to that benefit. According to his or her own opinion, the official may have acted ethically and with propriety. Nonetheless, the conduct is unlawful.

Rose-Ackerman (1999:110) believes that it has to do with the fact that bribes and gifts are defined in different ways. She writes:

The definition of bribes and gifts is a cultural matter, but "culture" is dynamic and constantly changing. If behaviour labeled (sic!) "corrupt" by some observers is, nevertheless, viewed as acceptable gift giving or tipping within a country, it should simply be legalized and reported. If, however, these practices are imposing hidden or indirect costs on the populace, analysts can clarify and document these costs. Definitions of acceptable behaviour may change once people are informed of the costs of tolerating payoffs to politicians and civil servants.

This brings us to the core of this study unit: the mutual relationships between public role players can be evaluated ethically. We can, therefore, distinguish between actions that are:

- good or bad, or
- right or wrong.

When officials receive additional payments, gifts, favours or commissions in return for rendering some or other public service we can justifiably ask if it is right or wrong and if it is good or bad. As stated above, if it is not wrong according to the approach of a particular country, such receipts should be legalised and reported. Conversely, if these receipts cannot be legalised and reported, they are wrong.

On the question of whether it is good or bad for the country, Rose-Ackerman's suggestions are equally practical:

- Declare and document the hidden and direct costs involved in such payments to officials or politicians.
- Inform the country's citizens about the costs involved in these payments so that they can decide whether it is good or bad for them.

In this regard Venter writes that the danger of public officials dispensing power at their own discretion must, in the public interest, trump individual conscience. An official bears the burden of public obligation and the limitations that it entails: he or she cannot act as an independent moral agent; an official is the holder of public trust.

ACTIVITY 2.2

Bearing in mind the above quotations by Venter and Rose-Ackerman, how would you judge the behaviour of the airport personnel described in the newspaper report in activity 2.1? State your views shortly and also pay attention to the following:

- Is the behaviour right or wrong according to the view of the particular country?
- In view of the unnamed hidden and direct costs involved in the additional payments received by airport personnel, would you regard the practice described in the report as **good** or **bad** for the people involved?
- What is your conclusion about the behaviour of the airport personnel? Is it ethical or unethical? Give reasons for your viewpoint.

Did you find any indication in the report to the effect that receiving bribes is an acceptable practice in Nigeria? Although the report does refer to a culture of corruption during the regime of a previous ruler, it would appear that this type of practice is officially regarded as unacceptable. The practice is therefore not legal and consequently not regulated officially. From the above you would have been able to conclude that this practice is unacceptable for the society and role players involved. There is apparently not much being done to protect travellers from the officials who ask for bribes at the airport.

In South Africa corruption is a common occurrence and receives regular front page coverage in the newspapers. A study reported on during the National Anti-Corruption Forum (during March 2007) found that public impressions of corruption and the actual extent of the problem are hugely different. Although more or less 74% of the members of the public believe that there is corruption, actual bribes occurred at only 11,5% of the companies surveyed (SAPA 2007). The most popular forms of corruption have shown to be the so-called kickbacks and even gifts and favours used to establish corrupt relationships.

There is, nevertheless, evidence of widespread bribery. Since it is obviously illegal, the chances of the costs involved in this practice being calculated and revealed are rather slim. The population, therefore, do not know what the practice actually costs in terms of increased prices of products and services. They, therefore, do not know how good or bad the practice is for them.

You have probably come to the conclusion that this practice can be regarded as unethical. Make sure that you have stated your reasons in a logical way so that it will be easy to draw a conclusion from them.

Why would so many public role players from time to time commit acts that are seen by the general public and the law as bad or even wrong? One possible reason is that the cost of actions that can be typified as right or wrong, good or bad, acceptable or non-acceptable is, in fact, very vague and not always calculated. In this study unit we want you to reflect on

- the context in which the actions of public role players are evaluated, and
- the degree to which various people agree in their evaluations of public acts.

2.2 The content in which the actions of public role players are evaluated

From the introduction it is evident that the actions of public role players more specifically, those of public officials, affect the lives of other people. This implies that those other people will hold some or other opinion about the action in question. They are satisfied, dissatisfied, angry, happy, shocked, surprised and so forth. The evaluation of the actions of public role players is probably determined largely by the nature of the context in which public role players act.

ACTIVITY 2.3

Read what Robson (2014:18–22) has to say about the context in which the actions of public officials are evaluated.

- 1) What, according to Robson, is the background to the expectation that public administration will be performed in an ethical manner?
 - Answer this question in a paragraph of about 80 words and apply it to the airport situation described in activity 2.1.
- 2) What, according to Robson, is the double commitment of public officials?
 - Answer this question in a paragraph of about 80 words and apply it to the airport situation described in activity 2.1.

After reading Robson's article, have you noticed that it also ties up with the quotations from Loxton's (1994) article in activity 1.3? By all means, consider the similarities between their approaches and also the slightly different classification of the functions of authority they employ. Ensure that you have paid attention to the following in the first paragraph of the activity:

- essential activities and essential public institutions
- the specific nature of the needs of people
- people's reliance on public institutions
- the enforceable nature of some functions of authority.

Apparently, the public official's job is one with many ethical requirements. In the second paragraph, you should have expanded on this theme. Also check if you have paid attention to the following:

- the objective or goal of the public official's role
- the way in which they play their roles
- the application of the above on the airport staff referred to in activity 2.1.

Robson (2014:20) writes that public officials are legally bound by the Bill of Rights to perform their duties with an obligation to advance the rights of the public. This approach lays the foundation for the **ethical imperatives** of the public official.

2.3 The evaluations made by different people do not always correspond

Daily reports of unethical and corrupt behaviour by public role players give the impression that there must be various interpretations of the ethical imperatives that apply to public role players. Public officials therefore, have different views of what is right or wrong. Why is it like this and what are the implications of this on the delivery of public services?

ACTIVITY 2.4

Read pages 26–27 of Robson's (2014) chapter.

- 1) Write a paragraph of about 100 words explaining why different individuals may evaluate the actions of public officials differently.
- 2) Would you say that a substantial degree of unanimity is required in public institutions regarding the values and norms that apply to the evaluation of public actions?
 - Justify your answer in one or two sentences.
- 3) What values do you think underlie the actions of the airport personnel described in activity 2.1?
 - What values should they use?
 - describe these values in a paragraph of about 100 words.

It is general knowledge that different public role players do not experience the ethical implications of their actions in the same way. What some role players regard as a gift; others regard as a bribe. What reasons for this could you identify in the section you just read? To what extent do you think the reasons mentioned by Robson apply to your own situation? Have you ever noticed that the judgments people from different backgrounds (home, school and religion) make of public role players' actions differ widely? Ensure that you have touched on the following aspects in the paragraph you have written:

- the role an individual's background (home, school and religion) plays in the formation of his or her value-judgments
- examples of different ethical evaluations (even if just a shift in emphasis) of the same situation

You have probably noticed that Robson believes that a substantial measure of unanimity (agreement) about the norms and standards set for the behaviour of public officials is required. In justifying your own point of view about this issue, you could have used an example from your own situation.

To identify the values underlying the actions of the airport personnel (question 3), you could have posed the following questions:

- How do the airport staff feel about the travelling members of the public? What other feelings may they experience?
- What do they expect of the travelling members of the public? What other expectations may they have?
- What do they do to the travelling members of the public? What other options are open to them?

The purpose of activity 2.3 is to alert you to the fact that people, for various reasons, make different value-judgments. When dealing with the delivery of public services, we can surely expect a certain measure of unanimity between public officials and the other role players about the question of right and wrong. When we look at the newspaper report in activity 2.1 it does not seem as if there is such unanimity. In fact, businesspeople who rely on efficient service delivery by airport staff are frustrated. We can deduce that they experience the service as poor and the staff's behaviour as bad – that is unethical. How would the airport personnel (the bribed) experience their own behaviour?

Keeping in mind the existence of various evaluations and judgments of what is good and what is bad, is there an objective, always valid norm for right and wrong?

A very interesting example in this regard is reported by Hauser and Singer (2005:18–19). Activity 2.5 is derived from their article.

ACTIVITY 2.5

Consider the following three scenarios (Hauser & Singer 2005:19)

For each, fill in the blank space with morally 'obligatory', 'permissible' or 'forbidden'.

- 1) A runaway trolley is about to run over five people walking on the tracks. A railroad worker is standing next to a switch that can turn the trolley onto a side track, killing one person, but allowing the other five to survive. Flipping the switch is morally
- 2) You pass by a small child drowning in a shallow pond and you are the only one around. If you pick up the child, he/she will survive but your pants will be ruined. Picking up the child is morally

- 3) Five people have just been rushed to the hospital's intensive care unit; each of them require an organ to survive. There is not enough time to request organs from outside the hospital. There is, however, a healthy person in the hospital's waiting room. If the surgeon takes his or her organs, he/she will die, but the five people who are in a critical condition will survive. Taking the healthy person's organs is morally

What are your answers? If you have answered that case (1) is **permissible**, case (2) is **obligatory** and case 3 is **forbidden**, your answers are the same as 1 500 participants around the world in Hauser and Singer's web-based **moral-sense** test (<http://moral.wjh.harvard.edu>). In their study they proved that there, "were no statistically significant differences between subjects with or without religious backgrounds, with approximately 90% of subjects saying that it is permissible to flip the switch on the boxcar, 97% saying that it is obligatory to rescue the baby, and 97% saying that it is forbidden to remove the healthy man's organs" (Hauser & Singer 2005:19). These authors concluded that the studies, "begin to provide empirical support for the idea that, like other psychological faculties of the mind, including language and mathematics, we are endowed with a moral faculty that guides our intuitive judgments of right and wrong, interacting in interesting ways with the local culture. These institutions reflect the outcome of millions of years in which our ancestors have lived as social mammals and are part of our common inheritance". (Hauser & Singer 2005:19)

The answer to case 1 also tells us that an action may be **right** in a particular circumstance but it may also be **bad**. This means that the death of a person is bad although the death of the five people would also have been bad. It should therefore be regarded as the correct option.

