

“Accountability and integrity as unique column of good governance”

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Accountability and integrity as unique column of good governance

Abstract

The authors contend that accountability and integrity in public affairs are best preserved through enhancement of an integral system of legal prescripts, law, institutional policies and protocols. In the post-apartheid, South African public officials and political office bearers have been continuously criticized for allegedly transgressing ethical codes. Democracy has been tested due to violations of accountability, integrity and misconducts in the South African public service. However, this study argues that integrity can be enhanced when the society and those that are governing can preserve through specialized institutions legislation where law-makers are working with civil society to instill the culture of integrity. It is imperative to balance what is required for public officials' conduct and what is done through parliamentary controls and certain caveats of highest honor. The value of accountability and integrity in public affairs can enjoy a resurgence in the last and present decade as the arrangements for public officials to operate in an environment that promotes good governance. This study reveals some concerns over the lack of commitment to preserve existing structures that could serve as mechanisms to promote good governance. A qualitative document analysis is employed to draw data from literature review. This paper's findings contribute towards ethics and good governance in public administration.

Keywords: accountability, actions, conduct, ethics, integrity, parliamentary control, good governance.

JEL Classification: G34.

Introduction

The current scandals on corruption and maladministration in South Africa are regarded as a bone of contention in the discourses of governance and leadership in South Africa. In addition, there have been concerns raised on whether public officials and political office bearers are accountable and honest when they defend their actions (Aulich, 2011, p. 15). Honesty and ethical behavior in public administration are preserved as means of tackling inappropriate behavior, maladministration, corruption and misconduct with the intention to institute a culture of accepted ethical behavior and norms among public servants and their administrative systems. This paper argues that values like accountability and honesty can be regarded as the integral part of ethical conduct and integrity that can be used as mechanisms to promote good governance.

In the post-apartheid South Africa, government explored various mechanisms and strategies on the application of integrity systems applied by various organizations and practices that aim at building accountability, transparency, probity and responsiveness in the public sector. However, up to date, there are public officials and public institutions that are still transgressing various codes of conduct and ethics. According to Aulich (2011, p. 14), an integrity system can be regarded as a series of

institutions and practices that continuously aim to build accountability, integrity and transparency for public good. The enforcement and application vary in different agencies and are mostly guided by their national objectives, laws, policies, codes, and regulations to create an environment of integrity decision making. There is a probability that legal tools for enforcing and instilling integrity can address and combat corruption and maladministration in the public service.

However, integrity and accountability are inherent principles serving as foundations for public administration, which public officials should uphold and adhere to, when serving the general welfare. Integrity is also an imperative concept constructed with diverse contexts and meaning beyond ethical conduct, it can also include the sense of being whole or undiminished in a system. A system of integrity can be more than separately established institutions with special purpose directed to honesty actions, accessing the capacity of ombudsmen and commissions of enquiry when needed, and ushering recommendations that can lead to the adoption of ethical codes of conduct and dealing with breaches of ethical behavior. However, in benchmarking for integrity systems, institutions like corruption watch, Transparency International and international courts are regarded as exemplary in recommended institutional columns. This paper will focus on the conceptual and theoretical framework, factors considered when developing an effective integrity system, integrity institutions, implications for good governance, conclusion and recommendations.

1. Problem statement

This study assesses how integrity can be examined as a column of good governance in the South African public sector. However, this paper

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argues that despite the existing ethical codes and guidelines, constitutional mandate on public administration and laws in South Africa, public officials and political office bearers are still exposed to unethical conducts, dishonesty, corruption and mismanagement of public funds. The cost of the transgressions on integrity has compromised public trust and good governance in South Africa. The paper assumes that rampant and crucial elements for developing and establishing specialized honesty activities include changing roles of public officials and political office bearers by instilling honesty actions with their constant search for acceptance over time; and the continuing monitoring and strengthening capacity of integrity institutions.

2. Research methodology and procedures

This research adopted a qualitative document analysis for collecting and analyzing data. Authors decided to employ a qualitative approach by collecting non-numerical data that are mainly drawn from secondary instruments with the intention to influence the understanding of social reality and provide a rich description of account on what data say and construct a new meaning. According to Bryman and Bell (2016, p. 43), qualitative research seeks to understand social reality on its own terms, and provide description of people in a natural setting. However, this study extracted data from literature reviews and annual reports over five years consisting of government annual reports, strategic reports, audit reports, financial reports, internal controls, strategic planning reports, press statements, minutes of the cabinet briefings, books and articles from accredited journals in the fields of public administration, corporate governance and law, political science and policy management studies. This study intends to answer the question on 'how can an integrity system be observed as a column of good governance in the public sector'.

