

**A CRITICAL ANALYSIS OF THE RELATIONSHIP
BETWEEN POLITICAL TRANSFORMATION AND
CORRUPTION**

by

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ABSTRACT

This thesis sets out to confirm the relationship between corruption and political transformation.

The thesis commences by investigating different modes of political change with particular emphasis on the characteristics, nature and content of political transformation. With the relationship of the above phenomena being the focal point, the thesis extensively examines the concept of corruption by interrogating different definitions, its causes and consequences. It was also the aim of the study to context the role of ethics/morality as well as that of leadership within the relationship.

The study applied a deductive and qualitative approach in exploring case studies in three African states prior to shifting focus to South Africa where both public sector departments as well as private sector experiences come under scrutiny. Apart from the broader South African environment, selected departments of the Eastern Provincial Government were also placed under the microscope as a continuation of the case-study approach.

Drawing on the theories on the one hand and the case studies on the other, significant evidence could be found to categorically confirm the relationship between corruption and transformation.

Overall this study is part of a growing body of research dealing with the effect of corruption in countries undergoing processes of political change.

The study concludes by providing recommendations aimed at the development of an effective anti-corruption framework.

Keywords: transformation, corruption, modernisation, ethics, governance, political decay, South Africa, Zimbabwe, Nigeria, Botswana.

DEDICATION

This thesis is dedicated to my late parents Sophia (Aunty Sophie) and William (Oom Charles) Cloete. You are sorely missed.

DECLARATION

I hereby declare that this thesis submitted by me for the Philosophiae Doctor degree, for the Programme in Governance and Political Transformation at the University of the Free State (Bloemfontein) is my own original work and has not been submitted by me or any other individual at this or any other university. I also declare that all reference materials, used for this study, have been properly acknowledged. I hereby cede copyright of this product in favour of the University of the Free State.

.....

Emmanuel Pringle Cloete

January 2013

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CHAPTER 1

INTRODUCTION AND ORIENTATION

Corruption is a crime of calculation and not passion – Charles Fombad

1.1. Background of the study

The decade (1995 – 2005) of relative stability in South Africa could to a large extent be ascribed to the introduction, influence and impact of democratic rule. Within the short period of transformation, the lives of many people have been positively changed through sincere processes and interventions. The aforementioned include the provision of potable water to 10 million households over a broad spectrum and the allocation of 2 million housing subsidies to the poor since 1994.

Economic growth and development thrive within a context of stability and the South African situation was not an exception to this rule. According to Rudolf Gouws of the Rand Merchant Bank (as cited in Mbeki, 2005), economic growth has shown a steady and improved upward trend since 1996 noting that such a development will assist the government in meeting its obligation towards aiding the poor.

Whilst riding on the wave of political stability and steady economic growth, South Africa took a leadership role in African Affairs and made influential contributions towards peace in political turmoil areas such as the Democratic Republic of the Congo (DRC), the Ivory Coast and Togo. Coupled with its success on the African stage, the country also gained prominence on the international scene and the leadership is quietly optimistic that South Africa would become a permanent member of the Security Council of the United Nations (UN).

In comparison to many former colonial states, the progress route of the young nation-state was remarkable. However, the process of transformation also carried with it serious negative manifestations. Crime has intensified in volume and capacity whilst corruption is gradually reaching cancerous proportions.

Political and administrative decay took root in several provincial/local government administrations and it is an open secret that the Eastern Cape Provincial Government featured in the top echelon in respect of its corruption status. According to Van Vuuren (2005:21) one of the factors that has led to the high profile enjoyed by the Eastern Cape Province – a province that has been plagued with corruption – is the frequency and form of corruption. Another factor is most certainly the fact that the Eastern Cape Province inherited two homeland administrations (Transkei and Ciskei) in which patronage, secrecy and non-accountability formed part of the system of governance. In the final draft of the Country Study Report by Transparency International (TI), Van Vuuren (2005:21) noted that for the 2002/2003 fiscal year, R10bn in public money remains unaccounted for by the Bisho Administration.

Corruption is ever present in the private and public realm. According to Heath (2001:2), the public sector is continuously under scrutiny by virtue of the fact that governments are mandated to serve and deliver. Corruption has the inherent possibility to negate all the progress and development which has been made over the last ten years. Recent developments in the Free State town of De Wetsdorp and the Phumelela Municipality where people voiced their dissatisfaction with poor service delivery in a violent manner (Bernstein, 2007:1), is a clear indication that corruption (real or perceived) has the potential to threaten the current state of stability. The consequences of corruption could be devastating to a state in the phase of transition. Although corruption in the public sector enjoys prime media attention, the phenomenon in the private sector is similarly devastating on many spheres of society.

With regard to South Africa, it is important to understand corruption in its historical context. Levin (2002:13) argues that corruption developed under an illegitimate apartheid government and at certain levels both the state and civil society became institutionalised. Focusing on corruption in apartheid South Africa, Lodge (1998:167) noted that high levels of corruption have particularly affected those departments concerned with the political/strategic goals of government. However, the culture of corruption kept its momentum into the post-apartheid dispensation with Hope and Chikulo (2000:220) correctly noting that corruption has become the rule rather than the exception. With corruption seemingly becoming entrenched in society, one might ask whether these activities are a mere by-product of or an integral part of transformation.

Transformation represents a complicated and challenging model of change characterised by fundamental change to the core of society. Human (1998:23) is of the view that transformation requires extraordinary effort and insight as it is unnatural and “goes against the grain ...creatures of habit”. Webster defines transformation as “An act, process, or instance of change in structure, appearance or character ...” (2003:1). This research will focus primarily on political transformation as a pattern of political change. Within this context, political transformation should be understood as a progressive, rapid, comprehensive and fundamental change of society. Political transformation is a specific form of political change that differs from revolution, evolution, transition and development. It is unique in its mixture of reactive and progressive change, non-violent approach and centralisation of power. According to Duvenhage (2004:7), such a process, which is an outflow from an unacceptable political past, accentuates the managing of political change in general and conflict management in particular. Political transformation can thus be described as a vehicle of change moving from an old to a new order at a rapid pace. The successful implementation of political transformation relies heavily on political control and institutional capacity coupled with economic infra-structure to administer the desired political plan.

In South Africa, the process of political transformation has manifested in clear phases (according to a pre-drafted plan). Apart from others, the dominant political trends initially were the establishing of the political hegemony of the ANC, the formulation and provision of a new set of political rules, establishing a new set of political and economical values and a value system as basis for political transformation and the building of a strong and stable state. During the second phase which started in 1999, the implementation of transformation had been accentuated.

Human (1998:2) agrees with Huntington by stating that "... only a strong state can shape a new society..." However, during the process of moving from the old to the new political order, several opportunities present itself for engaging in and mastering the "art" of corruption. Duvenhage (2003:27) noted that a multitude of factors such as weak institutional capacity and lack of leadership/political will undermine the nation-state as the central cornerstone of contemporary international politics. Failure to decisively address above (and other) factors has the inherent danger of transforming the nation state into one of the following: weak state, strong state, "virtual state" or non-functional units. Apart from many other peculiarities, weak states are characterised by a power base on which non-merit based appointments are prevailing and in which corruption and malpractices are rife - situations not unfamiliar to the South African context and more specifically to some provincial government spheres. Public sector corruption drains the state of resources and weakens its capacity and in the process it also threatens the core values and principles of the state. Once the nation-state has turned into a weak state, the realities of political decay are eminent and South Africa could bear the same fate as many African countries such as Angola and Sierra Leone (Bloomberg, 2003:10).

It is no secret that corruption was rife in the pre-1994 political dispensation. However, there are many manifestations and sources of stimulation for corrupt behaviour (Lodge, 1998:182). Unfortunately, corruption also brought with it an

increase in the shortage of skilled labour in the public service, especially in the financial control system, as many officials opted for early retirement packages or explored other avenues of income. The afore-mentioned has in more than one way opened the way for cronyism. Jacqui Reeves (as cited in Lodge 1998) noted that senior black officials agreed that they felt duty bound to appoint comrades who fought with them regardless of skills and qualification. Lodge (1998:182) argues that the new system brought in new ministers and public managers who are often ignorant of policies and procedures. New does not mean corruption free. During his State of the Province address on 23 February 2004, the former premier of the Eastern Cape, Makhenkesi Stofile, criticized ANC councillors for engaging in corruption describing it as "... bad new ...they want to catch the last coach of the gravy train" (Naki, 2004:1).

Seven of the nine provincial governments had to absorb homeland administrations. According to Lodge (1998:169), graft was entrenched in the highest echelons of these administrations and the issuing of irregular tenders as well as the establishment of private businesses with public funds are but two examples. The new system had to inherit the corrupt with no guarantees (or even slight indication) that it will change. As the nation-state moves from one political system to another, the equilibrium is usually disturbed and the level of institutionalisation negatively influenced. It is generally in circumstances like these that corruption is perceived or that those corrupt activities in its infancy develop progressively into adulthood. Some of the incidents outlined above clearly illustrate the relationship between political transformation and corruption.¹ There is no evidence of a denial of the problem of corruption in South Africa. During his presidential address at the second anti-corruption summit which was held from 23-24 March 2005 in Pretoria, President Mbeki noted that corruption

¹ The theoretical perspectives and conceptualisation of transformation will be discussed in detail in Chapter 2. The theoretical perspectives and conceptualisation of corruption will be discussed in detail in Chapter 3.

limits the government's ability to fight poverty and it undermines democracy and good governance (De Lange, 2005:2). However, the increase and refining of corrupt activities are sufficient proof that not all public officials share the same sentiments as the President and corruption in the Bisho (and other) administrations march on unabated. The decision to focus this research on corruption in South Africa during the phase of transformation is based on factors such as public outcry, extensive media coverage and government interventions particularly as it relates to the Eastern Cape Provincial Government. In addition to the above, it was furthermore decided to engage in this research to determine and verify the relationship between corruption and transformation through a scientific method.

According to Sikunyana (2003:3), the Department of Education spent an amount of R250 million on fraudulent claims for the period 1999 to 2003. Feni (2003:5) reported that officials in the Department of Social Development have misappropriated an amount of R29, 6 million between 1994 and 2002. It was established by Herbst (2003:4) that the Department of Roads and Public Works paid an amount of R206 million a year in salaries to 6 000 supernumerary posts whilst a staff member of the same department was suspended on full pay for four years awaiting the outcome of serious corruption allegations.

1.2. Research problem

It is widely recognised that corruption is a serious problem in the South African public sector. According to Hope and Chikulo (2000:17), corruption has become so pervasive in the African region that it has been labelled the "AIDS of democracy". It negatively affects the development process at economic, administrative and social levels. Whilst the serious manifestations of corruption is generally recognised, it is equally important to gain a proper understanding of this potentially devastating phenomenon as it will contribute towards a better analysis.