2.4 Review

You have reached the end of study unit 2. By now you should be able to reflect critically on:

- factors that can contribute, in the midst of diverse viewpoints, to finding an ethically justifiable solution to the issue of the acceptability of gifts or fees in return for rendering public services
- the context in which the mutual relationships between public role players are judged
- the phenomenon that there is a discrepancy in the ways in which various people evaluate the same situation ethically, and
- the need for a reasonable measure of unanimity among public role players in their evaluation of situations that touch upon the delivery of public services.

SELF-EVALUATION

Theme 1: The need for ethical behaviour in public administration

You have now reached the end of theme 1 of this study guide. It is time for us to ask ourselves what we have attained or mastered so far by studying this theme.

The outcome we have in mind for this theme is that you should be able to find your own answers to the question: Why is ethical behaviour by public functionaries important? In order to formulate a meaningful answer to such a question, it is necessary that you **understand** the following:

- that the behaviour of various public officials in public administration directly affects the delivery of public services
- that the distinction between right and wrong, and good and bad, is not always clear

Now, do you understand the relationship between the way public functionaries behave in public administration and the delivery of public services?

Test yourself by doing the following exercises:

- 1) Can you identify and distinguish between the **parties** involved in public administration (officials, political functionaries, legislators and society)? Do you **know** who is involved in public administration or is affected by it?
 - Have another look at how you have done activity 1.4
 - Select any public service delivery situation which you encounter daily or read about in the newspaper and apply the steps outlined in activity 1.4 to it.
- 2) Can you explain the **nature** of the **relationships** between the parties identified above? Do you **know** and **understand** that these relationships can be expressed in different ways such as attitudes, feelings, dreams, expectations and actions? Activity 1.5 should help you with this.
- 3) Can you explain the function of the **state** to a colleague or fellow student? If this is still a problem try doing activity 1.3 again.
- 4) Can you **explain** the **implications** of a public official's special **relationship of trust** for his or her relations to other role players?
 - Use the newspaper report in activity 1.1 as the context for your explanation.
 - Ensure that you are able to do the same in any other context (e.g. use other newspaper reports).

- 5) Can you explain how the delivery of public services is affected by the actions of various role players?
 - Once again, use the newspaper report in activity 1.1 for an example.
 - Ensure that you can also use examples from your own environment.

Study unit 2 should have made you think about the phenomenon that the distinction between right and wrong, and good and bad is not always as clear as it appears to be at first sight. Check your understanding of this by doing the following exercises:

- 1) Can you explain to someone how you would go about finding an ethically justifiable solution to the issue if there are diverse views about the acceptability of fees? If you can, write your explanation in a paragraph of approximately 100 words.
- 2) Can you explain to someone the context in which the relations between public functionaries can be judged?
 - Ensure that you can apply the context to something similar to the airport situation (activity 2.1).
 - Take another look at activity 2.3.
- 3) Can you explain why people's ethical evaluation of the same situation can differ so widely?
 - Feel free to consult your notes on activity 2.4.
- 4) Can you adopt a firm position on the need for a reasonable measure of unanimity among public role players in their evaluation of situations that affect the delivery of public services?
 - Test your understanding by going through activity 2.4 once more.

If you would like to read more about ethical behaviour in public administration, have a look at the following sources:

Rose-Ackerman, S. 1999. *Corruption and government: causes, consequences and reform*. Cambridge: Cambridge University Press

Chapman, RA. 1988. *Ethics in the British civil service*. London: Routledge.

Chapman, RA. (ed.) 1993. *Ethics in public service*. Edinburgh: Edinburgh University Press.

- Chapman, RA. (ed.) 2000. *Ethics in public service for the new millennium*. Aldershot: Ashgate.
- Gildenhuys, JSH. 2004. *Ethics and professionalism: The battle against public corruption*. Stellenbosch: SUN Press.
- Lawton, A, Rayner, J & Lasthuizen, K. 2013. *Ethics and management in the public sector*. Abingdon, Oxon; New York: Routledge.

THEME 2: ETHICS AND PROFESSIONALISM

OVERVIEW

Key questions

Key concepts

STUDY UNIT 3: ETHICS AND ITS PLACE IN PUBLIC ADMINISTRATION

Introduction

What is ethics and how does it differ from Ethics?

How does ethics fit into public administration?

Review

STUDY UNIT 4: PROFESSIONALISM AND PROFESSIONAL ETHICS IN PUBLIC ADMINISTRATION

Introduction

What is professionalism within the context of public administration?

What is professional ethics in the context of public administration?

How can professionalism and professional ethics be promoted?

Review

STUDY UNIT 5: THE ETHICAL GUIDELINES

Introduction

The Constitution and other laws as ethical guidelines

Policy documents as ethical guidelines

Codes of conduct as ethical guidelines

Review

SELF-EVALUATION

THEME 2: ETHICS AND PROFESSIONALISM

The Government is the master of its servants.

Cubbon (1993:7)

OVERVIEW

In the first theme in this study guide we reflected on the phenomenon that the actions of public role players, especially public officials are constantly being evaluated and judged. In the process, there is a constant testing whether a given action is right or wrong and whether it is good or bad. The main question, therefore, is whether it is ethical.

But that surely is not the only way we can evaluate the actions of public officials. Keeping the example of the airport staff in mind, we can also ask whether their behaviour is professional.

KEY QUESTIONS

From these broad concerns, the following questions emerge:

- What is ethics, and what is its place in public administration?
- What is professionalism, and how does it fit into public administration?
- Is professional ethics different from professionalism?
- Do codes of conduct play a role in the promotion of professionalism or professional ethics?

KEY CONCEPTS

- ethics
- professionalism
- professional ethics
- codes of conduct

STUDY UNIT 3: ETHICS AND ITS PLACE IN PUBLIC ADMINISTRATION

3.1 Introduction

The quality of public services is constantly being evaluated. Besides managerial considerations of effectiveness, efficiency and affordability, questions are also posed about the manner in which public services are delivered.

Is the behaviour of officials:

- right or wrong, or
- good or bad?

Otherwise stated, is the behaviour of officials ethical? This brings us to the concept of ethics, more specifically ethics in public administration.

3.2 What is ethics and how does it differ from Ethics?

Kenneth Kernaghan, an internationally acclaimed expert in the field of ethics in public administration writes the following about the concept of **ethics**:

“Ethics is concerned not only with distinguishing right from wrong and good from bad but also with the commitment to do what is right or what is good. The concept of ethics is inextricably linked to that of values, that is, enduring beliefs that influence the choices we make from among available means and ends” (Kernaghan 1993:16).

The word **ethics** is frequently used with the word **morality**. Often these two words are used as if they have the same meaning and are the same concept. Rober A Hinde (2002: 3) writes the following about the concept of **morality**:

“Morality concerns the distinction between good and evil, and ‘morals’ are usually taken to refer to rules about good and evil, and ‘morals’ are usually taken to refer to rules about what people ought to do and what what they ought not to do. But, when we talk about ‘moral’ values or behaviours, we usually mean values that we see as ‘good’, or as how someone ‘ought’ to behave.”

The concepts “right” and “wrong” or “ought” and “ought not to”, clearly form the core of any discussion about ethics or morality. What is the difference between **Ethics** and **ethics** and what is the difference between **ethics** and **morality**?

ACTIVITY 3.1

- 1) Read the following sections:
 - the Introduction to the second edition of the prescribed book (pages 1–3)
 - Clapper's (2014:4–9) view on ethics and morality
 - Pauw's (2014:42–45) view on ethics, Ethics and morality.

 - 2) Define the concept of ethics and compare the various views on ethics in a paragraph of about 80 words.
 - Explain what morality is.
 - Would you say that there is generally a valid norm for right and wrong that is ethical or unethical?
 - How would you reconcile the apparent nonexistence of a moral consensus with Pauw's (2014:42–43) first definition of **moral** or **morality**?

 - 3) Define "Ethics" and compare it to ethics.
-

There can be no doubt that ethics is regarded around the world as an important dimension of public administration. This is why it has always been part of academic discourse in the subject Public Administration. Keeping in mind what we have discussed in the previous theme, we can safely say that ethics is largely found in the relationships between people.

Have another look at your definition of **ethics** and see if you have made provision for the following:

- its implication for mutual relationships (Introduction 2014:1–3; Pauw 2014:42–45)
- the common linkage between ethics and matters such as incompetence, corruption, and the lack of professionalism (Clapper 2014:7–9)
- ethics as integral basis for all human actions (Clapper 2014:4–7)
- ethics as the application of morality (Clapper 2014:4–9; Pauw 2014:42–45)
- personal value judgments and choices (Clapper 2014:4–9 ; Pauw 2014:42–45)
- the distinction between right/good and wrong/bad (Pauw 2014:42–45)

In your definition of Ethics you have, undoubtedly, indicated that it is the academic subject that studies, inter alia, the ethical actions undertaken by people and reflects on them. For our present purposes, however, we are more concerned with the practical making of ethical choices than with the subject Ethics.

3.3 How does ethics fit into public administration?

Ethical questions seem to occupy a prominent place in public administration worldwide. From a British liberal democratic perspective, for instance Chapman (1993a:2) argues that ethical behaviour in the authorities would enhance the democratic process by ensuring that, “representatives and officials respect the rights of citizens and uphold those values which have been agreed as essential to a particular democracy.” If we accept that ethics refers to the moral standards in public service, then, as Chapman (1993a:1) maintains, there are implications for the professional standards of all role players (politicians as well as officials).

In Britain the prevalence of corruption and political self-enrichment in the public service (as observed by Northcote and Trevelyan and noted in their famous 1854 report) led directly to the first Civil Service Commission in 1855 (Wessels 1998:168). Promotion on the basis of merit was one of the key functions of this commission (Wessels 1998:166–175).

From an American perspective we should note Frederickson’s (1993:3) observation that the matter of corruption made a large contribution to the development of modern public administration. According to Frederickson (1993:3), the structure and policy of American governments were adapted as early as the beginning of the 20th century in order to prevent corruption.