For the authors to analyze data, content and discourse analyses were used. The adoption of a qualitative data analysis in this study is based on premise that reality should be interpreted through the meaning presented by participants in a real-life situation (de Vos, Strydom, Fouche and Delpont, 2011, p. 309). The authors sought to use the theory of obligation to understand the phenomenon that is being studied, and relate to the extent to which accountability and integrity can enhance good governance. The context of analyzing accountability and integrity is a blend of ethical foundations of public administration. This study also benchmarked principles of good governance and adopted them from the models of OECD and Mohr Abraham index.

3. Conceptual and theoretical framework

3.1. Accountability and integrity. Both integrity and accountability are concepts that have been explored with diverse contextual meaning as foundations of public administration. Closer to what it means, the Oxford Dictionary describes accountability as an act of one's responsibility for actions (Oxford Dictionary, 2015). Public officials and political office bearers are expected to be accountable for their actions to their constituencies and superiors, and largely to the public they serve. Shafritz, Russel and Borick (2011, p. 139) posit that accountability is the extent to which one must answer to the highest authority regarding his/her doings, either legal or organizational or institutional with delegated legislation. When public officials or political office bearers fail to account for their actions, a disciplinary action or sanctions may be imposed to them to address the failure to account. Sometimes accountability can be used as a counter action when an unethical behavior or maladministration have occurred, especially in public administration. As part of being accountable and answerable for their actions, public officials are expected to report for their use of public resources and failing to meet their expected performance targets without being investigated or probed to do so.

Integrity is regarded as the highest honor of honesty and trustworthiness when discharging official duties (Shafritz, Russel and Borick, 2011, p. 140). It can be traced back from its origin of its word 'integrity', which comes from the Latin word 'integer' (adjective) with a meaning referring to the whole or complete (Aulich, 2011, p. 42). Integrity is best served through a systematic set of legislation, policies, government institutions and non-governmental institutions specifically selected and designed to look at issues relating to integrity, honesty and trustworthiness as moral base of public institutions. According to the UN (2005, p. 1), the UN countries have collectively and individually noted the concepts of accountability, transparency, honesty and integrity through the eyes of distinguished public administration principles and that of the United Nations (UN) countries.

Matsiliza (2013, p. 4) posits that public officials have a moral obligation to serve the public ethically by instilling an ethical culture and codes of conduct as pillars of good governance. In the context of this study, integrity is the highest honor of honesty that is associated with human behavior. It can be noted that public officials who have integrity must be able to distinguish from what is right or wrong, know what their core beliefs are, and what they will decide on cannot compromise what they believe in. To avoid unethical behavior,

Anwar (2013) posits that there are benefits for public service, that can be acquired from using ethical codes with a clear statement of values, roles and duties, rights and responsibilities, assist in resolving possible ethical dilemmas. Some of the benefits can surface as a sense of responsibility towards citizenry by officials.

Ethical codes and honesty are foundations of public administration and are recognized as principles that can enhance integrity for good governance. A Theory of obligation informs this study, and it can be noted as an interesting account of ideas emanating from the field of ethics and humanities disciplines. The theory of obligation is the basis on which a person or organization commits good and bad choices (Shafritz et al., 2011, p. 177). In essence, theories of obligation concern what is permissible, forbidden, wrong and right. There is also value judgment considering a person or organization to decide on a moral judgment. For example, it assists in distinguishing what ought to be the self-conscious thoughts in one's mind when an act is committed, and what are the motives for doing that and what applies one's values in the moral decision-making. A genuine person is not someone prodded with obligatory law enforcement and sanctions to do what is right and wrong. However, in a corrupt society, where leaders are probed with bribes to serve the people, the government must set up prescripts and laws as part of the integrity system to enhance good government and fight corruption. There is a connection between obligation and integrity, both have an element that informs decisions as to which issues are morally permissible in pursuing them, and the pragmatic element which guides us on how resources can be used efficiently. Public officials are obliged to comply with the laws of the country and serve the society in an ethical manner while upholding the integrity of the institutions and agencies they are attached to.