The underlying basis of the thesis is to analyse/investigate the relationship between political transformation as a *problem statement* and not as a *hypothesis*. Whilst a problem statement deals with real issues, a hypothesis is based on possible situations rather than the actual ones. The relationship between political transformation and corruption presents major challenges in various terrains but specifically for the aspect of *governance*. The afore-mentioned manifest in many governance aspects such as service delivery in its broader framework, policy formulation and implementation, the trust between the state and its citizens and international relations, to highlight just a few. As it is usually emerging and developing economies which are being faced with these problems, there are additional challenges including the lack of resources, skills and capacity.

With reference to the *relationship* between the variables, it is important to unpack the concept as it would either posit a casual or covarational relationship.

Theorists (P Wolf 2002, J Lehman et al 2004 and J Woodward 2005) agree that correctly defining casual relationship (also known as the cause-effect relationship) has proven to be one of the biggest challenges for academia and interested parties. In general causality refers to a relationship between events where one set of events is an outflow or consequence of another set of events. According to Orcutt (1952:305) a causal relationship means an asymmetrical or unidirectional relationship – meaning if A happens then B would follow. One could also explain it in very simplistic manner; if it rains, than the ground will be wet. Spirtes et al (as cited in Heckerman & Shacher, 1995:262) understand causation to be a relation between particular events – something happens and causes something else to happen. In a consistent approach, Spirtes agrees with Orcutt noting that causation is transitive an antisymmetric. The argument of Card in his article on Myths and Strategies of Defect Causal Analysis further corresponds with views of the above-mentioned theorists. According to Card (2006) a causal system (*or relationship*) is an interacting set of events that produces real and recognisable consequences.

Covariational relationships, as opposed to causal relationships, is unique in the sense that it is an important concepts in various fields of study such as psychology, science and mathematics and it is being described somewhat differently in each discipline. Carlson et al who (2002:354) studied the reasoning of high-performing 2nd-semester calculus students, describe covarational reasoning as the cognitive activity involved in coordinating two varying quantities while giving attention to the ways in which the change in relation to each other. In covariation relationships no independent or dependent variable is identified. In defining / explaining covariation, Zeifler and Garfield (2009:7) states; "Reasoning about *association* (or relationships) between two variables, also referred to as covarational reasoning, or reasoning about *bivariate data*, involves knowing how to judge and interpret a relationship between two variables. It is quite clear from the two (and other description/definitions such as by Oerthman, Carlson and Thompson 2008 as well as McNabb 2010) that the concept covariation is founded on reasoning, judging and/or interpreting of relationships between variables.

In this thesis, the literature review and analysis strongly suggest that we are dealing with a causal relationship in respect of political transformation and corruption. This matter will, however, be placed under the microscope in chapters 5, 6 and 7.

In the process of defining/explaining corruption, scholars have broadly agreed that it is a highly complex and diverse phenomenon with many manifestations. It (corruption) differs in settings, environments, modus operandi and participants. The negative effects of corruption are well documented. However, it is almost impossible to determine the true nature and extent of such a "cancer" as it is a nefarious secretive activity.

Amongst many others, the most common definition describes corruption as the abuse of power (official position/title) for gain (on individual or collective basis).

Expanding on the definition, Hope and Chikulo (2000:19) stress the fact that corruption is a human activity, which may entail the embezzlement of funds or other misappropriation of state property, nepotism and or granting of favours to personal acquaintances as well as the abuse of public authority to exact monetary or other privileges.

The definition on corruption thus also addresses the question of moral and ethical implications and in this process it is directly linked to the issue of values. Levin (2001:13) is of the view that the value system underpinning the public sector needs to be corruption resistant, operating in tandem with managerial and technical solutions. Edwards (2008:2) argues that a set of ethical/moral principles and values are of crucial importance in the debate on corruption as it judges behaviour as being good or bad, acceptable or unacceptable.

South Africa, like many parts of Africa, is a multi-cultural society in which different ethnic groupings are constantly engaged in particular traditions and customs, which are generally based on a set of values and norms. In all the cultural systems, corruption is being viewed as negative and to the detriment of society albeit some would try to use belief systems (cultural approach) to give justification to corrupt activities. The issue of the payment of lobola (a traditional Southern African custom whereby the man pays for the family of his fiancé for her hand in marriage) had been under discussion in recent times. Mertens and Ray (1973:21) noted that the original idea of lobola was to compensate the family (in a fair manner) for the pain endured whilst raising the daughter and for the lost of her services. It is furthermore aimed at fostering good relations between families and serves as an indication that that the man is capable of supporting his wife. However, several arguments about lobola indicated a tendency that one party (especially the group representing the future bride) wants to make an unfair economic gain, thus negating the meaning and impact the belief system is supposed to convey.

Closely linked to the issues of ethics and values is the aspect of political will or the lack thereof. In the South African context, the debate on political will has been highlighted whenever corruption came under scrutiny mainly because of its questionable track record. It is important to note that South Africa certainly has a comprehensive and practical legislative framework to efficiently deal with preventing and combating of corruption. In Section 179 of the 1996 Constitution, provision is made for a single prosecuting authority for the RSA. Based on the National Prosecuting Authority Act no 32 of 1998, the National Prosecuting Authority (NPA) has a constitutional mandate to institute criminal proceedings on behalf of the state and to carry out the necessary functions incidental thereto. Section 188 of Chapter 9 of the 1996 Constitution outlines the functions of the Auditor-General whilst the Auditor-General Act, no. 12 of 1995 sets out his/hers functions and powers. However, there are serious shortcomings and weaknesses in the capacity and will of public sector bodies to implement and comply with these laws. Arguably there is a questionable commitment to a value system that is based on the fundamentals of integrity and honesty.

Several theorists and analysts have focused on corruption either as part of formal research or as contributions/inputs to conferences or discussion sessions. Mainly representing the moralistic view, Levin (2002:16) and Edwards (2004:2) argue that corruption is inextricably linked to the issue of values. The centre of their (the moralists) argument is based on the premise that the value system and norms underpinning the public sector should be corruption resistant. In the process of achieving the latter, Edwards supports the implementation and enforcement of behavioural codes, which should call for high standards of professional ethics. With a real emphasis on morals and ethics, Edwards is of the view that codes of conduct and prescriptions are merely not sufficient and propagates that ethics can and should be taught, starting with the management cadre in the public sector. Both Edwards (2004:6) and Levin (2002:11) agree that corruption is linked to the issue of values but differ in the way that it should be approached. Research undertaken by the Public Service Commission (PSC) on professional

ethics concludes that ethics training and a clear assignment of responsibilities to managers have to be regarded as important strategies in the process of addressing corruption (2002:25).

In what could be described as the structural or institutionalised school of thought, Tom Lodge had occasionally commented on political corruption in South Africa. In essence, Stiaan van der Merwe and Lallah Camerer of the Institute for Security Studies (ISS) have adopted a similar approach putting structures and bureaucracy under the spotlight. The latter had been done through discussion documents and research papers such the results of an Expert Panel Survey in 2001. Through the processes of comparative studies and analysis, Transparency International (TI) continuously places corruption in South Africa within the international context.

When focus is placed on corruption in South Africa, it is of crucial importance that the politics of structure and the politics of survival are placed under the microscope. According to Duvenhage (2003:49), the aspect of order/structure, rules and procedure are essential elements in any political environment. However, during times of fundamental change to a political system, such elements as being referred to, tend to become fluid and in the process, lose their impact and values. It is usually within this vacuum that corruption is entrenched and starts blooming.

Closely associated with the politics of structure is the politics of survival. Duvenhage (2003:51) is of the view that the changing environment creates several factors which are being projected towards the political system. Failure to accommodate these factors, puts the political system under pressure. If such pressure is not properly managed, it generally leads to component failure. Some factors associated with component failure are the incompetency of public officials, problems within financial management and the lack of service delivery.

Reports of the provincial Auditor-General, the Public Service Account Monitor (PSAM) and the Intervention Management Team (IMT) clearly outlined elements and evidence of both political structure and political survival in the Eastern Cape Government.

Abed and Gupta (2002:vii) argue that corruption impinges on the effectiveness of the state and it erodes the confidence of the public in its policies and institutions. It is thus not only a failure of ethical leadership but that of governance as well. The poor performance of the Eastern Cape Provincial Government ultimately led to the appointment of an Interim Management Team (IMT) by President Mbeki during December 2002. The IMT had a very clear mandate to implement a turn-around strategy. The Eastern Cape Provincial Government has been riddled with litigation cases, irregularities, fraud and incompetence. According to Zuzile (2003:3), the beleaguered Eastern Cape Government is in shambles and it is characterised by administrative chaos and serious incidents of crippling corruption. Zuzile reported that corrupt civil servants have pocketed an estimated R35 million earmarked for pensions over a period of three years. Commenting on the intervention by the Heath Commission, Cull (1998:1) noted that the judge has registered 22 540 cases involving an amount of R444, 4 million. An analysis by the PSAM concluded that a total of R110 billion "went missing" over a period of six years in the Eastern Cape and only 12% of the provincial budget has been adequately accounted for between 1997 and 2003.

The incapability and perceived unwillingness of the Bisho Administration to deal with this challenge as well as the extent of the problem, has led to high level interventions by national government to effect corrective measures. The Departments of Education, Roads and Public Works and Social Development were the primary focus of these interventions as corruption has developed in almost every part of its working machinery. It still, however, needs to be seen whether these interventions will produce the desired outcome.

1.3. Aims and objectives of the study

The primary aim of the study is to determine the relationship between corruption and transformation. In reaching this objective, focus will be placed on the nature, levels and patterns of corruption in the broad South African context, specifically on the public sector with the South African Police Service (SAPS) and the Department of Home Affairs (DHA) as focal areas. In the process of determining a relationship between corruption and transformation, it is also important to focus on corruption in the private sector with the view of gaining a holistic picture. The study will investigate corruption in the public sector by utilising amongst others the results of surveys and research products by academic as well as non-academic institutions. In order to determine and get a real sense of corruption in the transformation phase, the Departments of Social Development and Education in the Eastern Province will be used as specific case studies. Coupled with the above-mentioned focus, the study also intends to identify trends and tendencies whether corruption is being executed by individuals or by organised groups/syndicates.

Another aim of this study is to place the relationship between corruption and transformation in its proper context by focusing on other African nation-states with the same historical background as South Africa. In respect of the aforementioned, the experiences of Nigeria, Zimbabwe and Botswana are used as models of case studies.

Corruption is a secretive activity, which thrives in the dark. As a result of the latter, the researcher will incorporate the exploratory angle, which was used as basis for the mini-thesis in the MGT program. An important aim of the study is to determine how corruption is being managed (dealt with) on both the institutional/departmental and the political level. In dealing with such a complex phenomenon as corruption, it is important to gain a clear understanding of the meaning of the concept in its broader sense. Addressing the afore-mentioned,

the study will provide a theoretical framework and an in-depth analysis of corruption.