In South Africa the Public Service Commission is charged specifically with the promotion of ethical behaviour in public administration (South Africa 1996: section 196(2)). The history of the South African Public Service Commission is closely aligned with that of the British Civil Service Commission (Wessels 1996:93–110). The promotion of ethical standards among officials has always been one of the commission’s functions. In its annual report for 1998 (South Africa 1998) the commission reaffirms its constitutionally-determined function of promoting specific values and principles of public administration and high standards of professional ethics. The anti-corruption conference for the public sector held from 10–11 November 1998 is one of various initiatives by the South African Public Service Commission aimed at promoting ethical behaviour (Sangweni & Balia 1999).

Frederickson’s observation of the role of ethical considerations in the creation of new structures and policies in the USA apparently is directly transferable to the British and South African situations.

Think of any attempts at improving ethical behaviour in your own working environment even if they are only ad hoc policy initiatives or structures.

To return to the role players in public administration, as identified in theme 1 of this study guide: if we accept that ethics affect the relationships between specific role players, this implies that we are looking at the specific relationships between public official and all the other role players. All these relationships occur in the public sphere or the sphere of public administration. The core question in this case is: what determines right and wrong for the role players? Can an official use his or her own judgment or are there specific prescriptions that must be followed?

With reference to the above discussion, find the following quotation from a chapter by Lawrence Pratchett (2000:121,123) which is quite informative:

In short, institutions routinize behaviour and substitute personal responsibility for ethical decisions with a set of institutional standards and practices. Individual public servant look to existing symbols for guidance in resolving ethical dilemmas, rather than examining the moral assumptions which underpin such symbols, and feel reassured by the notion of order which it imposes upon outcomes. Ethical decisions taken within the context of institutions are shaped by the precedents and practices of previous decisions ... Individuals become more concerned with following customs and practices than they are with achieving ethical outcomes ... At the best of times public services are inherently unethical because of the way in which institutions absolve individuals from their ethical duties and obligations, although the outcomes of public administration may be none the worse for this absence of ethics. During periods (sic) of extensive administrative change, however, the danger of absolving public servants from their ethical obligations may become only too apparent. The inherently unethical basis of public service ethics may lead to major conflicts of interest as administrative reforms really start to bite in western democracies.

Combine your reflection on the above arguments with activity 3.2.

ACTIVITY 3.2

- 1) Once again, read pages 4–9 by Clapper (2014):

In the public administration context, express your opinion on the following in a few sentences:

- Clapper’s view of personal morality
- The relation between **personal morality** and a **public service morality**
- The advantage of a public official with a clear vision of his or her personal morality

- 2) Also read pages 17–19 by Robson (2014):

According to Robson, a public official has a double commitment:

- Briefly describe this in your own words (a few sentences only).
- What are the implications of public servants who are not committed to their expected roles, according to Robson?

- 3) Briefly compare the ideas of Robson, Clapper and Pratchett (main points only).

- Are their ideas in conflict or do they complement one another?
-

Clapper (2014:4–9) feels very strongly about the value of personal morality of the official. So strongly that he says people without morality run the risk of committing offenses or being abused by others. Do you agree? In the South African context, just think back to the evidence led before the Truth and Reconciliation Commission.

Go back to what you have written about a public official with a clear view of his or her personal morality. Also think about how the following quote of Hinde (2002:26–27) affects your view of personal morality:

“Surely, it might be said, there must be a sense in which we are predisposed to make moral distinctions, for that is part of being human ...

... Thus the view taken here is that ‘moral sense’ is a rather loose term useful for describing the tendency to differentiate ‘good’ from ‘bad’, constructed in parallel with the acquisition of content, on the basis of pre-existing predispositions to respond appropriately primarily to the comments, positive or negative, of parents or other authority figures, and perhaps to avoid certain situations.”

If a person was to be confronted with a directive that did not fit his or her personal morality, what should he or she do?

In this regard, read what Hinde (2002:157–158) has to say about it:

“Great difficulties arise when a person’s moral outlook conflicts with that of the society. Accepting here the morality/convention distinction, moral offences are generally considered as more serious than offences against convention, but there are circumstances in which individuals will follow societal convention against their moral principles. This is especially likely if acting against convention will bring societal sanctions, but acting against the moral precept will remain concealed. Thus an individual may tell a lie, which is morally reprehensible, to conceal that he has breached a convention in a way that would bring him into derision ...

As another example, in wartime some soldiers have great difficulty in fulfilling their duty to kill the enemy. Such conflicts may involve on the one hand the individual’s own self-esteem, diminished if he capitulates to societal demands and on the other the ostracism or other adverse consequences that will follow if he does not. Often action is seen as justified by necessity if I had not killed him, he would have killed me ...

When duty or secular authority conflicts with moral principles, action taken in accord with the former may be minimizing its importance with euphemistic labeling. Thus bombing attacks may be described as ‘surgical strikes’, and the civilian casualties that result as ‘collateral damage’. The responsibility for immoral acts ostensibly performed as part of duty may be displaced onto others, as when former prison guards responsible for torturing or killing prisoners claim they were only acting under orders. Yet again, violence

towards a victim may be attributed to the victim by perceiving his self-protective act as provocative.”

An important aspect of Robson’s reference to the role expected from public officials concerns what is expected by whom. The judgment whether that which is expected in the name of the **common good** (public interest) is good or bad may differ from person to person. An order or directive to a public official may even be part of legislation and, therefore, not merely an expectation on the part of a supervisor or political office bearer. What should officials do when they feel uneasy about a specific order, that is, if it clashes with their personal morality? Have another look at Robson’s solution. The implication of Robson’s final statement in the relevant section is that such an official should find another career. How do you feel about that? Do you think that Clapper and Robson end up with mutually contradictory conclusions?

Do you think that Clapper and Robson end up with mutually contradictory conclusions?

Here are some important questions:

- Is there a morality that is generally valid for all officials in all countries?
- Does Clapper’s idea of personal morality imply that each official personally determines right and wrong? Or, does it mean that these officials have selected the so-called objective, generally valid morality, as their personal morality and therefore acts according to it?
- In light of Hinde’s statement above, to the effect that individuals can often transfer the responsibility for immoral acts carried out as part of their official duties to someone else, can you think of examples in the South African context to confirm this? What does it say about the personal morality of such individuals or officials?

Whatever the case may be, ethics is an integral part of public administration. Not only is it an important reason for the existence of institutions such as the Public Service Commission; it also affects the daily judgments and actions of every public official and political office bearer.

3.4 Review

Test your understanding. By now, you should have mastered the following:

- Can you define the concepts “ethics” and “Ethics” separately and compare the two?
- Can you explain the importance of ethics in public administration?
- Can you explain the meaning and implications of personal morality for public officials to someone?

STUDY UNIT 4: PROFESSIONALISM AND PROFESSIONAL ETHICS IN PUBLIC ADMINISTRATION

4.1 Introduction

ACTIVITY 4.1

You have already encountered the following newspaper report. Read it again and do the assignments below.

IF YOU'RE GOING TO LAGOS, TAKE ALONG SOME BRIBE MONEY

Tim Sullivan

Lagos, Nigeria — The sign above the check-in counter speaks volumes about Lagos's Murtala Muhammed International Airport.

"Don't Give Bribe", it orders in block letters.

Underneath those signs, travellers have long counted bills into the hands of waiting airport employees and thuggish-looking secret police officers.

A short walk away, customs officers gladly stop harassing travelers — after demanding tips.

"What do you have for me?" is nearly as commonly heard in the airport as "Have a nice flight."

Security officials sometimes stare blankly at the ceiling as luggage rolls through X-ray machines. The lights in the terminal occasionally flicker.

© 1999 *NEWS24* — 03 March 1999 09:41 AM

Johannesburg, RSA (GMT +2) (Extracted from original report)

- 1) What does the sign above the check-in counter say?
 - What are the implications of this (why is such a sign necessary)?

- 2) Describe briefly what each of the following people are doing, according to this report:
 - Secret police officers
 - Customs officers
 - Security officers

 - 3) Keeping the abovementioned description in mind, how would you evaluate (good or bad, or right or wrong) the way in which these people do their jobs?
 - Secret police officers
 - Customs officers
 - Security officers
-

When reading the same report in study unit 2, you have evaluated the behaviour of the various role players and distinguished between actions on the basis of whether they are:

- good or bad, or
- right or wrong.

In study unit 2 we have looked mostly at the distinction between right and wrong (the ethical aspect). It is evident that there is another (related) way of judging the actions of the role players. We can ask: is it professional or unprofessional? In study unit 3 it becomes clear that ethical questions in public administration cannot be divorced from views on the professionalism of public officials. Chapman (1993a:1), for instance, states that if it is accepted that ethics refers to **moral** standards in public service, this holds implications for the professional standards of all role players (both officials and politicians). It would appear that there is a direct link between morality and professionalism. The question is: *Is everything that is professional also moral? Is everything that is moral also professional?*

In activity 4.1 it would appear that the manner in which the identified officials do their jobs leaves much to be desired. The sign above the check-in counter says it all. The same questions you have asked to evaluate the actions of these officials can be used for any other group of officials.

We can rightfully ask whether public officials render a professional service to the public.

4.2 What is professionalism within the context of public administration?

We can deduce from all this that professionalism in the context of public service delivery is concerned with how well or how badly officials fulfill their duties.

According to Maurice Kamto, a professor at the University of Yaoundé II in Cameroon, professionalism in the context of public administration is, “a super-value or ... a universal value” (Kamto 1997:298). He states that it includes other values such as loyalty, neutrality, transparency, assiduity, punctuality, efficiency and impartiality (Kamto 1997:298). Apply these values as criteria to the report in activity 4.1 and see what the results are.

It is not only at an African airport that the professionalism of officials is under pressure. Sir Brian Cubbon, a former permanent secretary in the British Home Office states that the public official is, “a professional in an imperfect system, which he still manages to work, against heavy odds at some times”. (Cubbon 1993:13)

ACTIVITY 4.2

- 1) Read Clapper’s (2014:7–9) comments on professionalism and write an essay of about 150 words about this.
- 2) Robson (2014:24–25) also writes about professionalism in the context of public administration. Read this section and write an essay of about 150 words about Robson’s view of professionalism.
- 3) In a short paragraph write down your own view of professionalism with due reference to the views of Clapper, Robson, Kamto and Cubbon.
 - Apply this to your own situation, environment or country.