3.2. Factors leading to the development of effective integrity system. A 'national integrity system' can be regarded as the network of interrelated 'pillars' adopted to promote public integrity that can assist in fighting corruption (Aulich, 2011). A complex organizational processes and people need to establish a system with rule of law applied in several agencies, particularly through laws, legislation and ethical codes. Transparency International has established the discourse of an integrity system emanating from ancient Greek temple where the various structural components were mutually interdependent. (Transparency International, 2010). Government institutions are expected to reinforce all pillars of integrity mutually

when they see acts of transgression and disobedience to the rule of law. Furthermore, the Constitution (Act 108) in South Africa that serves as a foundation of moral obligation has been violated by some of the public officials and political office bearers. Some of them are reacting against being forced on how to uphold the Bill of rights and other legal prescriptions through sub-delegation and other legal practices. However, public officials and political office bearers are sub-delegated by law to have moral obligations bestowed upon them by the rule of law while serving the general welfare.

It's not a secret that lately leaders and public officials in South Africa are put on the spot light regarding their misguiding behavioral patterns (The State Capture Report, 2016). They have abused public trust and failed short in fulfilling their promises to their constituencies and the broader society. Some of the accounts, where they have reflected unacceptable behavior are demonstrated through the awarding of tenders for friends and relatives by state officials, the misappropriation of funds, mismanagement of state enterprises, non-compliances towards public financial legal mandates and failing to respect the rule of law.

The current accounts of social protest on service delivery is an indication of the society's dissatisfaction about the government official's performance. The government is operating in a turbulent environment with people having complex and diverse needs exceeding the limited resources. This economic problem has led to compromises by public servants and senior managers to an extent that they can't reach their required performance targets. While the South African government can celebrate some few targets reached in the 23 years of democracy, there are still challenges relating to performance and conduct of executive officials responsible for overseeing service delivery and governance in most of the government departments. Some of the reasons for poor performance in achieving these goals include failed policy implementation, lack of accountability, uneven development and unrealistic expectations and unreal problem diagnoses and expectations. Some of governance weaknesses include issues of trust in government that provides social cohesion and the existence of a national ethos and commonly shared core values. However, it is imperative for public sector leaders to improve the status quos by basic meeting the targets relating to moral regeneration and integrity, transparency and accountability of public institutions.

In South Africa, following an extensive enquiry on the corruption cases by the Public Protector, on Security Update for the Presidential Nkandla

homestead and the State Capture, the public protector found a connection between quality of public accountability, corruption and weak democracy discussion across the spheres of government agencies, parliament, the public service and the mass media. Finally, the public protector reported that 'there is no piecemeal solutions, in that will serve to conceal rather than solve the defects in the existing corrupt system. The government was advised to quickly instill a new culture of ethics and moral obligation that will steer government into a right direction. While these events are unfolding, social cohesion and the media have been used by different political parties to set the agenda that will bring about successful reform in South African public institutions.

The integrity system can be recommended on the assumption that benchmarking has been done from international and local organizations acting as watchdogs of transparency and ethical conduct of public officials. The focus must include aspects on improving the quality of political and corporate governance frameworks for assessing public integrity. At a multi-sectoral governance, these frameworks will involve diverse elements such as administrative, legislative, educational and management arrangements (Head, 2008, p. 21; Head, 2009, p. 40).

In a well-developed integrity system, challenges in promoting integrity would emerge from network governance in globalization of economies, communication, education, commerce, and even warfare and peace are redefining the nation-state and presenting innumerable challenges to public officials (Menzel, 2007, p. 8). The major cases that triggered the maintenance of integrity for good governance also include fraud during these decades in the international financial sector in Africa and abroad, and the looming corruption and inefficiency and scandals in managing state agencies. This can be coined with local circumstances and the variation in critical assessment of state funding issues of patchy monitoring may be outlined in oversight arrangements (Head, B., 2009, p. 15). According to Aulich (2011, p. 43) pillars of integrity system may also include code of conduct and ethical guidelines. It is the responsibility of the state, private sector, non-governmental and government agencies to address these challenges without deviating from the expected public administrative normative factors and integrity practices.

3.3. Accountability and integrity agencies. There are several attempts made by some international organizations like the World Bank, United Nations, and non-governmental and government agencies to establish a widespread integrity strategy, where

public officials, politicians, managers, and leaders are propelled to uphold in decision-making and policy formulation (Aulich, 2011, p. 43). Within governmental agencies, important instruments for integrity include internal controls and key financial procedures that can be established to monitor and track the performance of public officials and political office bearers. In the case where these principles and controls are not observed or complied to, institutions like the public protector and the office of the auditor general can recommend and advice on the route to be followed for corrective measures.