Focus will be placed on the modus operandi and strategies of officials/groups who are involved in corrupt activities but also to trace its possible networking within the broader society. Another aim of the study is to determine institutional weaknesses/flaws in the systems, which are being used either as introductory steps to corrupt practices and/or to give momentum to existing practices. This research product would also try to determine what effects corruption had on service delivery.

The strategic contribution of this research will be two-fold. Firstly, it is aimed at identifying institutional weaknesses, trends and strategies of corruption so that it (corruption) can be addressed by the relevant authorities through the necessary interventions, countering and corrective actions. Secondly, the study will deal with suggestions on how to deal with corruption on both a strategic and practical level. The objective of the study could be summarized as follows:

- To provide a broad overview of corruption in the South African public and private sector;
- To investigate corruption in the South African Police Service (SAPS) and the Department of Home Affairs (DHA) as case studies;
- To provide an analytical descriptive overview of corrupt practices in the Departments of Social Development and Education in the Eastern Cape Province;
- To examine the modus operandi of individuals and groups involved in corruption using institutional flaws and weaknesses; and
- To provide suggestions/recommendations on how to address corruption.

Every thesis is confined to and located within a specific academic discipline. This thesis is a study in Governance and Political Transformation and not in Political

Science. In addition it has to be noted that the process democratisation does not fall within the scope of this study. Any reference and/or nuance towards the latter should thus not be interpreted as part of the aims and objectives.

Given the clandestine nature of the phenomenon, it is widely accepted that debates about the extent of corruption and its increase or decrease are almost always bound to be inconclusive. However, the research is aimed at informing relevant parties of the threat corruption poses to the future existence of the nation state.

1.4. Research methodology

The argument followed in this study will primarily follow the analytical-deductive approach in that general and established theories and concepts (such as definitions, perspectives and explanations) will be utilised and applied to the phenomenon of corruption in the public sector within the broader framework of transformation and democratisation. In providing a conceptual framework through an in-depth analysis, the study aims firstly at putting corruption into a broad perspective; and secondly, it proposes to move to the levels of manifestation and scrutiny. Moving from the premise that corruption is the abuse of power for gain, this study will focus on corruption by officials/groups to determine what kind of gain was achieved.

The research design also represents a combination of the descriptive and the exploratory strategies. Through the descriptive focus, it will be attempted to provide a picture of how corruption has rooted itself in the different departments. The study will also try to determine how corruption is broadly perceived in the context of and against the backdrop of ethics. Such an approach will include elements of the moralistic and institutionalised schools of thought.

Although the study will not be presented in the form of a structured comparative analysis, the causes, effects and consequences of corruption in other African

states will be explored to determine any possible patterns or trends. The study is exploratory in the sense that there is currently no barometer (apart from Transparency International) against which corruption can be measured. The discussion is also exploratory in that South African society and in particular the legislative framework are on a learning curve in respect of dealing with this phenomenon. In particular the study will also try to determine what effects corruption has on service delivery.

The method of investigation will rely primarily on literature review and documentary study comprising of books, newspaper articles, surveys, fieldwork studies, official documents such as commissions of enquiries and Internet sources. The reports of research and academic institutions, government departments as well as Non-governmental Organisations (NGO's) would amongst others be used as primary resources specifically in respect of focusing on the nature, levels and impact of corruption as it relates to the framework of the problem statement.

1.5. Research design

1.5.1 Introduction

1.5.2 Conceptualisation

1.5.3 Political transformation as model of political change

With the South African multiparty negotiations of 1993-1994, political role-players opted for the process of political transformation as a pattern of political change. This category will focus on the specific meaning (terminological content) of political transformation.

1.5.4 Definition and analysis of corruption (theoretical framework)

Corruption is not a new phenomenon and has vested itself in almost every sphere of society. Lodge (2004:1) argues that definitions of corruption can be very broad, embracing all kinds of misbehaviour. This section will provide various meanings of what is meant by the term corruption in order to facilitate a broad understanding of the concept.

1.5.5 The (possible) relationship between corruption and transformation

Concentrating on the broader phenomenon of change, the aim of this chapter is to determine whether there exists a relationship between corruption and transformation. Furthermore, an analysis will be made on whether corruption is a mere manifestation or by-product of political transformation or whether it is a specific form of such a process of change.

1.5.6 Ethical / Moral dilemma of corruption

Corruption is an activity which is being planned and executed by human being. Whenever human behaviour is at play, ethics and morality feature very strongly. The objective of this chapter is to examine corruption in relation to the ethical and moral dilemma being brought about by the phenomenon.

1.5.7 Corruption – African lessons and experiences

Manifestations of corruption in Nigeria, Zimbabwe and Botswana as countries that have undergone processes of political change similar to that of South Africa will also come under the spotlight. The aim with the above approach is to determine possible trends and tendencies but more importantly, to establish the relationship between corruption and transformation.

1.5.8 Investigation into the levels of corruption in the broader South African context with provincial emphasis on the Departments of Social Development and Education in the Eastern Cape Province.

Following an analytical-descriptive approach, the chapter will focus on aspects such as data, statistics, levels and types of corruption as well as impact on effectiveness and service delivery

1.5.9 Strategies for the prevention and fighting of corruption

The ultimate objective of this study is to make a contribution specifically in the field of good governance. In dealing with strategies certain recommendations will be put forward which might/could be used by public service management in their fight against corruption.

1.5.10 Conclusion

An overview and summation of the research with specific focus on every chapter.

CHAPTER 2

CONCEPTUAL ORIENTATION OF POLITICAL TRANSFORMATION

2.1. Introduction

One of the interesting characteristics of politics is certainly the fact that it is an ever changing phenomenon. In recent times we have experienced a renewed impetus for political change in many parts of the world. Thousands of people have lost their lives in the Syrian civil war and in Egypt the ordinary masses have seriously expressed their desire for political change through intense protest actions. The nature and impact of these change processes differ from one nation state to the other with the implication that millions of people are daily confronted with the challenges of a changing political environment.

It is important to note that those nations who are committed to and persistent in their desire for a changing order opt for a mode of political change which they believe would be the ideal and most suited in reaching the desired outcome. There are different options at their disposal (See Figure 1: Modes of political change). The first part of this chapter will focus on political transformation as one mode of political change. This approach is followed because the theory of political transformation forms part of preparing the groundwork in the process aimed at reaching the objective(s) of this research study.

Although transformation manifests as a mode of political change, the concept cannot be isolated from the modernisation theory as both are linked to development in an integrated fashion. In fact, transformation and modernisation are expressions of development and change. It is against the backdrop of the latter that this chapter will also unpack the modernisation theory by first outlining a broad theoretical perspective and also incorporating some elements of critique.

The section dealing with modernisation will also set out criteria on which arguments for a revised approach to the theory and its implementation is built. Thus, moving from the premise that transformation and modernisation can be regarded as agents of change (development), the last section of the chapter addresses important pre-requisites for managing change successfully.

The dawn of independence and the establishment of democratic governance in several nation states were accompanied by new, interesting and at times unique challenges as part of the transition from one political system to another. These challenges led to the development of analytical methods and concepts such as political change, political development as well as political transformation which will be placed under the spotlight in the following section.

2.2. Political transformation as a mode of change

In its academic context political transformation refers to a specific pattern or a mode of political change. Duvenhage (2005:6) defines political transformation as “... a rapid, progressive, comprehensive and fundamental change of society which takes the form of central planning with emphasis on the management of change in general and conflict management in particular”. Duvenhage expanded on his definition adding that transformation does not only change the outward appearance but the whole society including the underlying value system.

According to Webster (2003:15) transformation is “an act, process, or instance of change in structure, appearance or character. A conversion, revolution, makeover, alteration or renovation”. In defining political transformation, Van Coller (2008:166) agrees in principle with Duvenhage noting that “transformation represents a fast, progressive and fundamental political change of society”. Human (1998:13) aptly describes political transformation as the displacement of the old (state, condition, circumstance, process) by a/the new condition.

Transformation is being viewed as an unnatural process, which “goes against the grain of our psychological and social constitution as creatures of habit” (Human, 1998:23). Based on the arguments of the above theorists, transformation is thus an integral part of the process of development. It is also clear from the above that change with all its manifestations lies at the heart of political transformation. Before political transformation can be placed within a theoretical perspective, it is necessary to briefly focus on the meaning and interpretation of change.

Palmer (1989:7) defines change as “... any alteration of an existing state or condition... Change is neither good nor bad. It is merely an observed difference between a past and present condition”. Political change, according to Palmer (1989:7) is the notable alteration to the present (current, existing) political relationships, processes and institutions.

Reflecting on the concept of change Mortensen (2006:1) noted that the phenomenon is so pervasive in our lives that it almost defeats analysis and description. The same author is of the view that one can interpret change in a broad sense as alteration, thus agreeing in principle with the view of Palmer.

Magee (2003:1) is of the view that change in its essence is always a misery and at its heart it always involves a paradox – one thing falls away and something new is created. Magee furthermore argues that change is accompanied by uncertainty, unpredictability and it has the potential to disrupt stability in our lives. Change threatens vested interests and creates expectations. As a result of the afore-mentioned aspects people react to change in different ways; some try to ignore it, others avoid (or try) to avoid it while many resist it at all cost.

According to Wallace (2005:4), there are two kinds of change. Firstly, natural change - a process that occurs without cognitive human intervention such as the change of seasons. The second type of change is being described as “...designed change...”

The afore-mentioned type of change takes place as a result of cognitive human intervention and also as an outflow of changing the environment to reflect human thought. Designed change is governed by human intention and perceived need(s) rather than by natural conditions. Transformation certainly falls within the category of designed change.

From the above mentioned it is thus clear that change means a clear and notable difference in what the previous situation was and what the current state is. It (change) is the movement from one state of being to another, usually taking place through a process. The change in state/condition is either as a result of natural change on the one hand and designed change on the other. Change is the natural means to both improvement and deterioration. Although change is always aimed towards a positive outcome, the results do not always correspond with what had originally been planned and finally been reached, achieved and desired – change can also be negative! To a very large extent human beings have a choice in what the outcome of change might be as they create uncertainty and expectations.

Within the South African context it could then be argued that change on the political front manifested in the alteration from the past system of authoritarianism (pre-1994) to that of a democratic dispensation. It is accepted that in weighing up the different options (modes of change), the political principals regarded the process of transformation as the most suitable vehicle of change towards a new political order for South Africa.

Political transformation shares important similarities and equally important differences with modes of change such as evolution, revolution and political development and the question can thus rightly be posed: *What is really at the core of political transformation?* This will be shown through the following examples of change.