Evaluate your essay on professionalism in public administration. Ensure that you have paid attention to the following aspects:

Clapper’s view

- the relation between professionalism and ethical behaviour
- the meaning of the concept “informed discretion”.
- the possible relation between professionalism and knowledge
- the role codes of conduct can play in promoting professionalism

Robson’s view

- the relation between professionalism and ethical behaviour (briefly compare this to Clapper’s view)
- the ethical implications of professionalism and the lack of required knowledge
- the professional official in his or her role as advisor to political office bearers

- the implications of an official's professional status for the quality of his or her work
- the tendency to anticipate what a political decision-maker wants to hear and to adapt one's reports accordingly as opposed to making it possible for him or her to make an informed decision
- professional criteria for making information publicly available

Kamto's viewpoint:

- loyalty, neutrality, transparency, scrupulousness, punctuality and impartiality

Cubbon's viewpoint:

- professional person in an imperfect system

Your own comprehensive view:

- the connections between public officials' knowledge, choices and actions, and the evaluation of their work
- how this is expressed in practice in your own work situation, environment or country

We can deduct from the above that professionalism in the context of public service delivery is essentially concerned with how well or how badly officials perform their duties not only in the arrival halls of international airports, but even more so behind the closed doors of faceless policy advisors.

4.3 What is professional ethics in the context of public administration?

In perusing the literature, you will probably have noticed that the terms "professional ethics" and "professionalism" are often used together. What is the connection between them?

ACTIVITY 4.3

- 1) See how Clapper (2014:7–12) uses the concept "professional ethics" in the context of public administration.
 - Explain Clapper's view of professional ethics in public administration in a paragraph of about 50 words.
- 2) Explain Robson's (2014:19–25) view of professional ethics in public administration in a paragraph of about 50 words.
- 3) Briefly point out the similarities and differences between Clapper's and Robson's views of professional ethics.

- 4) Keeping the views of Clapper and Robson in mind, what is your experience and view of professional ethics in public administration?
 - Give an example from your own experience.
-

You have probably noticed that Clapper (2014:7–12) distinguishes between public sector codes of conduct, professional ethical codes and personal morality. According to him, each of these has its own source. Do you agree? How does this differ from the sources identified by Robson (2014:19–25)?

Ensure that you are able to distinguish between the various concepts.

4.4 How can professionalism and professional ethics be promoted?

Distinguishing between professionalism and professional ethics is by no means enough to deal with the professional and ethical dilemmas that are facing the public sector. The challenge ahead is to promote professionalism and professional ethics.

ACTIVITY 4.4

Read what Clapper (2014:9–12) and Robson (2014:23–24) have to say about the suitability of codes of conduct in the promotion of ethical conduct.

- 1) Write a paragraph of about 100 words in which you argue the suitability or unsuitability of codes of conduct as a method of promoting ethical behaviour in the public service.
 - 2) Make a list of all the codes of conduct applicable to public officials of which you are aware.
-

Regarding codes of conduct as a method of promoting ethical behavior, Kernaghan (1993:15) identifies two important arguments:

The first is that written ethical rules in general and codes of ethics in particular are an important but insufficient means of promoting public service ethics. The second argument is that certain ethical issues are more amenable than others to management by ethical rules.

Having argued the matter thoroughly, he concludes that, “the objectives of efforts to promote ethical behaviour will be better achieved through a combination of codes, exemplary role models and staff development than through codes alone”. (Kernaghan 1993:27)

As you have probably discovered by now, there are many codes of conduct that already apply to public officials. But according to Kernaghan there are still not enough. We shall pay more attention to this in study unit 5.

4.5 Review

You have now reached the end of study unit 4. If you have worked through it successfully, you should now be able to

- **distinguish** between ethics, professionalism and professional ethics and also show the connections between these concepts
- **explain** what professionalism and professional ethics entail in public administration and
- **reflect on the** role of codes of conduct in the promotion of professionalism and professional ethics

You have now made it halfway through this study guide. Well done and good luck with the remainder!

STUDY UNIT 5: ETHICAL GUIDELINES

5.1 Introduction

The actions of public officials are often called unethical. The report on the quality of public services at Lagos airport (study units 2 and 4) is just one example. What is the solution Codes of conduct?

Towards the end of study unit 4 we quoted Kernaghan (1993:27) as having said that codes of conduct alone are not sufficient to promote ethical behaviour among public officials. If this is so, the following questions emerge:

- How can ethical behaviour then be promoted among public officials?
- What codes of conduct for public officials are in existence for them?

In study unit 1 you were introduced to the various relationships in which public officials find themselves, namely relationships with:

- political office bearers
- members of the public
- members of the legislature

In addition, public officials also stand in relationships to their colleagues and immediate employer, usually some or other public or state institution. In terms of relationships this puts public officials in a special position of trust with regard to the other role players in public life. A special ethical sensitivity is expected of public officials in each of these relationships; an ability to distinguish between right and wrong, as well as good and bad.

What serves as a guideline for public officials to distinguish between right and wrong?

In this study unit we shall briefly look at some possible guidelines, namely:

- the Constitution, 1996, and other laws
- policy documents
- codes of conduct

There may be many other guidelines and if you come across any, note the reference and integrate the guideline into this study unit.

5.2 The Constitution and other laws as ethical guidelines

It would appear that almost every action undertaken by public official, regardless of which country they serve in, occurs in a constitutional and legal framework. Naturally, this framework contains guidelines on ethical behaviour for public officials.

Many countries use laws to regulate the behaviour of public officials, some more so than others. The United States of America, for instance, tends to make use of legislation more readily than countries like Britain, Canada and Australia (Kernaghan 1993:21). Statutory codes tend to be more rigid in their interpretation and revision of rules of behaviour than non-statutory codes.

In South Africa, until quite recently, the only codes of conduct for state officials were those contained in the Constitution, the Public Service Act, Public Service regulations and the Public Service Personnel Code.

ACTIVITY 5.1

- 1) Read pages 19–24 by Robson (2014).
 - Summarise Robson's view of the value of the 1996 Constitution and other laws as behavioural guidelines for public officials in about 50 words.
 - 2) Make a list of the chapters or main sections of the Constitution of the country in which you live. List only those chapters or sections that contain behavioural guidelines for public officials.
 - State the name, number and date of the Act in question and the name of the specific chapter or section.
 - 3) Assume that the airport mentioned in the news report on airport personnel (study unit 2) was actually situated in your country.
 - Evaluate the situation by applying the behavioural guidelines contained in your country's constitution (in South Africa this would be the Preamble, chapter 2 and 10 of the Constitution of the Republic of South Africa, 1996)
-

In the second study guide for this module you will learn more about the role of the constitution and other legal prescriptions. For now, make sure that you are able to explain to somebody the value of the Constitution, 1996, and other laws as behavioural guidelines for public officials. However, the real test is whether you are able to apply this to a practical everyday situation. Exercise this skill every day by taking any news report about corruption, conflict of interests or nepotism by some public role player and analyse it accordingly.

5.3 Policy documents as ethical guidelines

Besides the constitution and other laws, other behavioural guidelines for public officials may also be found. One example is the White Paper on the Transformation of Service Delivery, better known as Batho Pele (the people first). The Batho Pele campaign determined procedures to enhance public accountability, limit corruption and improve the delivery of services (Skweyiya 1999:15).

It would appear that the White Paper is based on an assumed connection between the quality of delivery of services on the one hand and a high standard of behaviour by public officials on the other. Do you agree with this assumption? Ensure that you are in full command of the arguments; you will need to agree with or differ from this point of view.

5.4 Codes of conduct as ethical guidelines

Codes of conduct are probably the best known and most common way of affirming behavioural guidelines.

ACTIVITY 5.2

Make a list of all codes of conduct which you are aware of that apply to public role players.

Among the codes of conduct, I could think of on the spur of the moment are:

- Code of Conduct for Public Servants
- Code of Conduct of the Institute of Municipal Treasurers and Accountants
- Professional rules of conduct of the Institute of Accounting Technicians of Southern Africa

You have probably managed to come up with a longer list.

Normally, a code of conduct is the codification of the principles and standards that ensure good behaviour by public officials. Kernaghan (1993:20) observes that in most countries the code of conduct for public officials is not contained in a single document, but is rather distributed across various laws, regulations and guidelines. The South African Public Service is a good example of this situation. The Code of Conduct for Public Servants was only quite recently formulated and announced. Even the British Civil Service has only had a formal code of conduct (Head of the Home Civil Service) since December 1987, with the acceptance of the Armstrong Memorandum.

Kernaghan (1993:20–21) identifies two poles in the spectrum of codes of conduct, these being the Ten Commandments model and the Justinian Code model. The Ten Commandments model contains a small number of prescriptions. It is often vague and open to interpretation. The Justinian model tends to be more all-embracing and detailed.

What is the value of a code of conduct?

ACTIVITY 5.3

Read pages 9–12 by Clapper (2014) and perform the following activities:

- 1) Clapper identifies two mutually contradictory arguments regarding the value of codes of conduct.
 - Name the two arguments.
 - Briefly discuss the arguments in the context of the acceptance of bribes by customs officers as mentioned in study unit 1.2.
 - 2) Summarise Clapper's evaluation of the value of codes of conduct for public servants in about 100 words.
 - Read what Robson (2014:23–24) writes about codes of conduct.
 - 3) Summarise Robson's evaluation of the value of codes of conduct for public servants in about 100 words.
 - 4) Briefly compare Clapper's and Robson's views on codes of conduct.
-

You will have noticed that Clapper identifies two arguments regarding codes of conduct. The first one says that codes of conduct will prevent public officials from pursuing only their private interests. The second states that codes of conduct are by nature limiting and prevent officials from reacting to societal issues in an innovative manner. Which argument do you support? Have you applied the arguments to the customs officers who accept bribes?

You will note that there are many points of agreement between Clapper and Robson on this issue. This does not mean that they agree on everything, but only that they occasionally touch on the same issues, often from different angles.