The Global Integrity surveys (Global Integrity Report, 2006, p. 15; Global Integrity Report, 2009, p. 13) identified several policy trends involving wealthy donor countries who are assisting in reducing corruption as an exchange of for the advancement of their business deals by increasing investment and foreign aid. A broad categories of governance indicators have been employed to determine integrity and accountability by the Global countries (Camerer, 2004, p. 22). However, the Index assessed three dimensions of these governance categories by the measuring, how accountability is promoted and how corruption is reduced by laws and institutions effectively, and lastly, how the public can have access to information in pursuit of enforcing government accountability (Head, B., 2009, p. 21). The studies found that there were imperfections and abuse in areas of accountability, susceptible to abuses of power and transparency on independent electoral agency overseeing the electoral process (Camerer, 2004, p. 21).

This study regards specialized integrity agencies as the only option that can curb corruption and enhance good governance at the same time as the indiscriminately state-machinery that can work with huge varying arrangement between jurisdictions (Wettenhall, R., 2005, p. 16). Specialized integrity agencies would include the use of a public protector office which is also known as the ombudsman. The South African Constitution (Act 108 of 1996), indicates that the Public Protector is responsible for investigation of any conduct in public administration of state affairs in the spheres of government, relating to alleged or suspected improper conduct of impropriety or prejudice against the state obligation and intent to provide public services.

The independent work of integrity agencies like the Public Protector in South Africa; that investigates corruption cases and abuse of public trust, audit review and public sector ethics, has increasingly been commended as essential for restoring integrity

and good governance in the public sector. Some have even regarded them as constituting a recognized 'fourth branch' structure of government alongside the separated three arms of government, such as judicial, legislature and executive (Ackerman, B., 2000, p. 5; Spigelman, 2004, p. 23). The other important institution that has significant contribution on integrity is the Auditors-General, who investigates on reporting and auditing of accounts and financial statements and recommends on the way forward relating those matters (SA Constitution, 1996). However, the parliamentary ethics committee and integrity committee have a responsibility to uphold the code of conduct of each member of the parliament and advice on sanctions, when there are transgressions.

However, the annual issuing of audit reports on in all national and provincial state departments and administrations and municipalities tests the use of obligatory and mandatory institutions and persons towards their accountability and integrity ethos. However, recommendations by Public Protector and the Standing Committee of Public Accounts (SCOPA) can lead to prosecutions of responsible person especially on allegations relating to abuse of trust and misuse and misappropriation of public money by the executive institutions. Coghall (2004, p. 6) posits that there has been evolution of integrity agencies in different countries. And in SA with long oversight history in public finances it checks and balances investigating on citizens' complaints against corruption in administrative actions. Based on this experience, this study fits and is reasonable for widespread of ethical codes and integrity systems to function obligatory inclusive of independent bodies and non-governmental organizations with same interests and values.

Good governance requires sustained oversight bodies and integrity agencies with much respect on political and financial responsibilities. These institutions must be well managed by specialized workforce, competent in various fields, such as law, public administration, economics, financial management and governance. If the specialized integrity agencies are linked to ineffective and inefficient systems of financial and political accountability, they will be less effective (Heilbrunn, 2004, p. 13). Countries that have obvious weak results on corruption might struggle to establish effective integrity system. Some other control mechanisms can include the imposition of legal and other limits to their activities, or, restructuring of prominent public agencies, especially mainstream departments (Kaufmann, and Kraay, 2007, p. 55).

Parliamentary oversight through various committees has been noted as a good mechanism for instilling principles such as accountability, transparency, public participation, ethical conduct, responsiveness and political tolerance and deepening democracy in South Africa. The parliament is responsible for providing information to citizens, and communicating with citizens and accounting for various gaps in policy implementation, such as service delivery by various departments and public agencies.

3.4. Autonomy and control of integrity agencies.

The government, through the Constitutional provisions, have always tried to limit autonomy of the integrity enforcing institutions to control them not to abuse power, thus they have limited autonomy. Its critical for governments to decide on balancing between its relations with private agencies for central political control and public pressure for accountability and autonomy of integrity institutions with professional independence (Laegreid, Verhoest, and Jann, 2008, p. 16). This balance has always been tested by public officials and politicians' actions preferences over time (Aulich, Batainah, and Wettenhall, 2010, p. 29). In some instances, the autonomy of integrity institutions is limited through political interference. Recently in South Africa, state owned enterprises (SOEs) have been under spotlight, as they have been investigated by the Public Protector and the Parliamentary Adhoc committee for their failure to account for their non-compliance to codes of corporate governance. According to the Public Protector (State Capture Report, 2016), there has been political interference in the running and governance of SOEs especially the SABC, hence they have diverted their interests of serving the public to that of agency interests.