2.2.1. Reactive change

Political transformation as a progressive mode of change usually finds manifestation in its reactionary motivation. The motivation and commitment to political transformation is rooted in an unacceptable past, which should be changed to its core. The reaction of many African states to their colonial past and South Africa's reaction to its apartheid's past are cited as principal motivational factors aimed at fundamental political change (Duvenhage, 2005:12) The African National Congress (ANC) (1997:4) motivates reactive change as follows:

“April 1994 was therefore a historic breakthrough in the struggle for democracy. A consequence of active support to the course of democracy by the mass of the people, and a cumulative result of decades of struggle, this victory signifies a decisive departure from a colonial system spanning over three centuries”.

The realities of an unacceptable, repressive political past serve as a source of motivation for progressive change, which will steer the state towards a new (by implication, a better) political order.

2.2.2. Progressive change

Political change is aimed at the establishment of an order, which is fundamentally better than the former dispensation. According to Duvenhage (2005:12) this new political order should be able to claim a moral political high ground and should be able to match what is being regarded as politically elite. In essence it means that a specific moral basis is expected on which political systems are founded in an effort to ensure a better political dispensation aimed at the benefit for all. During the mid twentieth century, post-colonial Egypt was also engaged in efforts to fundamentally change society. Originally Abdul Nasser felt the unconstrained ability to re-build Egyptian society and soon his vision of a transformed Egyptian

society gained momentum in his idea of a re-invigorated Egyptian state (Migdal 1998:183 as cited in Duvenhage). The success of the Egyptian model depended to a very large degree on strategic planning (Duvenhage: 2005:13).

2.2.3. Strategic planning

One of the key requirements of the transformation process is without doubt the process of planning. Human (1998:86) noted that managers in the new South Africa find themselves between two equally risky tasks – “between the fire and the frying pan”. The challenges being faced by managers are transformation (setting up new structures and implementing new policy directives) on the one hand and maintenance (meaning keeping current services going) on the other. These tasks should be accomplished despite the environment of uncertainty. In general the transformation process implies a strong measure of strategic political management in which analysis, development and implementation are of crucial importance.

According to Duvenhage (2005:14) progressive ideals, which should be implemented in accordance with a proper plan find realization (or should) in policy documents and projects whilst theological and ideological orientations provide political legitimacy. Since 1994, the ANC in South Africa has introduced more than 800 pieces of legislation in an effort to ensure that transformation is formalized and legitimated. The afore-mentioned actions were also aimed at the fundamental change of society in almost all spheres. According to Human (1998:86), the success of planning in the transformation mode is a decisive break from *the power of office (bureaucracy)* to the *power of change*, being described as **revocracy**. It is thus clear that fundamental change is the axle around which transformation is turning.

2.2.4. Fundamental change

Political transformation represents fundamental change with implications for all sectors of society. With reference to the transformation of local government in South Africa, Du Plessis (2008:664) argues that with the inception of new systems in 2000, the landscape of local government had been changed radically. The acceptance of the new system resulted in fundamental changes in the structure and profile of municipalities and therefore notable change in their approach towards performing their functions. This process of organisational transformation was anything but cosmetic with its aim of fundamentally changing the core of local governance. Whether the process of transformation had equipped municipalities for effective and efficient service delivery is a different debate on its own. Shortly after the South African elections in 1994, president elect Nelson Mandela emphasised the fundamental nature of political transformation by stating that:

“In line with the objectives of the RDP, we will, by the end of the year (1994) require the medium and long-term strategies from all departments and parastatal institutions on mechanisms of shifting their operations to meet the requirements of reconstruction and development” (RDP Whitepaper 1994 as cited in Duvenhage, 2005:15).

The fundamental nature of this mode of change is emphasised though structural changes without any (or little) adjustments to values or value-systems. Human (1998:46) states quite clearly that transformation is of no value unless it involves the transformation of the mind. According to Duvenhage (1995:15), human values and value systems do not change and adapt easily. Furthermore, there is even less chance for success if such changes are enforced from the top, viz. enforcing it to take place within a short period of time. Duvenhage (2005:15) regards the afore-mentioned as the primary factor as to why transformation in several countries proved to be unsuccessful.

2.2.5. Rapid/quick change

One of the key criteria of transformation is that fundamental and far-reaching political changes should take place within a relative short period of time. According to Duvenhage (2005:16), one can literally refer to transformation as a cataclysm of society. However, it is the prescription of time schedules, and the periodic enforcement of non-negotiable aspects, which had led to the demise of many changing societies. The five-year plans of Stalin serve as an example (Duvenhage, 2005:16).

2.2.6. Non-violent change

The transformation process is aimed at achieving the same goals and objectives as that of the revolutionary mode of change. However, the ideals of transformation are striven for without the utilisation of violence. Transformation is aimed at the political management and resolution of conflict and potential conflict.

Reference had been made to the fact that transformation shares important similarities and equally important differences with modes of change such as evolution, revolution and political development. The following schematic representation focuses on the different modes of political change highlighting the characteristics of each.

Table 1: Modes of political change

Criteria	Transformation	Revolution	Evolution	Adaptation	Development
Nature of change	Fundamental in nature	Extremely fundamental	Limited	More limited	Fundamental/ Limited
Speed of change	Rapid	Rapid	Incremental Change	Rapid but limited	Rapid/ Incremental
Social planning	High	High/Low	Low	High (short term)	High / Low
Conflict/ Violence	Conflict orientated	Violent change	Limited Conflict	Limited conflict (aimed at state)	Conflict/ Violence
Progressive Nature	Progressive	Progressive	Status quo Orientated	Limited	Progressive
Implications for the State	Fundamental	Fundamental	Limited	Limited	Fundamental/ Limited
Extent	Far-reaching	Far-reaching	Limited on the short term	Limited	Limited / Far reaching

Duvenhage (2005:6)

On the basis of the theoretical framework of political transformation, the phenomenon should be understood as an extensive encompassing strategic political plan, which should be operationalised within the framework of a specific, well-crafted pattern. As an on-going process, the political situation is continually analysed. The outcome/interpretation of the analysis forms the basis on which strategies are formulated and developed in respect of identified areas. The strategies, in the form of policies/procedures and legislation are ultimately implemented and applied.

Societies which are going through a process of political change are confronted with several challenges such as institutionalisation, democratisation and modernisation as primary cornerstones of the transformation process. In the following section, focus will be placed on the process of modernisation as it forms an integral part of the development process.

2.3. A theoretical framework of modernisation

It could justifiably be argued that the modernisation theory is an aspect which has attracted volumes of discussions, responses and critiques. In addition several other theories such as the Dependency Theory (So: 1990) and the Regulation Theory (Hirts and Zethlin: 1992) have emerged both as part of support and as part of critique to the modernisation theory. Cilliers (1984:152) noted that the emergence of new states following the post-war period, introduced an interesting field of research. This situation identified and brought to the fore unique challenges in relation to processes, which form part of a transition from one political order to another. The challenges referred to by Cilliers (1984:15) have led to the development of relevant analytical methods and concepts of which modernisation is but one.

Surely many would have asked, and correctly so, why modernisation has been chosen as another theoretical focus area especially in relation to this thesis. Let us respond to the question by firstly providing perspective. “Words (concepts, terms, symbols) are the only tools we have to communicate meaning. Each word is laden with its own complex set of meanings that are often particular to a specific setting, making it difficult to extract the exact meaning of the words. In addition, the meaning that authors try to convey is clouded by their own sets of assumptions, beliefs and values, which render the definitions they may offer of words always tentative and partial” (Nieuwenhuys, 2007:47). Modernisation like political transformation celebrates and respects the world of science and scientific method. At the heart of both modernisation and political transformation is the search for the truth and objectivity. It is also worth noting that modernisation deals with similar issues (e.g. establishing effective governance and institutions) that the process of political transformation is confronted with. Ultimately both these processes are aimed at development although there is fierce debate and different views on how this objective has been approached and should be achieved.

In an effort to accurately describe modernisation, several opposing and at times conflicting ideas were formulated and pronounced. According to Cilliers (1984:152) the concept of modernisation had frequently been used as if it has the same meaning as political development and social mobilization. Harris (as cited in Cilliers, 1984:153) views modernisation as equal to westernisation whilst Dahl, (also cited in Cilliers) does not make a distinction between modernisation and development. In addition to its different interpretations, each ideological grouping interprets modernisation in a specific way – usually in support of its political thinking and framework.

The Western interpretation according to Apter (1965:10), views modernisation as a complicated, universal phenomenon with rationality as its basis of trust. Apter (1965:10) furthermore argues that modernisation points at a systematic, continuous and goal driven application of human efforts to establish rational control of its physical and social environment. Modernisation should then be used to the advantage of human existence and development specifically in relation to socio-economic matters.

Inglehart and Welzel (2005:3) note that modernisation empowers people to base their lives on the pillar of autonomous choices. Modernisation is a process of human development, which is continually producing human societies that place strong emphasis on self-expression and freedom. The new emphasis on values of self-expression leads people to demand and defend their valuable freedom of choice. Self-expression values are people-centred and emancipative by nature, giving birth to a new type of society that promotes freedom and autonomy. According to Inglehart and Welzel (2005:3) modernisation reduces the external constraints on human choice by increasing people's material cognitive and social resources.

The following section will primarily focus on the theoretical input of Apter as I am of the view that his research is the best suited to put the overall objective of this

study into the broader perspective. It is, however, necessary to gain a wider insight into the modernisation theory by incorporating (and at times expressing critique on) the work of other theorists on the subject.

The Modernisation Theory was developed in the mid-20th century. It gained prominence largely with the works of influential American economist Walter W Rostow. In many circles Rostow is being regarded as the brainchild and/or mastermind behind the modernisation theory and his work is part of reference material on almost all related research whether the theory is endorsed or criticized. Parr (2001:2) is of the view that the work of Rostow had a considerable influence in the fields of development economic and economic history. The theory examined the modernisation of states and stipulates that economic development encouraged political development and that the two are necessarily compatible. In essence, the idea postulates that economic openness fostered urbanisation, the creation of a middle class and the disintegration of traditional systems. To this effect Rostow (1960b:12-13) suggested that "...all societies can be placed in one of five categories or stages of economic growth".

The following section is an attempt to identify the prominent characteristics of each stage:

Traditional Society

During this stage science and technology are ill-developed and innovation is not a regular feature of the economy. These societies are characterised as primitive in the social, political and economic sense and a strong focus is placed on subsistence only. Accumulation of capital is minimal and the forms of economic organisation as well as production remain the same (no modification) from generation to generation. In addition, this stage represents one in which little support and encouragement is given to innovative individuals who might initiate economic change.