Ensure that you can formulate a point of view of your own about the advantages and disadvantages of codes of conduct.

5.5 Review

In this study unit you have reflected on the various type of ethical guideline that apply to public officials. You should now be able to:

- explain the value of the constitution and other laws as behavioural guidelines for public officials
- apply the constitution and other appropriate laws to your everyday situations
- argue about the supposed relationship between the quality of delivery of services on the one hand, and a high standard of behaviour by public officials on the other hand

- formulate a point of view of your own about the advantages and
- disadvantages of codes of conduct.

SELF-EVALUATION

Theme 2: Ethics and professionalism

Perhaps the most lasting impression in theme 1 has been the report on the behaviour of airport personnel in Lagos. While keeping the example firmly in mind, in theme 2 we have evaluated the behaviour of public officials by asking two main questions:

- Is it ethical?
- Is it professional?

1) By now you will have gathered that an understanding of certain concepts is required in order to master the rest of the theme. Thus, ensure that you can:

- define the concepts “ethics” and “Ethics” and compare the two
- explain the place of ethics in public administration
- explain the significance and implications of personal morality for public servants

2) Once again, read the newspaper report in activity 4.1

- Use the examples from this report to compare the concepts of ethics, professionalism and professional ethics.
- Write paragraphs of about 100 words reflecting on the possible role of codes of conduct for airport personnel in the improvement of their professionalism or professional ethics.
- Ensure that you can do the same thing with another example/newspaper report – exercise by taking any other report about alleged unprofessional and unethical behaviour and applying the activity to it.

3) Call up a situation known to you (this might be your profession, local government, school or the provincial authorities). With this situation in mind:

- write a few sentences explaining how the constitution and other laws serve as behavioural guidelines for public officials
- write a few sentences explaining the relation between the quality of delivery of services to the public and a high standard of conduct on the part of public officials
- formulate your own point of view regarding the advantages and disadvantages of codes of conduct
- reflect on the way in which professionalism fits into public administration

- reflect on possible differences between professional ethics and professionalism and write down your ideas
 - reflect on the role codes of conduct can play in the promotion of professional ethics or professionalism and write down your ideas.
- 4) Take any code of conduct that currently applies to public officials (be it on central, provincial or local level) and formulate your own point of view on how this can play a role in promoting professional behaviour among public officials.

If you would like to read more about ethics and professionalism, have a look at the following sources:

- Chapman, RA. 1988. *Ethics in the British civil service*, London: Routledge. Chapter 6: Publicity and the profession.
- Cubbon, B. 1993. The duty of the professional, in *Ethics in public service*, edited by RA Chapman. Edinburgh: Edinburgh University Press.
- Hinde, RA. 2002. *Why good is good: The sources of morality*. First publication. London: Routledge.
- Gildenhuys, JSH. 2004. *Ethics and professionalism: The battle against public corruption*. Stellenbosch: SUN Press.
- Lewis, CW & Gilman, SC. 2005. *The ethics challenge in public service: a problem-solving guide*. Second edition. San Francisco: Jossey-Bass.
- Pratchett, L. 2000. The inherently unethical nature of public service ethics, in *Ethics in public service in the new millennium*, edited by RA Chapman. Aldershot: Ashgate.
- Sangweni, S & Balia, D. 1999. *Fighting corruption: strategies for prevention*. Pretoria: Unisa Press.

THEME 3: THE APPLICATION OF ETHICAL GUIDELINES IN PUBLIC ADMINISTRATION

OVERVIEW

Key questions

Key concepts

STUDY UNIT 6: THE ETHICAL IMPLICATIONS OF BUDGETS

Introduction

Budgets

Distributive justice

The budget as a moral issue

Ethical budgets

Review

STUDY UNIT 7: EQUALITY, EQUAL OPPORTUNITIES AND EQUITY FOR PUBLIC ADMINISTRATORS

Introduction

Reflection on equality

Reflection on equal opportunities

Reflection on equity

Review

STUDY UNIT 8:
PROFESSIONAL PUBLIC OFFICIALS AND THEIR MUTUAL RELATIONSHIPS

Introduction

Public official and their relationship to members of the public

Public officials and their relationship to the political principal

Public official and their relationship to their profession and colleague

Review

SELF-EVALUATION

THEME 3: THE APPLICATION OF ETHICAL GUIDELINES IN PUBLIC ADMINISTRATION

“It is time for those in power to stand up and be accountable ...”

Doctors and hospital superintendents 1998

OVERVIEW

After working through the first two themes in this study guide you most likely understand why ethical behaviour is indispensable in public administration. Most likely you can distinguish between ethics and professionalism, maybe even carry on a meaningful conversation about them. In the same way, there are many public officials, perhaps even members of the public, who know and have insight into the norms and values that promote democratic public administration. But the vital question is whether those public officials and members of the public, with all their knowledge and insight, are actually able to make ethically responsible decisions in public administration.

The same is true of you. The success or failure of this study guide depends on whether you, once you have worked through it, will be able to:

- reflect on ethical questions in public administration and
- make ethically responsible decisions in public administration (that is, for those who are or will become public officials to make the right choices).

Public officials are confronted with ethical dilemmas every day. Two spheres of activity that affect almost all officials and members of the public are budgeting and the supply and utilisation of personnel. Regarding the latter, it is the existence and elimination of inequalities that are particularly relevant in South Africa today. Since both these spheres of activity are often regarded as highly technical matters in public administration, one often overlooks the ethical implications of the decisions that are made about this. We believe that a student who has completed this part of the module should at least be able to reflect on these matters. One hopes that such reflection will eventually have an effect on the choices made about these issues in the practice of public administration.

One terrain that deserves a much more practical approach is that of the mutual relationships between the various role players in the sphere of public administration. Besides being able to reflect on the choices facing a professional official, the real test is whether you will one day be able to choose the **right** actions in a given situation.

KEY QUESTIONS

The following key questions set the scene for this theme:

- What are the ethical implications of a budget?
- What are the ethical implications of the existence and elimination of inequalities in the staff composition of public institutions?
- How do public officials choose the right courses of action in their various official relationships?

KEY CONCEPTS

- budgets
- inequalities
- representativeness
- right actions
- distributive justice

STUDY UNIT 6: THE ETHICAL IMPLICATIONS OF BUDGETS

6.1 Introduction

What do budgets have to do with ethics in public administration?

ACTIVITY 6.1

Read the report below and do the rest of the activity.

BUDGET CUTS SEND HOSPITALS FROM BAD TO WORSE

Charlene Smith

In November last year [1998], doctors and hospital superintendents in Gauteng presented a memorandum to the province, warning that “patients will die” if staff and budgetary cutbacks at hospitals were not halted.

The memo read: “We cannot in good conscience accept that financial constraints will mandate the collapse of health services in Gauteng. We are tired of being held responsible by patients ... for dirty wards, long queues, no beds, unfriendly and inadequate services. It is time for those in power to stand up and be accountable for this crisis in public hospitals.”

The move by the staff of 18 Gauteng hospitals came after the Gauteng Department of Health said only 50 posts would be shared among all hospitals in the new year, for doctors, nurses and all other hospital staff. After media reports, the department increased the number of posts.

At the time, hospital superintendents warned that health services were heading toward “irreversible collapse”. Almost nothing has happened to change that – if anything, the situation is deteriorating.

Provincial budgets delivered in Parliament this week showed that for health care all the provinces went into the red – yet at many government hospitals patients wait days for treatment, there are dangerously few nurses and bed-linen and medicines are in short supply because of pilfering.

The national Department of Finance has in place a separate budget of conditional grants to help the 10 academic hospitals in South Africa to cope with patients who don't pay, but even that is not adequate.

While some overspending has been a result of poor administration, a considerable amount has gone to feed a growing salary budget.

This week Gauteng MEC for Finance Jabu Moleketi condemned the "looting of bedlinen and medicines from hospitals" and low revenue collection. His answer to complaints from hospitals that the freezing of posts had seen administrations collapse was that better management could see debt collection improve.

Doctors claim there are too few health professionals, but the province says there are enough doctors. It admits it is short of about 1 000 nurses.

Four babies at Chris Hani Baragwanath recently died of klebsiella, which results from poorly cleaned hospitals. Only four nurses were on duty to care for 35 babies in intensive care. The minimum ratio should be one nurse for every two babies.

Construction ended last year for a R40-million theatre block and maternity, paediatrics and casualty wards at Edenvale hospital, but it can't be opened because there is no staff.

Most hospitals share staff like anaesthetists and radiographers – or they outsource and, on average, pay as much per month for an outsourced post as they would in a year for a full-time staffer.

Johannesburg hospital should be run with eight superintendents, but only two are left. In rural areas as few as three doctors (usually foreigners) cope with hospitals with 100 beds and more. Doctors complain there appears to be no strategic planning in health departments.

Said one tired medic: "Not enough politicians seem to have any awareness of what actually happens here."

Weekly Mail & Guardian, February 26, 1999

- 1) In your opinion, what is the central problem identified in this report?
 - Write it down.
- 2) Would it make a difference if more politicians were made aware of what was really going on there?

What is the central problem identified in this report? Is it the additional four babies that die? Or are the dying babies just symptoms of a more fundamental problem? It seems that the availability or lack of needed funds in this case represents more than just an issue for a budget debate. It affects the lives of people.

In this study unit we shall reflect specifically on the ethical implications of public or state budgets.

6.2 Budgets

The budget occupies an important place in the sphere of public administration. Not only does it estimate the government's income and expenditure over a specified period of time, but in a sense it also authorises the actions of public officials.

ACTIVITY 6.2

Read pages 33–40 by Pauw (2014).

- 1) Name the two kinds of choices that doctors in the service of the state must make.
 - 2) In about fifty words, summarise Pauw's discussion of the role budgets play in public administration.
 - 3) Make a list of the various decision makers in the budgeting process that you can identify from both this section of the book and the report in activity 6.1. Have another look at the role played by each one in the budgeting process.
 - 4) On page 36, Pauw identifies three budgeting principles when analysing budget allocations. He adds a fourth principle on page 39.
 - Name the four budgeting principles.
 - Explain what you understand by each principle in about two sentences each.
-

Pauw distinguishes between budgets that allow an analyses according to ethical criteria and those that do not. In this study unit we shall focus on those budgets that can be analysed and evaluated ethically.