Verhoest et al. (2004, p. 28), argue that autonomy is an important competency needed for an organization to be competent in areas, such as kind of decision-making, where an agency can be liberated from other normal constraints. Relating to decision-making competency, the agencies for integrity enforcement (like the Public Protector) are mandated to investigate issues of concern and later write a report that will be submitted to parliament with pieces of advice and recommendations on certain decisions. They don't have full autonomy to engage in decisions that will lead to immediate actions, hence the prosecuting authorities have a responsibility to make a follow up and see, if there is any transgression and abuse of power and that of state resources. The former is typically embraced through charters or statutes, under which they are established; the latter might be scoped through internal controls and budget oversights by state arrangements used for subjected external scrutiny.

3.5. Impications for good governance. As indicated in the previous discussion, each of these themes is shaped by the pattern of values and ethical behavior within the field of public affairs, within government agencies, and the way they have been institutionalized in these agencies and departments in South Africa. Accountability mechanism and integrity system can be established to measure and enforce good governance. There is a need to ensure that public officials and political office bearers are accountable and honest about their decisions and actions, while discharging their duties in the public agencies. This article notes challenges leading to the formation of integrity institutions as emanating from the administrative weaknesses and unethical behavioral patterns of those bestowed by the constitution and law to govern and manage public agencies. However, accountability and integrity are regarded as relevant principles of good governance, where decision-makers in government, private sector and civil society organizations are accountable to the public and other stakeholders.

The South African government and the society need an effective integrity system now more than ever before. The latest developments on the threat towards economic downgrading, unstable governance, infighting among the ruling party, 'mushrooming' of new political parties and political intolerance are a clear indication that SA needs integrity system to strengthen governance. However, a desired code of good governance is a set of well-grounded principles that are recommended to steer the organizations and government into a right direction. This article notes that a well-grounded approach of measuring compliance on accountability is limited in the public sector, even though there are agencies like the Public Protector enforcing compliance on accountability measure. Also, accountability differs from one institutional culture to another, and it depends on whether the decision is internal or external.

This article recommends that public officials should maintain a higher moral virtue and integrity, when they are discharging their duties, especially in processes regarding public information that is directly accessible to those concerned with them, and enough information is provided to understand and monitor them. It can also be highlighted that several international organizations have paid much attention in promoting mechanisms and systems for moral restoration in pursuit of improving the quality of political and corporate governance in the past two decades. Notable, the Mohr Ibrahim Foundation contributed by developing an Ibrahim Index on Governance in Africa (IIGA) in 2006, which provided a framework and tools, to which

governments and citizens can measure progress on governance using selected good governance principles in different countries in Africa. These frameworks include diverse elements of governance like accountability, transparency, integrity and administration. To some extent, such principles can educate leaders and governors to recognize the multi-level and multi-layered nature of integrity-related values and processes maintained in each country. There was some progress in achieving governance indicated set by the various IIGA in some member states, while some are static. However, South Africa has been downgraded in 2016 from being on the 4th place in 2014 to the place in 2016 ranking of county's good governance due to its volatility of its governance that is experiencing some turbulence. It is no doubt that the SA public agencies need to do more by inculcated integrity and accountability into the organizational culture of public agencies to enhance good governance.

Conclusion and recommendations

This study assessed how integrity system can be adopted as a column of good governance in the South African public sector. It is reflected in this article that there are some elements that limit the operation of government to serve the public welfare, hence this paper is canvassing for an integrity system that can be enforced through various existing agencies in South Africa. To strengthen the performance of integrity agencies, government and the society can have supplemented what is already in place by preserving values and codes of good governance, which have been practiced in other countries with success. Some of the requirements for good governance would need infrastructure that can provide capabilities on levels of staffing, financial and legal resources, technical capacities and budget.

Even though South Africa and other African and International countries are considered to be internationally accountable to some integrity agencies, where they have similar regional interests, it is still difficult to share lessons of good practice. This paper recommends a continuous training of public officials on ethics and good governance so that there can be a new emerging culture to support integrity systems to operate effectively and efficiently in the SA public service. Institutions and their practices need to be continually refined to meet new accountability pressures and integrity challenges that face public officials. It is recommended that integrity agencies should recognize that new accountability issues are constantly arising due to societal pressure and demands, hence, there must be open dialogues and

participation about the adoption of integrity system, so that it can be accepted by the communities before it is rejected for isolating the public opinion. This article strongly recommends leaders and executives involvement in steering the application of integrity and accountability in the codes of work and procedures to enhance good governance. This can also be aided through a

compulsory compliance approach in the public sector through continuous integrity training. This article contributes to mechanisms for addressing corruption and for promotion of good governance in South Africa. However, there is a need for further research on the feasibility mechanisms to assist the adoption and application of integrity systems in South Africa.

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