Pre-conditions for take-off

This stage is characterised by an increase in investments and the development of agriculture with greater levels of industrialisation. During this stage some of the comfortable certainties of the past are challenged. There is an emergence and formations of commercial institutions and in political terms, the birth of an efficient nation state with governance and administrative frameworks.

Take-off to sustain growth

Rostow regarded this stage as the most critical and the most difficult to attain. In this stage economic growth becomes the normal condition. The “primary growth” represents companies with the latest technologies which have the capacity for stimulating “supplementary growth” and “derived growth” sectors which expand to the overall growth of the economy.

Drive to maturity

During this stage the economy is more diversified and there is a notable development of new sectors, especially those who did not play a leading role. Society in general accepts the growth but also the possible disruptions (both economic and social) that goes along with it.

Age of high mass consumption

The hallmark of this stage is the accumulation of a significant surplus. The service sector develops into a dominant force and within urban society the economy is geared at mass production.

It has been alluded to that this study does not have any intention of expressing in-depth critique on any theoretical position as I am of the view that such a step will fall outside of the scope of this study. It is, however, necessary to record the following observations. One major critique against the modernisation theory of Rostow (Rojas, 1996 and Toppen 2004) is that the West, and in particular, the

United States of America (USA) is being regarded as modern and advanced with the Third World viewed as traditional and backward. In order to develop within a broad context (e.g. economically and socially) the latter should adapt the former as its model and seek guidance and advice from them. This cultural bias of the modernisation theory could be ascribed to the fact that when the theory was formulated the only really “advanced” states were found to be in the USA and in Europe. The theory furthermore tends to simplify the concept of development and adopts the-one-size-fits all approach which is a strategic approach facing many challenges and has the real possibility of failure in most instances.

Matunhu (2011:67) agrees with Rojas and Toppen and added that the most crippling view of modernisation is the over simplistic view of social change. Matunhu (2011:67) correctly points out that human nature has a “... propensity to resist change in favour of the status quo”. In emphasising the afore-mentioned, Matunhu notes that the failure of the New Partnership for Africa’s Development (NEPAD) as a development strategy could be traced to the fact that it was drafted, packaged and sent to Africa for implementation. In addition, the strategy is in its essence elitist in nature and has received condemnation from many African Heads of States.

Joshi (2005) argues that the modernisation theory became the foundation stone in the evolutionary process of development. The theory focused on deficiencies in poorer countries and speculated about ways on how to overcome these deficiencies. It (modernisation theory) viewed traditional society as a series of negatives: stagnant and unchanging, not innovative, not-profit making, not progressing, not growing (Joshi, 2005). In order for these societies to step out of the negatives, they should develop themselves into modernity. Such a development process, according to Joshi (2005), implies that traditional societies and poor countries should strive towards capitalism as a path of economic growth and that the western style liberal democracy (individual freedoms, elections, rule of law etc.) should be adopted. As countries prepare for the take

off phase, they need assistance, funds, technology and new markets. One can easily identify several flaws in this theory. The theory is silent on what should be done when the “aircraft” fails to take off or experiences an emergency whilst in flight. In his critique on the theory, Joshi (2005) notes that the theory does not see the conflict between the interest of the rich and the poor and it blatantly ignore the fact that the world’s resources and benefits are limited. Modernisation in this sense thus means catching up with the west, adopting its norms and standards and during the process it enhances dependency on the west. In reality and by implication, modernisation has been interpreted as a new form of colonisation.

With regard to the modernisation theory, Moyo and Gonye (2011:89) contend that development is inextricably linked to a society’s culture, history and envisioned future. They furthermore argue that no society has ever developed on the basis of copying another, using a catching-up approach or being followers of an unknown philosophy. According to Moyo and Gonye (2011:89) an idea has been created that the task of modernisation is beyond the intellectual capacity of the African and it has to be entrusted to those with the innate intellectual means. What is however interesting about the views of Moyo and Gonye, is that modernisation has an inherent character/ingredient of domination. This domination produces cripple minds which perpetually parrots master’s decisions and pronouncements.

Let us reflect here and give a summary of the main components of the modernisation theory assisted by the assumptions of Giovanni Reyes (2001):

- Modernisation is a phased/systematic process;
- Modernisation is a homogenising process – in this sense we can say that modernisation produces tendencies towards convergence amongst societies (Reyes, 2001);
- Modernisation is a Americanisation process;

- Modernisation is a progressive process which is ultimately not only inevitable but also desirable (Reyes, 2001); and
- Modernisation is never a short process. It is evolutionary in nature, will take centuries to complete and its profound effect will only be felt.

From the arguments presented above, the divide between the West and the Third World (also referred to as the developing world) is clear as it relates to the meaning, approach and implementation of modernisation. For the purpose of this study, however, the research of David Apter will be used as basis of discussion in relation to modernisation. However, critique of his work will be presented in the section which is entitled a revised approach to modernisation.

Apter (1965: v) described modernisation as “... the spread of roles which functionally linked and organised in industrial settings, make their appearance in systems lacking an industrial infrastructure.” On the economic terrain, modernisation gives birth when humans start to look for solutions to their allocation problems while on the non-economic terrain, it (modernisation) takes place when a society and/or cultural grouping adopts an investigative nature/inclination which aims at improving quality of life. Modernisation is closely interlinked with rationalisation and debate/discussion. Apter (1965:10) made it clear that rationality and debate represent “... the critical and minimum conditions of modernity.”

According to Apter (1965:10) the manner in which people dictate their preferences but more importantly, how choices are being made, is of prime interest. The making of choices plays an important role in Apter’s definition of modernisation. Apter (1965:10) is of the view that a (any) theory aimed at making choices should include (apart from others) the following three categories:

- A normative dimension which involves ethical and proprietary conceptions on and through which actions are organised to give it meaning;

- A structural dimension setting up conditions in which alternatives are catered for; and
- A behavioural condition laying the groundwork for experimental observation.

The following diagrammatic presentation is a concise representation of Apter's (1968:367) theory of choices being described as a paradigm of political analysis:

Figure 2: A paradigm for political analysis

DEGREE OF GENERALISATION			
	Method of observation	Method of generalisation	Theory
Normative	(A1) Participative Observation	(A2) Dialectic Generalisation	(A3) Values enshrined in belief systems
Structural	(B1) External Observation	(B2) Functional Generalisation	(B3) Role units in systems
Behavioural	(C1) Experimental Observation	(C2) Repetition and testing	(C3) Learning, adjusting and motivating
DIMENSIONS OF CHOICES			

Apter (1968:367)

In short modernisation is a process of change aimed at replacing a traditional society with a modern society. Apter (1977:468-474) uses two models, namely the unilinear and crisis models to explain certain stages of the process of change.

2.4. Stages (phases) of political modernisation

2.4.1 The unilinear model

In the unilinear model, the process of change takes place in four (4) phases.

Phase A: This represents the first stage of modernisation. Usually this phase starts with a small number of enthusiastic individuals who share the sentiments of “a calling”. History shows that these individuals paved the way for the establishments of groupings/institutions, which changed the context of colonialisation. Within the European context, this phase represents a process through which wealth and technology could further develop as new centres for trade presented themselves together with the expansion of territory. This phase was characterised by amongst others, the establishment of stable power structures, urbanisation and the development of an elite class, which in essence had brought about a new social structure. The expansion operations and strategies of the British Empire into the African continent serve as a typical example.

Phase B: This stage is a reflection of the results of colonialism and presents a mixed system where different cultural groupings are in interaction with one another as opposed to being kept apart. New forms/patterns of association could be identified and local representatives claimed bigger participation and responsibility in decision-making processes. This new society had its fair share of conflict and confrontation leading to greater concessions by relevant governments. The afore-mentioned found realisation in a country such as Ghana which fell under Portuguese and Dutch rule before it was declared a protectorate of the British in 1896 until its independence in 1957.

Phase C: During this phase the process of change is more sophisticated and there is a greater sense and realisation of cooperation between colonial

governments and moderate local authorities although political development still took place along the principles of the imperialistic model. This phase also experienced a greater emphasis on independence and a gradual break from colonial forces could be observed. In this phase charismatic leaders stake their claim with promises of unity and prosperity after independence had been achieved. The afore-mentioned found confirmation in the rise of leaders such as Charles Taylor of Liberia and Idi Amin of Uganda.

Phase D: This phase is characterised by the changes taking place following independence and four distinct political processes unfold. Initially (the first process) there is vibrant enthusiasm and support for the political leadership. However, this stage reveals gradual dissatisfaction with and conflict in the top structures of the political hierarchy with a tendency towards a one-party state and can thus be described as the second process. During the third process, the stronger grouping eventually succeeds and the government is (usually) replaced by a military coup d'état in the process of setting up a one-party state. The fourth process dawns when people start looking for an alternative to a military regime as was the case with the Democratic Republic of Congo (DRC) leading to the establishment of transitional government in 2003.

Apter (1977:483) noted that the above process adopts an escalator effect. It repeats itself although the level of sophistication in the recurring phase might have improved. The unilinear theory of political development can be summarised as follows:

- At the heart of the unilinear notion of political developments, is that economic and technological change serve as stimuli for development that filters from the more advanced to the less. The less advanced gradually join the ranks of the more advanced.
- The contact between the traditionalists and those with different thinking patterns eventually break-up when nationalists-elites start focusing on independence.

- When independence is achieved, internal opposition starts surfacing leading to confrontation and conflict and with the ultimate formation of a new government (through military coups' or others strategies), the process of repetition kicks off once more giving justification to the notion that the only constant aspect of change, is change! It could be argued that by using the unilinear model, it would be difficult to ensure long periods of political stability. An alternative is what Apter (1977:478) described as the crisis model.

2.4.2 The crisis model

Apter makes a distinction between five (5) types of crisis scenarios:

(a) The identity crisis

This crisis is being regarded as the most fundamental and once it has been resolved, it is much easier to find solutions for all the others. As long as people do not have any sense of belonging and are pulled between different worlds without a sense of identity, it is almost impossible to build a new and stable society. Logically the identity crisis is closely linked to the crisis of legitimacy especially insofar as the acceptance of political (and other) leadership.

(b) The legitimacy crisis

The legitimacy crisis centres on the fact that there should be broad consensus on the legitimate nature and responsibilities of government. The way in which political decisions are made is crucial in an acknowledgement of the legitimacy of any government.

(c) The participation crisis

Apter is of the view that active political participation is the key to political development. When people become politically active, they partake in processes

such as activities of political parties and elections and in doing so they play an influential role in the political shaping of society.

(d) The distribution crisis

This crisis deals with the levels of dissatisfaction over methods through which goods and values are assigned and attributed to society or some sectors of society. The unfair and unequal distribution of goods and values are in some instances referred to as a developmental problem. The inequality refers to the access or non-access to goods and values and it can manifest both on a national and international level.