When discussing budgets, Pauw refers to the selection of officials such as doctors, the role of various decision makers in the budgeting process and to the comparability of expenses in terms of money. How do the four budgeting principles, in your opinion, make the choices of the various role players in the budgeting process easier?

In your description of the roles played by the various decision makers, have you noticed the comparison between politicians and the medical sector? (Pauw 2014:37) Do you agree?

Among all the calculations, formulas and hard data that make up the budgeting process, the inviolability of human life remains a central issue.

6.3 Distributive justice

When we think of a budget we usually associate it with money and its allocation to various votes, programmes and sub-programmes. The report with which we started off this study unit, in actual fact, concerns a cutback of budgeted funds to a specific vote, programme or sub-programme. Such reductions nearly always start up a debate about its fairness and justness. How can we, as members of the public evaluate a budget and its reduction or re-allocations?

ACTIVITY 6.3

- 1) Read what Pauw has to say about this on pages 38–40.
- 2) According to Rawls, a theory only has value if it is true; likewise, laws and institutions should be ...
 - What does this tell you about budgets?
- 3) Define the term “distributive justice”.
- 4) Name the five **candidate principles** of distributive justice.
 - Apply this to an imaginary case of the parents of a prematurely born baby who lay claim to the care of the baby in a provincial hospital.
 - Which questions would you ask in order to evaluate the situation?
- 5) Pauw discusses the various linkages between sets of services or budget items.
 - What conclusions can we draw from this?

Rawls compares the value of truth for theory with the value of justice for laws and institutions (Pauw 2014:38). This implies that the value of a public budget (which is a law) can be measured by how just it is. Have you kept this implication in mind when you defined? **distributive justice?**

You would undoubtedly have realised by now that the application of objective criteria like the five **candidate** principles of distributive justice is not as easy as it might seem at first glance. It requires exercise and lots of insight which only comes with time and repeated application.

We also see that budget votes cannot on face value be classified as either vital or non-vital. A good telecommunications network can be just as important as an efficient police force although one might not think so at first.

6.4 The budget as a moral issue

From what has been said above, it appears that budgets should not be evaluated solely on their technical merits. Today, weighing up priorities as reflected between budget votes and in them is a moral issue.

ACTIVITY 6.4

Read what Pauw (2014:42–50) writes about budgeting as a moral issue.

- 1) Summarise the main arguments in this section.
 - 2) State whether or not you agree with Pauw and provide reasons for your statement.
-

Check your understanding by determining whether your summary contains the following elements:

- The meanings of the concepts “Ethics”, “ethics” and “moral” (the latter has two meanings)
- The place of the concepts “freedom of choice” and “responsibility”.
- Determining a budget’s goal as a moral issue.
- Preference to moral values.
- A reflection on the question whether or not there is any allocation in any budget to which moral demands do not apply.
- The nature of the budget, which can lead to making moral comparisons between the allocations given to various departments.
- Reasons why ethical budgeting is not practised.

6.5 Ethical budgets

We have seen above that many objections can be raised against ethical budgets, for instance that they are inefficient. Nevertheless, there also seem to be persuasive arguments to the effect that there is a moral obligation to do it anyway.

ACTIVITY 6.5

Read what Pauw (2014:46–50) writes about the ethical budget, then do the rest of the activity.

- 1) In your opinion, why can moral decisions about the budget not simply be delegated to financial experts?
- 2) What does Pauw (2014:48) regard as an absolute requirement for a budget to be ethical?
- 3) What principles must be kept in mind when setting up a rational budget?
- 4) Explain the steps to be taken when compiling a rational budget.
- 5) Read the news report in activity 6.1 once again. Analyse and explain the situation with reference to the principles and steps involved in the creation of a rational budget.

An ethical or rational budget is the end result of choices that have been made. Ensure that you understand the principles that underlie a rational budget. Also have another look at the four steps to be taken in creating such a budget. In budgeting, we are dealing with scarce public resources and there will always be people who do not receive from the budget all that they believe they need and deserve. It is, therefore, important that the basis on which a budget is created can always be justified.

Use the knowledge and insight you have acquired in this section of the work to analyse and explain events (such as the report in activity 6.1).

6.6 Review

You have now reached the end of this study unit. Test your abilities. Ensure that you are able to

- **reflect** on the ethical implications of budgets and the four budget principles
- **understand** and **explain** why some individuals in society occasionally have to do without vital public services because of the composition of the budget.
- apply the principles of distributive justice to a practical example
- analyse and explain real budgetary issues by means of the principles and steps of a rational budget

STUDY UNIT 7: EQUALITY, EQUAL OPPORTUNITIES AND EQUITY FOR PUBLIC ADMINISTRATORS

7.1 Introduction

The South African public service has to serve a diverse South African society. The human and other resources, as well as the expertise required to render the variety of services, are dependent on a reliable workforce of public administrators.

Robson (2014:18–19) writes that the public administrator needs to understand and appreciate the ethical nature of the occupation. A good public administrator should accept that ethical considerations lie at the heart of the practice of public administration. Success as a public administrator will be determined by how fully and consistently the public administrator responds to the ethical imperatives inherent in the occupation and the level of commitment. It is expected that the public administrator will approach the job equipped with a set of values providing direction as to what is good and right and correct in dealing with other people. Such values would to a large extent be a product of the developmental process undergone by the administrator, principally, in the home, at school, at educational institutions and in places of religious instruction. Due to the cultural diversity of the South African society, there could be differences in values between persons belonging to different cultural communities. Despite this, good public administration requires uniformity and substantial agreement in approach and standards of conduct of those providing public services. This should lead to the greatest degree of consensus among public administrators as to how the country is in general to be governed and administered.

The public service can only strive to recruit the best public administrators to build a reliable workforce so as to render the best possible public services to a diverse South African society. Such an approach necessitates that candidates from all population groups should be able to apply for positions in the public service and be considered for appointment.

In this study unit we will reflect on equality, equal opportunities and equity.

7.2 Reflection on equality

ACTIVITY 7.1

Read what Wessels (2014:54–55) has written about equality.

- 1) Read section 9 of the Constitution of the Republic of South Africa, 1996, that deals with the matter of equality.

- 2) Section 9 deals with two aspects. Make a short note of each aspect.
 - 3) Auluck (2001:66) remarks that equality is based on the notion of equal treatment. Explain shortly what you understand by this.
 - 4) The Green Paper on a *Conceptual Framework for Affirmative Action and the Management of Diversity in the Public Service*, 1997, distinguishes between two categories of equality. Write a short note about each category.
-

After reading section 9 of the Constitution of the Republic of South Africa, 1996, carefully, you may have noted firstly that subsection 1 confirms that equality means that “everyone” is equal before the law and has the right to equal protection and benefit of the law. The use of the word “everyone” ensures that all persons are included and that there is no exclusion of any person or groups of persons.

You may have noted secondly that subsection 2 states that the implications of equality include the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures may be designed to protect or advance persons that may be disadvantaged by unfair discrimination.

Subsections (3) to (5) provide that the state and any person may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. This prohibition is of such importance that national legislation must be enacted to prevent or prohibit unfair discrimination.

From the above it is clear that “equality” means that all persons are entitled to equal benefits and protection, and implies that all persons are entitled to enjoy equal opportunities.

7.3 Reflection on equal opportunities

In its efforts to recruit the best public administrators to build a reliable workforce so as to render the best possible public services to a diverse South African society, the public service approach should include that equal opportunities exist for candidates from all population groups to apply for vacant positions in the public service and be equally considered for appointment.

“Equal opportunities” should be regarded as an approach that all persons should be treated similarly, unhampered by unnecessary or artificial barriers or prejudices, except when particular requirements and distinctions can be justified. Each applicant should succeed or fail based on their own efforts or abilities and not due to extraneous circumstances such as race and gender, as examples.

In view of the above, “equal employment opportunities”, accordingly, prohibits discrimination of any sort against anyone. It attempts to ensure that all applicants, irrespective of gender and race, have a fair and equal opportunity in a hiring process and equal access to training opportunities.

In a book entitled *Ethics in public service for the new millennium* which appeared in 2000 under the editorship of RA Chapman, Susan Corby (2000:35) summarises the arguments about the ethics of equal opportunities (in the British context) as follows:

First, equal opportunities were (sic) only seen primarily as an ethical issue for a short time, essentially from the 1960s to the early 1980s. In the first half of the twentieth century government considered that it was legitimate to discriminate against women and ethnic minorities and from the mid-1980s, equal opportunities have (sic) mainly been justified on business grounds, not ethical grounds. The second argument is that equal opportunities are (sic) threatened by delegation and decentralization in the civil service and local authorities, yet the equality dimension has largely been ignored in discussions about the ethical implications of public service restructuring. The third argument is that equal opportunities are (sic) undermined by a key ethical value in public service: selection and promotion of merit.

ACTIVITY 7.2

Study what Wessels (2014:55) writes about equal opportunities.

- 1) The Green Paper, 1997a, attaches two (2) characteristics to the concept “equal opportunities”. Write short notes on these.
 - 2) In your opinion, can the concept “equal opportunities” simultaneously be a principle and a tool? Read what Wessels writes about this.
-

In view of the discussion above as to an approach that should be followed when recruiting personnel for the public service, you may want to take note of the latest statistics about the personnel composition of the South African public service. See the annual report of the Department of Public Service and Administration as well as the report of the Public Service Commission (2006) *An Audit of Affirmative Action in the Public Service*, which is available on the Commission’s official website (<http://www.psc.gov.za/>).

7.4 Reflection on equity

Wessels (2014:56) refers to the White Paper on *Human Resource Management in the Public Service*, 1997b (chapter 2, par 2.3), and states that the White Paper derives “equity” as a concept from the Constitution and defines it as follows: “Where there has been unfairness, corrective measures must be implemented as to ensure that human resource practices are free from discrimination, invisible barriers and unjustness which will impede equal employment opportunities” He notes that the application of corrective measures seems to be closely related to the concept “equity”.

Auluck (see Wessels 2014:55) writes that diversity derives from the idea of “fairness of treatment” also known as equity, based on the recognition, “valuing and harnessing of difference”.

ACTIVITY 7.3

Read the whole discussion of Wessels (2014:55–56) on equity.

- 1) Take note of the view of Fraser-Moleketi (2001:33) on “diversity” and “inequity”.
- 2) Read what other scholars write about equity and why they view equity as “a state of being”.

The reflections above on “equality”, “equal opportunities” and “equity”, especially in the public service that can only strive to recruit the best public administrators to build a reliable workforce, creates the question as to what the personnel composition of the South African public service actually appears to be. For some years now, South Africa has been on the way to transforming the personnel composition of its public services. One should ask the following critical questions: what kind of policy programme has been followed and how successful has it been?

It would appear that the concept of a representative bureaucracy has already become established in general public administration discourse. It is, therefore, necessary to incorporate it in the ethical discourse as well – if not already part of it.

The ethical evaluation of policy frameworks to obtain representativeness is a demanding task. As the ethical questions want to establish whether the process is good or bad, or perhaps right or wrong, a suitable instrument must be used. In an article by Wessels (2005:125–141) a conceptual model is presented that may be used for this purpose. In this model (Table 7.1) the following key concepts are identified:

- Equality
- Equal employment
- Equity
- Justice
- Merit
- Affirmative action
- Representativeness
- Designated group
- Historically disadvantaged persons

TABLE 7.1
A FRAMEWORK OF THE KEY CONCEPTS USED IN THE DISCOURSES
ABOUT TRANSFORMATION IN THE PUBLIC SERVICE

CONCEPTS	OBJECT	MEANS & METHODS	PREREQUISITES/ CRITERIA/ STANDARDS	PURPOSE
Equality				✓
Equal employment				✓
Equity			✓	
Justice			✓	
Merit			✓	
Affirmative action		✓		
Representativeness			✓	
Designated group	✓			
Historically disadvantaged persons	✓			

In this model four categories are identified, namely the purpose of the policy frameworks, the prerequisites/criteria/standards that the policy frameworks must meet, the means and methods applied and the people who should benefit from these. It is argued that affirmative action is the means or instrument of such a policy framework. Affirmative action or the policy for this should thus be evaluated in order to determine its ethical implications. The first question that should be asked is whether it achieves the goal, that is, equality of equal employment. The criteria used to measure this are whether the programme is equitable and just and whether or not it promotes merits and representativeness. Furthermore, the question should also be asked if such a policy framework does indeed benefit the right people, namely the designated groups or historically disadvantaged people.

7.5 Review

You have now reached the end of this study unit and you should be able to:

- analyse the concepts “equality”, “equal opportunities” and “equity” for public administrators as they relate to public institutions

- identify and appraise the ethical implications of an approach of equal opportunities in the public service
- evaluate the ethical implications of policy frameworks aimed at eliminating inequalities and attaining representativeness in the staff composition of public institutions.

STUDY UNIT 8: PROFESSIONAL PUBLIC OFFICIALS AND THEIR MUTUAL RELATIONSHIPS

8.1 Introduction

In study unit 1 of this study guide we looked at a newspaper report about alleged theft of welfare funds. In the activities in which we analysed the report, the various role players involved in the rendering of a public welfare service were identified. In this study unit, the final unit of this study guide, we return to these role players. But we are going to do it from the perspective of public officials and their ability to make ethically justifiable choices in their relationships with the other role players.

ACTIVITY 8.1

The “Sarafina 2” saga is perhaps one of the best known recent events in South African public administration.

- 1) Read Venter’s (2014:78–82) full report on this event.
 - 2) Draw a mind map (diagramme) in which you indicate all the role players in this event and their mutual relationships.
 - 3) Circle all the role players who can be identified as public officials.
-

You have probably noticed that the entire saga is shot through with the actions of various role players in the process of public service delivery. Could you identify all the role players, besides the public officials. The Minister of Health is clearly a political role player, and it is she who first thought of staging a play. There are also some other role players such as the Portfolio Committee on Health, Parliament and the Democratic Party. Have you noticed that each one of them plays a different ethical role in this story?

The director-general, the director of the HIV/AIDS programme, the chief director, Departmental Support Services and the assistant director who issued the cheque are all public officials who played a role in “Sarafina 2”. Even the Departmental Tender Committee can be seen in this light. In your mind map, you have probably indicated that each of these role players was engaged in a unique combination of relationships with other role players. The director-general, for example deals with far more role players outside the department than the assistant director who issued the cheque.

For our present purposes, let us concentrate only on the more typical relationships in which public officials find themselves during the course of their duties, namely:

- public officials and their relationship to members of the public
- public officials and their relationship to the political principal
- public officials and their relationship to their profession and their colleagues

Each of these relationships carries a unique ethical challenge.

8.2 Public officials and their relationship with members of the public

This is probably the most common of all relationships in which public officials find themselves.

ACTIVITY 8.2

Read what Robson (2014:26–27) has written about the public official and their relationship to members of the public.

- 1) From this section of the book, identify the criteria by means of which the professionalism and morality of public officials can be measured in terms of their relationship to the public.
- 2) Explain to what degree the public officials involved in the “Sarafina 2” saga were involved with members of the public.
- 3) If you could identify a relationship between public officials and members of the public, evaluate it according to the criteria identified in question 1.
- 4) Evaluate the situation in terms of the Code of Conduct for Public Officials or any other code of conduct that applies to public officials.
 - Which options would you have taken if you were the officials in question?

At least six criteria for ethical behaviour can be identified in this section by Robson and each of the six can be applied to the official's relationship to the public. Have a look at your formulation. Have you formulated each one as a question? The advantage of doing it in this way is that it is easier to apply it to a specific situation, for example:

- Is the service the best one possible in the limitations of available labour and other resources?
- Is the rendering of this service to specific members of society also in the interests of society as a whole?
- Does the convenience or interest of members of the public count for more than the convenience or interest of the officials involved?

You probably noted that the “Sarafina 2” saga affected members of the public in two ways. Firstly, the play was aimed at the public and those who tendered to produce the play were also members of the public. What other public role players could you identify?

In the activity you have used two sets of criteria to evaluate the same situation: firstly the criteria you formulated along the lines of Robson's chapter, and secondly the code of conduct you chose to use. Do the two sets of conclusions differ, or are they broadly the same?

8.3 Public official and their relationship to their political principal

A second central relationship is the one between public officials and their political principal. On local government level the political principal is usually the chairperson or member of the management committee, or just an ordinary town or city counsellor. On provincial level the principal is the premier or a member of the executive committee. On the level of central government the president, deputy president, ministers and deputy ministers serve as the political principals of public officials.

It is mainly senior public officials who have direct contact with their political principals. These relationships too can be judged as right or wrong, good or bad, ethical or unethical, professional or unprofessional.

ACTIVITY 8.3

Read Robson (2014:27–28) on the public official and his or her relationship to the political principal.

- 1) From this section, identify criteria that can be used to measure the professionalism and morality of the way public officials relate to political office bearers.
- 2) Explain to what degree the public officials involved in the “Sarafina 2” saga were involved with the relevant minister.

- 3) If you could identify a relationship between public officials and the minister, evaluate this according to the criteria identified in question 1.
 - 4) Now, evaluate the situation in terms of the Code of Conduct for Public Officials or any other code of conduct that applies to public officials them.
 - Which options would you have taken if you were the official in question?
-

The relevant section in Robson's reflection contains many criteria that may be used to evaluate the professionalism and morality of the relationship between senior officials and their political principals. The same is true of the code of conduct that applies to public officials. It is evident from Venter's description of the "Sarafina 2" saga that there was much contact between the minister involved and officials from her department. The nature of this contact creates the impression that the dividing line between the roles of political office bearer and official were not always drawn clearly.

One insightful criterion identified by Robson asks whether public officials fully understand the political programme of their political principal and will they do their utmost to help him or her to complete the programme. This criterion is strikingly balanced out by another, which asks whether or not public officials ensure, as they perform their functions, that their departments remain within the parameters set by the law. The implications of these criteria are especially relevant in the case of the "Sarafina 2" saga.

Ensure that you are able to apply both the criteria identified by Robson and the code of conduct on a situation such as the "Sarafina 2" saga or on any other appropriate practical example.

8.4 Public official and their relationship to their profession and colleagues

Do public officials belong to a profession?

The word *profession* is normally used for an occupation that is distinguished from other because:

- the authority, skill and ability in a specific field that members of that occupation share is acknowledged by society (Louw 1990:5; Kotzé 1987:31; Searle 1986:2)
- it has a code of conduct (Kotzé 1987:32; Louw 1990:6)
- it has a recognisable institutionalised culture (Louw 1990:6; Gloeck & Van der Linde 1990:19)

- it requires unique skills (Carr-Saunders 1928; Louw 1990:5), based on a distinct body of knowledge and theories (Nzimande 1987:20; Greenwood 1957; Larson 1977; Louw 1990; Pauw 2014).

It often happens that public officials are also members of other professions: in the public sector there are engineers, advocates, medical doctors, nurses and so forth. But the all-embracing profession in the public sector is that of public official. In this professional context, public officials exist in a relationship with one another.

ACTIVITY 8.4

Read Robson (2014:27–28) on the public official and his or her relationship to the political principal.

- 1) From this section, identify criteria that can be used to measure the professionalism and morality of the way public officials relate to one another.
- 2) Explain to what degree the public officials involved in the “Sarafina 2” saga were involved with one another.
- 3) If you could identify a relationship among various public officials, evaluate this according to the criteria identified in question 1.
- 4) Now, evaluate the situation in terms of the Code of Conduct for Public Officials or any other code of conduct that applies to public officials.
 - Which options would you have taken if you were the official in question?
 - Write a paragraph of about 150 words about this.

One particularly insightful aspect of the criteria Robson has identified is that public officials are expected to understand and respect both their own role and that of others in the system. How important this is can be seen in the “Sarafina 2” saga.