(e) The penetration crisis

Political leaders struggle to exert influence and authority over those who were previously not involved in the political activity.

Any political system should own or strive towards a national identity. It should furthermore have the capacity to make inroads in different communities in order to establish an effective system of governance in an effort to ensure long periods of stability. One of the most common characteristics of a developmental state is the gap between the governing elite and ordinary citizens. This model tries, through penetration, to bridge the gap of mistrust (real or perceived) between government and those individuals of the electorate who traditionally were not involved in active political life. The advantage of the crisis model, according to Apter, is that focus is placed on real concrete issues/challenges.

In distinguishing between the two models, Apter (1977:14) noted that the crisis model unlike the unilinear model assumes that different political systems develop/evolve strategies particular to a case. The unilinear model tries to account for change cumulatively in relation to the impact one stage has on the other. The unilinear model is comparative; the crisis model is configurationally (Apter, 1977:478).

Prior to focusing on an alternative or a revised approach to modernisation, let us gain insight into and reflect on the views of other theorists.

Gans-Morse (2004:324) argues that the prominence of the modernisation theory (also referred to as transitology) dates back to the Cold War era when the development of democracy and capitalism in Europe's former colonies and other countries known as the Third World, was high on the development agenda of the West. The formulation of theories of democratic as well as capitalist transitions became a dominant central objective for post war academia with the modernisation theory a central theme.

According to Gans-Morse (2004:324) modernisation theorists postulate that changes in the economic foundation of a society, particularly in its mode of production, naturally lead to changes in its social structure which result into an evolution in the political sphere. According to this formula industrialisation thus serves as an impetus for changes in the division of labour which lead to urbanisation, increased levels of education and new forms of technology serving as pre-conditions for democracy. When taken in its boldest representation, Gans-Morse (2004:325) notes that the modernisation theory is built on the assumption that the sequence of economic, social and eventually political evolution would be repeated throughout the developing world.

Addressing the emergence of the politics of modernisation, Randall (2008:17) argues that this approach reflected changing international political circumstances and development. According to Randall (2008:18) the Second World War gave birth to a new world with two superpowers who were soon vying for influencing the decolonised countries. It was especially the social scientists and increasingly the political scientist in the United States of America (USA) who were encouraged to study modernisation. Randall (2008:18) contends that despite modernisation taking different forms, its underlying consumption was that the

process of development in the West provided a valuable (and influential guide) as what the expectation should be in the developing world.

Any process of development needs to be analysed on a continuous basis to determine its relevancy and implementation-effectiveness especially in an ever-changing environment. It is thus necessary that the modernisation theory is also revisited. There is certainly little doubt that modernity is becoming a global phenomenon. As the centre of modernisation changes from the West to other locations it opens up new interpretations which will ultimately result in a revised approach.

2.5 Modernisation – a revised approach

Over the years modernisation has been exposed to an array of critical examination and analysis. In this process theorists such as Banuri (1987), Arat (1998), Primeau (2010) and Schmidt (2011) made inputs on its discontent and argued that modernisation should be approached from a new and/or alternative platform.

Historically, modernisation concerns itself only with the social, cultural and personality systems. Schmidt (2010:514) notes that upon modernisation the personality system becomes achievement orientated, acutely aware of its own individuality whilst it also leads to rationalisation, value generalisation and the diffusion of secular norms in the cultural system. In line with other and in particular macro-sociological approaches, modernisation places particular emphasis on development in the economic and political systems in society. Although other important subsystems such as the educational system, the legal system, the scientific and the mass media are also under examination, it, however, needs a revised approach. The primary reason why a revised approach should be adopted, is because modernisation theorists tend to view the world through the eyes and prism of the West forgetting (or possibly ignoring) the fact

that modernity is becoming a global phenomenon and as such needs contemporary analysis.

Schmidt (2010:515) argues that such a revised approach is necessitated because “In the *economy*, the most salient change from the view point of the modernisation theory is the emergence of self-sustained growth, in *politics*, it is growing participation in the citizenry (that the population only becomes in the modern age), in *education*, the spread of mass schooling, in *science*, the establishment of the research university and other purely research-orientated organisations, in *law*, the enunciation of universalistic norms and their application by professionally trained, independent judges, in the *media*, the rapid diffusion of information to mass audiences and, thus, the creation of public opinion”.

In the process of driving home the inevitability of a new approach, Schmidt also referred to the pre-modernity societal order as an example. According to Schmidt (2010:521) the pre-modern societal order divided the population into strict separated and hierarched strata in advanced civilisations. This order gradually crumbled and gave way to a new order where individual members of society are (should be) regarded and treated as equal. In respect of the hierarchical systems of stratification, the notion of equality of status and equal citizenship are both foreign and meaningless.

History has proven beyond doubt that the continent of Africa was a focal point of modernisation during and after the colonisation era. In addition Africa has been marginalised both in the world economy and in the era of development. On the basis of several commonalities, several African theorists chartered a course for an alternative other than that of modernisation. Proposing a shift in paradigm, Nnaemeka (2009:42) outlines the following:

- Self-reliance

In order to own self-reliance, people have to own their development. Development cannot be received and has to be experienced as participants in the process. Through the latter self-realisation will not develop into alienation.

- People-driven development model

African people have to be the *agents*, the *means* and the end of the *development*. This principle is at the core of every development policy and its implementation.

- Democratisation

The correlation between democratisation and development is incontestable and this could be the only route to achieve development objectives

- Bureaucracy Reforms

State bureaucracy plays a key role in political governance and economic development of African countries and it should continuously be subjected to a reform process to enthrone that it is effective, efficient, accountable and non-partisan in national interest towards nation-building.

Matunhu, who refers to the shift in paradigm as the African Renaissance Theory, basically echoes the same sentiment as Nnaemeka. Mathunhu (2010:71) notes that development in Africa should be embroiled in African values such as “Ubuntu” in South Africa, “Humwe” in Zimbabwe and “Harambee” in Kenya. The African renaissance theory advocates a social force which both opposes and transcends the growth and dependency paradigms. It is further being suggested by Matunhu (2010:71) that micro-level development and poverty reduction should be the primary focus. The modernisation process in Africa has led to a situation where the people of the continent lost their identity and development path.

According to Matunhu (2010:71) the renaissance approach to development underscores the importance of social movements whose aim should be to engage people to face issues of inequality, sustainability and justice from a communal approach – an approach in and through which the identity and values should be reclaimed.

Several theorists viewed modernisation as a teleological process which was applied within the context of decolonisation and only stretched to those nation-states which were on the path to economic development. Focusing on the discipline of comparative political studies, Francis Hagopian of the University of Notre Dame critically outlined why the process of political development should be revisited.

Hagopian (2000:902) argues that the process of political development was limited to specific boundaries. One of the new approaches, he suggests is specific research on democracy and markets, particularly changes in state form and the new political economy of development. What was central to political modernisation as a trend of development in its heydays, has obviously taken on a different direction. According to Hagopian (2000:903) the 1990s illustrated a shrinking area of state-owned property, political and fiscal decentralisation and the retreat of the regulatory state clearly suggests that a fundamental redrawing of the boundaries between public and private authority and resources is in motion across the entire developing world. Modernisation in its early application focused quite aggressively on the development of new, or commonly known, as developing states. “Just as it made sense in the 1950s and the 1960s to focus on the new states because they were travelling on the road from tradition to modernity, it now makes sense to watch the post-Communist societies developing new identities, and patterns of political competition, and political representation, and decentralise government decision-making ...” (Hagopian, 2000:903).

Another shift in focus should represent continuous analysis of state and society. With studies moving beyond the idea of the state being primarily concerned with and about capacity and efficiency, a new consideration should evolve around the question/theme of whether the state itself is democratic. Hagopian (2009:903) contends that the question should be: “Is the state capable of fulfilling society’s demands for quality that is understood not in terms of the distribution of material resources but in terms of the right and responsibilities of citizenship?” The revised approach should be geared at examining how interaction between the state and society contribute towards the broader phenomena of development. In such an approach, fundamental aspects such as culture, tradition and religion are important factors.

Development theories have left many unexplored hypothesis unanswered. In this revised approach, Hagopian (2000:905) recommends that students of development have unprecedented opportunities to test the unexplored hypothesis about political behaviour in developing countries.

The research article of Hagopian has touched on aspects such as a revised approach to the role of the state and society, culture, religion and tradition. These aspects also came under review from Harrison, indicating some form of theoretical connectivity.

In addressing the new approach to modernisation, Harrison (1988:155) refers to modernisation as “...what is up-to-date in a specific place at a given time”.

The revised approach is built on the premise that change may eventually be generally acceptable.

2.5.1. Rising of self-expression values

Industrialisation discouraged self-expression values. With the emergence of post-industrial societies, people spent more time beyond the mechanical environment.

According to Inglehart and Welzel (2005:27) human efforts were/are no longer so much focused on production and material objects but greater interest is shown in communicating with each other, processing of information and crucial elements such as innovation, knowledge and ideas. The worker found more freedom in doing their jobs as well as the opportunity for self-expression. Inglehart and Welzel (2005:29) strongly argue that modernisation has a socially liberating effect which could clearly be observed in post-industrial society. Human interaction had been freed from bonding ties of closely knit groups, rigid centralised control and strict conformity pressures. The freedom and autonomy resulted in people questioning authority, hierarchy, dogma and religion.

2.5.2. Individualised forms of spirituality

The post-industrial phase of modernisation did not only bring cultural changes, but it had a major influence on spirituality. In the midst of the knowledge society, people escape (and found comfort) in ideas and imagination. The authority of the traditional, established church started to decline and there is a shift from the institutionally fixed form of religion to an individual flexible form (Inglehart and Welzel, 2005:31). It is thus clear that even religion had become a matter of choice, creativity and self-expression. It is however, important to realise that religion does not vanish – it has become more self-reflexive also finding expression in the cultural domain.

2.5.3. Value change as a cultural process

According to Inglehart and Welzel (2005:33), people's worldviews and value orientations are reflections of their basic life experiences. Their value orientations provide guidelines on how to manage life under different circumstances. Cultural norms are usually internalized at an early stage and are reinforced by non-rational sanctions. As the powers of these sanctions are vested in emotionality rather than rationality, violations of these norms are accompanied with feelings of guilt and

shame. People's opposition and aversion to divorce is mostly not a reflection of rational cost calculation. The traditional value-system tends to make divorces so deeply entrenched in people's emotions that it becomes a question of good and bad (Inglehart and Welzel, 2005:34). Norms that can constrain people's behaviour are taught as absolute rules and it can torture the conscience if violated.

However, as the original idea behind norms vanish, it does pave the way for the norm to weaken gradually and people begin to experiment with new ideas and creating new life-styles. These new life-styles are based on principles of self-expression and freedom.

2.5.4. Value change in history

Early industrialization did not bring a prominent shift towards the value of self-expression and it seems as if emphasis on individual autonomy was more widespread in some pre-industrial than in industrial societies. Inglehart and Welzel (2005:34) stated that ...“Modernisation is not linear and cultural change does not move in a straight line from industrialisation to the End of History. It changes direction in response to major changes in existential conditions”. According to Inglehart and Welzel (2005:34), pre-industrial free-trading and free-farmer societies allowed for more individual autonomy than industrial societies and the concept for human rights was born in the pre-industrial English, American and French Revolutions led by merchants and free farmers. As opposed to industrial workers, farmers and merchants in pre-industrialised capitalist economies experienced an admirable degree of free choice in their day-to-day activities, which is crucial for the emergence of self-expression values.

2.5.5. Cultural change and its institutional manifestations

Inglehart and Welzel (2005:39) argue that major changes in cultural values at the individual level find reflection in changes at the societal level. However, there is often a one-on-one relationship between underlying cultural change and how it

manifests on a societal level. In supporting the afore-mentioned Inglehart and Welzel (2005:39) argue that during the mid-sixties, birth-rates declined throughout post-industrial societies and by the 1990s, fertility rates were below the population replacement level in almost all post-industrial societies. Change in culture played a significant role in the shift.

In focusing on spirituality, culture and history, Inglehart and Wetzel (2005: 34-39) outlined a process which reflects the humanistic transformation of modernisation. Emphasis is being placed on self-expression and freedom with its many manifestations. Modernisation is, and should be, a process of human development.

Like any other mode of change, political modernisation has its unique characteristics.

2.6. Characteristics of political modernisation

On the basis of the theoretical framework, it is evident that modernisation is closely linked with different dimensions of social change. The following section deals with important characteristics of modernisation.

2.6.1. Traditionalism

Apter makes a clear distinction between traditionalism and tradition. According to Apter (1968:66) traditionalism should be viewed as current behaviour which finds origin in prescriptive norms. This code of behaviour does not imply that traditional communities are immune to change. It does, however, need outside stimuli to initiate a process of change. Modernisation represents a much remoter relationship between historical values and new objectives.

The distinction between traditionalism and modernisation does in no way explain why some traditional communities accept change easier than others. In order to understand the afore-mentioned, structural and value-systems/characteristics should be placed under the spotlight. Apter (1968:115) distinguishes between the instrumental and traditional value systems.

Within the instrumental system, change manifests with relative ease without fundamentally changing the social system or institution. In the traditional system there is an engrained opposition to change and any form of change is usually accompanied by fundamental alterations within the social structure (Apter, 1968:162).

2.6.2. Political parties

The role of political parties in communities undergoing a process of modernisation is crucially influential in respect of impact and outcome. Apter (1968:163) noted that the role of political parties change as changes occur in the political evolutionary process. In the west, political parties are generally being viewed as representative instruments for peaceful evolution in governments. In countries where modernisation is taking place, the situation is much different. Political parties become devices for mobilising and disciplining the population. Autocratic regimes regularly change with purges, revolts and other forms of instability. In situations like these, orderly change became difficult, even impossible.

Whilst the West accepts that two or more parties should compete, countries in modernisation are afraid that opposition parties might give stimulus to the formation of factions, corruption and succession. Apter (1968:87) is of the view that opposition parties have an important role to play in support of democracy. They can serve as a rallying ground and focal point for grievances and in the process transform disenchantment with government into positive channels, avoid cynicism and prevent apathy.

According to Apter (1965:217), armies represent an interesting combination of traditional and instrumental values. Especially in autocratic states they (armies) represent an unquestioned command system (Apter, 1965:217). Armies, however, have got limited capacity to address political conflict successfully.

2.6.3. The role of ideology in modernisation

In most developmental countries, ideology is an important factor in the process of modernisation. Apter (1964:18) emphasised the role of ideology as a unifying factor in communities. Ideology refers to aspects, which a community shares as common factors having a unifying objective. The unity is even more important in cultural-plural communities where solutions to problems are a complicated process. Apter distinguishes between four types of ideologies namely nationalism, socialism, national-socialism and the scientific.

The science ideology which is generally accompanied by its professional functions and norms, acts as a bridge between industrialised countries and those states in modernisation. Technical advice and assistance is necessary for almost every decision to be taken and in this sense science became the ideology for modernisation (Apter, 1965:317-318).

Socialism capacitated leaders of developmental countries to reject/ignore levels of authority associated with traditionalism and colonialism. It is on this basis that every leader, justifiably or not, claims to be socialists (Apter, 1965:328). The nationalist and socialist ideologies are typical of phases which can at best be described as political fantasies. Such phases usually occur immediately after political independence and present the opportunity to leaders to elevate themselves to the moral high grounds.

An increase in political activity is usually an outflow of modernisation. Rapid and fundamental change does, however, not automatically ensure political stability.

According to Huntington (1979:4) instability and conflict in changing societies "...was in large part of the product of rapid social change and mobilization of new groups into politics coupled with the slow development of political institutions".

2.6.4. Human development

One of the most prominent characteristics of modernisation is that the process is geared towards human development. Inglehart and Welzel (2005:47) note that human choice and emancipation had become the leading themes in all spheres of life, from politics to culture and religion. "The process constitutes human development because it emphasises the most distinctly human ability: the ability to make decisions and actions based on autonomous choices" (Inglehart and Welzel, 2005:47). The process of human development usually leads to increasingly strong demands for change, which could have an impact on stability.

In the debate on the theory of political development, Apter provided an in-depth contribution to the theory of modernisation which includes a description of the different stadia of political modernisation, some of its characteristics as well as a presentation of different models. David Harrison had studied the input of several theorists on modernisation and then drafted a research product focusing on the Sociology of Modernisation and Development.

Focusing on the sociology of modernisation, several theorists have particularly conducted research on the birth-phases of modernisation. Prior to discussing modernisation on the basis of Harrison's three-pronged approach, the next section will start with the very basic early ideas about development. This approach is aimed at emphasising that the dynamic of change is at the heart of these processes.

2.7. Basic footprints of development

Modernisation has generally been understood as a process of renewal and such a process had an altering impact on aspects like values and beliefs which are, amongst others, core elements of every society. The concept of modernisation only gained momentum during the 1950 and prior to this era any process of change was referred to as development. Although modernisation and development are not synonyms in the true sense of the word, both concepts centred on the basis of change and thus have a broad spectrum of similarities.

In their research on the status on indigenous communities throughout the world, Peredo, Anderson, Galbrath, Honig and Dana provided a theoretical input on modernisation to which they alternatively refer to as “assimilation models”. In an agreement with the view of this study, modernisation and development are being used as synonymous terms. The theorists are of the view that modernisation has dominated much of the economic paradigms since the early 1950’s and argue that a number of notions contribute to this theory. These notions, according to Peredo *et al.* (2004:7) should manifest within the following three areas:

- In the first instance, development should pass through various stages. It thus implies that in order for traditional societies to develop, a move towards modernisation is imperative.
- Secondly, monetary income and therefore economic growth are regarded as the key elements in measuring the quality of life.
- In the third place it is being argued that humans are or should be motivated by self-interest and rational economic behaviour.

Like so many other historical proponents of the modernisation theory, one of the underlying assumptions is that traditional culture, language barriers and social structures are barriers to development and progress. Peredo *et al.* (2004:8) argue that the afore-mentioned general orientation led to several neo-classical

approaches to economic development - approaches which are accommodated in some kind of assimilation. Modernisation or the “assimilation model” essentially argues that cultural divisions and differences ultimately interfere with efficient economic product and the differential advantages that individual nations might enjoy” (Peredo *et al.*, 2004:8). The application of this framework, has not led to acceleration in the development processes whilst “assimilation” has not occurred to a level that it became a force to be reckoned with.

Regan and Ruth (2007:29) are of the view that the West has always associated development with change. It was however, not always the case. According to Regan and Ruth (2007:29) the Ancient Greeks, who have influenced much of the thinking patterns of the West, argue that all things have an essential and inherent nature and that life is a matter of cycles – all things which are born and grow will eventually also fade and die.

The idea of development which emerged in Europe during the 17th and 18th centuries postulates that if you want to understand anything in a scientific form, it has to be broken down to its smallest constituent parts. In response to this idea, Regan and Ruth (2007:29) note that such an approach distorts our current understanding of things and situations because they can only and at best be understood when being studied as smaller components forming part of a larger system.

Another idea which was later used to justify modernisation was the process of colonialisation. This idea postulates that there was only a single human species which could become debased or perfected in different parts of the world. “Europeans assumed that Europeans represented civilisation and perfection, and the people in the colonies were debased forms of life; however, they could be helped or civilised” (Regan and Ruth: 2007:30).

There is no doubt that World War II has reshaped the ideologies and politics of the world. In the process to prevent the re-occurrence of conditions which led to the war, the United Nations (UN) emerged as the nodal point for global economic management and the World Bank was established to support projects that would promote economic growth and development all over the world. Regan and Ruth (2007:31) observe that, under the subtle influence of the US, there was a shift in emphasis to program support, made conditional on the capacity of governments to implement it.

Development (modernisation) has then been used as a means of justification for intervention in or prescription to individual countries. According to Regan and Ruth (2007:31) the idea of development was imbued with a particular kind of economics that assumed economic growth as an absolute necessity. In addition, development was something one agent could do to another especially in those cases where underdevelopment was seen as a natural cause-less state. The afore-mentioned implies that the world had to deal with many assumptions. It was assumed that the world is a whole entity in which there were handicapped areas. Apart from this, it was assumed that the key to success was vested in increased production and this argument meant that the role of society, control over means of production and the role of the state were downplayed. A natural outflow of this strategy was that the handicapped states could only develop if they follow the road map drafted by others, usually being regarded as superior and more advanced.

Reflecting on the theoretical outline of modernisation, the research (ideas) of Regan and Ruth, in general, corresponds with and supports the views of Moyo and Gonye (2011: 92-93).

Chant and McIlwaine (2008:31) argue that although modernisation is usually being referred to as a single theory, it is more accurately a school of thought which comprises a range of perspectives that follow the same argument namely that development is a positive and irreversible process through which all societies

ultimately pass. According to Chant and Mcllwaine (2008:31) modernisation relied mainly on two theoretical influences: evolutionary theory and diffusionist theory. Without unpacking the influences in-depth, the evolutionary theory is characterised by an emphasis on the naturalness and inevitability of social change whilst the diffusionist theory described development as a process of shifting from tradition to modernity via the spread of ideas, values and technology. On the basis of the afore-mentioned theoretical propositions, Chant and Mcllwaine (2008:33) identified certain characteristics of modernisation:

- Change of attitude among the population was vital for new innovation as well as for the rationalisation of the economy and accumulation of capital;
- Tradition and culture were seen as barriers to development;
- The industrialisation in the West should be used as a blueprint for change and progress with the impetus of growth coming from within; and
- The existence of middle class entrepreneurs acting as change agents and who would be forming the modernisation elite.