You will have realised by now that it is relatively easy to criticise other people’s behaviour according to certain criteria or codes of conduct. It is not so simple when one is personally in the position where actions need to be taken. When you evaluate the actions of the chief director, be sure to pay attention to his relationship to the minister, the director-general, his subordinates, the service provider and the departmental tender committee. Have you really managed to uncover his motives?

8.5 Review

By now, you should be able to:

- **identify** the various official relationships in which public officials are involved and reflect on them
- **choose** the “right” course of action in a given situation and **reflect** on it
- **reflect** on the ethical choices facing the professional official.

SELF-EVALUATION

Theme 3: The application of ethical guidelines in public administration

In a way, theme 3 is supposed to be the most practical theme in this study guide. It is, therefore, appropriate that you should check whether or not you are able to:

- reflect on ethical questions in public administration; and
- take ethically justifiable decisions in public administration (i.e. make the right choices).

The availability and especially the application of public funds is a key issue in public administration. While the budget of income and expenditure on the various levels of government is often a reflection of different values, preferences and interests, it is always also an ethical issue.

- 1) In view of the chapter on Ethics and budgets in your prescribed book take any budget document from any level of government and ensure that you can:
 - reflect on its ethical implications
 - indicate which items on the expenditure budget appear to enjoy the highest priority.
 - understand and explain why some individuals in society occasionally have to do without vital public services because of the composition of the budget.

Equality, equal opportunities and equity for the public administrator is a topical issue, especially in South Africa. It does not only affect the centre of government; it affects all levels. More importantly, it affects the welfare of people.

- 2) In every instance where ethical implications exist, you should be able to reflect on:
 - the ethical implications of equality and inequalities in public institutions
 - ethical implications of the personnel profile of a public institution
 - policy frameworks that aim at eliminating inequalities and attaining representativeness in the staff composition of public institutions.
- 3) Take the population profile of the administration of your local government and apply the principles of study unit 7 to it.
- 4) Select an example or newspaper report that illustrates the ethical challenges facing public officials. Ensure that you can:

- identify the various official relationships in which public officials are involved
- choose the right course of action in a given situation
- reflect on the ethical choices facing the professional official.

If you would like to read more about the application of ethical guidelines in public administration, have a look at the following sources:

Corby, S. 2000. The ethics of equal opportunities, in *Ethics in public service for the new millennium*, edited by RA Chapman. Aldershot: Ashgate.

Fox, W. 2010. *A guide to Public Ethics*. Claremont: Juta.

Szablowski, GJ. 1993. Administrative discretion and the protection of human rights: Public servants' duty to take rights seriously, in *Ethics in public service*, edited by RA Chapman. Edinburgh: Edinburgh University Press.

Wessels, JS. 2005. Equal employment opportunities: A conceptual puzzle. *Politeia, Journal for Political Science and Public Administration*, 24(2):125–141.

BIBLIOGRAPHY

- Carr-Saunders, AM. 1928. *Professions: Their organization and place in society*. Oxford: The Clarendon Press. Partly reprinted in HM Vollmer & DL Mills (eds), *Professionalization*, 3–9. Englewood-Cliffs: Prentice-Hall. 1966.
- Chapman, RA. 1993. Introduction, in *Ethics in Public Service*, edited by RA Chapman. Edinburgh University Press: Edinburgh.
- Clapper, VA. 2014. Ethics for public administration and management in the twenty-first century, in *Reflective Public Administration: Ethics*, edited by JS Wessels, JC Pauw & XC Thani. Pretoria, University of South Africa: Unisa Press.
- Corby, S. 2000. The ethics of equal opportunities, in *Ethics in public service for the new millennium*, edited by RA Chapman. Aldershot: Ashgate.
- Cubbon, B. 1993. The duty of the professional, in *Ethics in Public Service*, edited by RA Chapman. Edinburgh University Press: Edinburgh.
- De Beer, CS. 1989. Morele denke en openbare dienslewing. *SAIPA – Tydskrif vir Publieke Administrasie* 24(4):168–184.
- Fox, W. 2010. *A guide to Public Ethics*. Claremont: Juta.
- Fraser-Moleketi, G. 2001. Tackling Diversity. In *UNDESA – IIAS (ed.), Managing Diversity in Civil Service*. Amsterdam: IOS Press.
- Frederickson, HG. (ed.) 1993. *Ethics and public administration*. London: Sharpe.
- Gildenhuys, JSH. 2004. *Ethics and professionalism: The battle against public corruption*. Stellenbosch: SUN Press.
- Gloeck, JD & Van der Linde, GJA. 1990. *Ouditkunde: die toepassing van kennis*. 2de uitgawe. Pretoria: Unipret.
- Greenwood, E. 1957. Attributes of a profession. *Social Work* 2:44–55.
- Hauser, M & Singer, P. 2005. Morality without religion. *Free Inquiry*, 26(1):18–19.
- Head of the Home Civil Service. Sa. *The duties and responsibilities of Civil Servants in relation to Ministers*. London: Cabinet Office.
- Hinde, RA. 2002. *Why good is good: The sources of morality*. London: Routledge.
- Kamto, M. 1997. Reaffirming public-service values and professionalism. *International Review of Administrative Sciences* 63(3):295–308.
- Kernaghan, K. 1993. Promoting public service ethics: the codification option, in *Ethics in Public Service*, edited by RA Chapman. Edinburgh University Press: Edinburgh.

- Klitgaard, R. 1987. *Controlling corruption*. Berkeley: University of California Press.
- Kotzé, W. 1987. Professional status: Vererwing of verwerping? *RSA Verpleging* 2(10):31–33.
- Larson, MS. 1977. *The rise of professionalism: a sociological analysis*. Berkeley: University of California Press.
- Lawton, A, Rayner, J & Lasthuizen, K, 2013. *Ethics and management in the public sector*. Abingdon, Oxon; New York: Routledge.
- Lewis, CW & Gilman, SC. 2005. *The ethics challenge in public service: a problem-solving guide*. Second edition. San Francisco: Jossey-Bass.
- Louw, J. 1990. *Professionalizing Psychology*. Pretoria: Human Sciences Research Council.
- Loxton, A. 1994. Public functions and public institutions: a criteriological approach to the functional structure of central government administration in a liberal democracy, with particular reference to South Africa. *SAIPA – Journal of Public Administration* 29(2):87–147.
- Nzimande, PN. 1987. Professionalism and continuing education: an imperative for nurses. *Nursing RSA* 2(11/12):20–22.
- Pauw, JC. 2014. Ethics and budgets, in *Reflective Public Administration: Ethics*, edited by JS Wessels, JC Pauw & XC Thani. Pretoria, University of South Africa: Unisa Press.
- Pratchett, L. 2000. The inherently unethical nature of public service ethics, in *Ethics in public service in the new millennium*, edited by RA Chapman. Aldershot: Ashgate.
- Republic of South Africa. 1995. *White Paper on the Transformation of the Public Service*. Pretoria: Government Printer.
- Republic of South Africa. 1997a. *Green Paper on a Conceptual Framework for Affirmative Action and the Management of Diversity in the Public Service*. Pretoria: Government Printer.
- Republic of South Africa. 1997b. *White Paper on Human Resource Management in the Public Service*. Pretoria: Government Printer.
- Republic of South Africa. 2000. *Report on: State of Representativeness in the Public Service*. Pretoria: Public Service Commission.
- Republic of South Africa. 2006. *An Audit of Affirmative Action in the Public Service*. Pretoria: Public Service Commission.
- Reuters, 1999. <http://ww2.altavista.com/cgi-bin/news?msg@5366@soc%2eculture%2ekenya%26USA+government%26corruption> Accessed on 10 May 1999.
- Robson, IH. 2014. Professional ethics from day to day: a practitioner's reflection, in *Reflective Public Administration: Ethics*, edited by JS Wessels, JC Pauw & XC Thani. Pretoria, University of South Africa: Unisa Press.

- Rose-Ackerman, S. 1999. *Corruption and government: causes, consequences and reform*. Cambridge: Cambridge University Press.
- Sangweni, S & Balia, D (eds). 1999. *Fighting corruption: strategies for prevention*. Pretoria: University of South Africa.
- SAPA. 2007. *Corruption not as bad as thought*. 24. Com News. Available at <http://www.news24.com/SouthAfrica/News/Corruption-not-as-bad-as-thought-20070312-2> Accessed on 15 May 2012.
- Searle, C. 1986. *Professionele praktyk: 'n Suid-Afrikaanse Verpleegkundige perspektief*. Durban: Butterworths.
- Skweyiya, Z. 1999. Opening statement: challenge to the public service, in *Fighting corruption: strategies for prevention*, edited by S Sangweni & D Balia. Pretoria: University of South Africa.
- South Africa. 1996. *Constitution of the Republic of South Africa, 1996*. Pretoria: Government Printer.
- South Africa. 1998. *Public Service Commission. Annual Report 1998*. Pretoria: Public Service Commission.
- Tucker, E, Smith, M & Norman, P. 1999. *EU executive resigns en masse*. 1999. Available at <http://ww2.altavista.com/cgi-bin/news?msg@14155@bit%2elistserv%2ehungary%26european+commission%26corruption> Accessed on 10 May.
- Venter, AJ. 2014. The ethics of ministerial responsibility to Parliament, in *Reflective Public Administration: Ethics*, edited by JS Wessels, JC Pauw & XC Thani. Pretoria, University of South Africa: Unisa Press.
- Wessels, JS. 1996. Die Suid-Afrikaanse Staatsdienskommissie: bedreigde onafhanklikheid [South African Public Service Commission: endangered autonomy]. *SAIPA – Tydskrif vir Publieke Administrasie* 31(2):93–110.
- Wessels, JS. 1998. The birth, life and genetics of the British Civil Service Commission: a narrative. *SAIPA – Journal of Public Administration* 33(3):166–175.
- Wessels, JS. 2005. Equal employment opportunities: A conceptual puzzle. *Politeia, Journal for Political Science and Public Administration*, 24(2):125–141.
- Wessels, JS. 2014. The ethics of transformation and a representative public service, in *Reflective Public Administration: Ethics*, edited by JS Wessels, JC Pauw & XC Thani. Pretoria, University of South Africa: Unisa Press.