Let us summarise. There are distinct similarities amongst theorists in their explanation and defining of modernisation. Modernisation is strongly built on the pillars of the European experience of development moving from the premise that “West is the best”. It argues that economic development encourages political development. The process of development should strictly follow certain phases and ultimately the traditional societies will develop into modernity.

This section has also dealt with some of the critique on the modernisation theory, although not in great depth. It is thus important that we also approach this matter from another/different angle with the aim of ensuring balance and objectivity.

2.8. The Early Modernisation Theory

In many respects, modernity and tradition had been regarded as antithetical. A very clear distinction was made between people, values and institutions as it was either regarded as traditional or modern (Harrison, 1998:24). In the unlikely event of the two categories coming together or merging, the result could be some kind of social disturbance, thus Harrison (1988:25). At best but temporarily in nature, there would be an uneasy symbiosis in which the modern and the traditional might co-exist in a dual society e.g. the butcher could live alongside the chief – but not for long.

The early modernisation theory placed emphasis on particularly the factors internal to specific societies. According to Harrison (1988:25), structural analysts focused on the role of values and culture and especially on religion which was of prime interest. It was not normally felt that economic growth arose directly from modern values but more often than not tradition was seen as a barrier to growth. In simplistic terms it meant that values were embodied in culture and culture frequently stood in the way of development (economic growth) (Harrison, 1998:25). It then stands to reason that if the barriers to development would be removed or even minimised, growth would occur either through entrepreneurial effort within society or through the diffusion of modernity from the outside. Harrison (1998:25) made it clear that the outside was ill-defined. By implication it (the outside) was divided into two camps, namely those friendly towards the United States of America (USA) and its allies and those who wanted to involve itself with the former USSR.

Harrison (1998:25) is of the view that interest in specific groups or classes were concentrated on those considered to be “change agents”. On an individual level they were considered to be mobile personalities with a desire and drive to achieve. They were characterised as the modern. With regard to their structure, they were relatively well-educated, reasonably responsive to the media and most probably urban-based or cosmopolitan in orientation. Expanding on the idea/concept of

change agents, Harrison (1998:25) noted that in some societies individuals were drawn disproportionately from minorities, from groups less bound by tradition. Everywhere there was a need for a modernising elite, willing and constitutionally able to shape (or assist in shaping) non-rational Third World societies into a period of economic departure and beyond. The afore-mentioned perspective clearly illustrates that development was spear-headed from above.

It was the change agents who were likely to be the innovators in diffusing the new ideas obtained from somewhere. Harrison (1998:31) noted that innovation and diffusion are clearly linked, logically and in practise and it matters little whether a new culture characteristic originates within or from outside society. Those who are leading figures in implementing this trait could be regarded as innovators but also had the responsibility (or it is hoped) of being diffusers. In the early modernisation theory it was implied that ideas, technology and practices that were to be diffused in the Third World had their origin outside the Third World (Harrison, 1998:31). Aspects such as capital and institutions would be accepted by the change agent(s), then tailor-made to suit or adapt to the needs of the new cultural environmental and actively, at times diplomatically, diffused throughout society without benefits to change agents themselves.

Diffusers / innovators also known as change agents were the human mechanism through which societies were shaped and prepared to meet the challenges of modernity. According to Harrison (1998:31), it was taken for granted that change was inevitable and worthwhile and once it was launched, it would proceed with its own momentum. It was also assumed that, by allowing for differences in pre-modern societies, that the direction of change would be the same for all Third World Societies based on what has already occurred in the West. In general the Third World had been regarded as underdeveloped whilst in recent years some countries had been escalated to developing nations. As the underdevelopment theory is primarily concerned with economic growth it is important to unpack the concept within the framework of modernisation.

2.8.1. The Underdevelopment Theory

Harrison (1998:97) is of the view that development and underdevelopment are essential aspects of the same economic process and the former has been able to occur only by increasing the latter. It could be interpreted as an international application of the “image of limited good” (Foster 1965 as cited in Harrison, 1998) where the world is seen as a cake and if one group has a large slice, the others have to be content with a correspondingly smaller share.

Development, being regarded as autonomous, self-sustaining industrial growth is not an option for the Third World any longer. The world capitalist system ensures that the development potential of underdeveloped countries is blocked (Harrison, 1998:97). The world’s capitalist system started when Western nations developed trading links with non-European countries and the world was gradually and systematically incorporated into an international system of change (Harrison 1998:97). All societies, including those claiming to be socialist and those with a history of colonialism, form part of the system.

According to Harrison (1998:97), unequal exchange is at the heart of the world’s capitalist system. The afore-mentioned refers to an asymmetrical power relationship whereby one group (the developed world) has the ability to gain and maintain an advantage (at times unfair) over others in terms of trade and these disparities are clearly reflected in military and economic power.

The world is divided into two main groups of nations. On the one hand are those with economic power - “the developed” or metropolises - and on the other there are those who lack influence - “the underdeveloped” or satellites (Harrison, 1998:98). These polar opposites do not only differ in standards of living but also in economic and social structures. Harrison (1998:98) argues that there are some theorists who are convinced that an intermediate category – the partially developed or semi-

periphery – exists. Countries in the intermediate category are being exploited by the metropolises who in turn exploit the satellites.

Essentially the world is an economic system in which the primary units of analysis are institutions, which represent different sections of labour and capital. The manner in which surplus value is extracted from labour is crucial. However, it is generally accepted that capitalism in the metropolises does not solely rely on wage labour. Likewise, social classes are defined according to their position in the overall system.

Transnational companies are commonly regarded as the main agents of neo-colonialism in that they play a vital role in the transfer of surplus from the underdeveloped and partially developed to the metropolises. According to Harrison (1998:1998) the transnational companies are being regarded by world systems as the epitome of capitalism, having a disastrous effect on the development potential of the Third World and some even regard them as the prime carriers of capitalism.

Harrison (1998:99) noted that underdeveloped societies have little room to manoeuvre. When the links between the developed and the underdeveloped societies have been broken or considerably weakened, the only hope is to go it alone. Writers such as Linda Sorenson (Modernisation and the Third World, 2001), Wolfgang Zapf (Modernisation Theory – and the Non-Western World, 2004) and Guy Berger (Modernisation and Africa's emerging engagement with the Information Society, 2005) differ on how it can be achieved but it is generally accepted that a combination of self-reliance and socialism (greater cooperation with socialist countries) is a substantial part of the answer.

Apter (1965:10) is of the view that human development is at the core of modernisation. He (Apter) argues that modernisation emphasises the right to self-expression and the freedom to make choices. This self-expression leads people to demand and defend their freedom and the afore-mentioned activities generally

have an increase in political activity as an outcome. Inglehart and Welzel agree with Apter by noting that the most prominent characteristic of modernisation is that it is geared (or should be) towards human development.

According to Harrison (1998:102), modernisation and tradition were (and in some instances are still) being regarded as antithetical where people, systems and values are seen as being either the one or the other. Harrison shares the sentiments of Apter noting that change in traditional societies is not easily coming from within and an outside stimulus (or stimuli) is usually needed to initiate a process of change. Inglehart and Welzel (2005:48) note that major changes in cultural values at an individual level find reflection at a societal level.

In the process of implementing modernisation, Apter (as cited in Olivier 1984:136) is of the view that a small number of enthusiastic individuals are needed to share the sentiment of a “calling”. Harrison refers to such individuals as change agents who are relatively well-educated, responsive to the media and probably urban based in orientation. These change agents, who believe that modernisation is a process of social and economic development, generally regard culture and the traditional system as opposition and blockages to modernisation. Generally the process of modernisation leads to human development and economic growth. There are, however, no assurances that human development and growth guarantee stability.

2.9. Stability and instability during modernisation

It cannot be accepted that modernisation and stability goes hand-in-hand as a natural process. Like with any form (and implementation) of change, the possibility of instability is a reality. Harrison (1988:155) argues that any reference to modernity implies the introduction of something new with a pre-established order. In such circumstances, conflict may be experienced but it is not inevitable.

The process of modernisation usually leads to an increase in political activity and it is important that institutions accommodate such new developments. Conflict occurs when there is an imbalance between increased political activity and political institutionalisation. "Instability and conflict have nothing in common with a particular form of governance but centres on qualities such as consensus, legitimacy, efficiency and political institutionalism. It is thus the level (quality) of governance and not the form of governance, which is the determining factor" (Olivier, 1984:196).

Conflict and stability usually manifest themselves when communities are subjected to rapid economic and social change whilst political institutionalisation has not sufficiently developed to accommodate the demand/quest for increased political activity. Primary reasons for such instability are the absence of those qualities, which ensure the establishment of effective governance. According to Olivier (1984:169-170), governments in several African and Latin American countries were sabotaged through factors such as socio-economic modernisation, an increase in literacy, urbanisation and industrialisation while new government systems were not in place to address the vacuum. It is against the above background that Huntington (1979:5) noted "the rates of social mobilization and expansion of political participation are high; the rates of political; organisation and institutionalisation is low. The result is political instability and disorder. The primary problem of politics is the lag in the development of political institutions behind social and economic change".

Huntington (1979:41) is of the view that there is a complex correlation and relationship between modernisation and conflict. In explaining the correlation, Huntington (1979:41) argues that a community with a high level of modernisation will experience greater levels of stability than what would be the case in the contrary by noting that "...modernity breeds stability, but modernisation breeds instability". However, it is not the absence of modernisation, which leads to conflict, but the efforts to achieve it. Traditional communities usually experience

stability despite factors such as poverty. It is when these communities engage in efforts to become rich, that instability starts surfacing. Apart from the relationship between modernisation and conflict, Huntington (1979:49) also identified a direct connection between social mobilisation and political instability.

Processes such as urbanisation, increased levels in literacy, media exposure, which are known as social mobility, result in higher expectations and aspirations from citizens. If these aspirations are not met and/or satisfactorily addressed, the span of community involvement just becomes wider. The absence of effective institutions to regulate and manage these activities might lead to instability.

Although it might be interpreted as contradictory, economic development can also have destabilising effects. Economic development should actually contribute to address aspirations and expectations. Huntington (1979:49) explains that "... the very changes which are needed to satisfy aspirations in fact tend to exacerbate those aspirations" and provides six reasons as motivation for his views:

- Primary levels of authority are being undermined as a result of specialisation, urbanisation and the division of labour, all of which are associated with economic development;
- A new elite class (nouveaux riche) is being formed who cannot adapt to or slot into the existing governance order and it is possible that they can organise themselves into a political force aimed at changing the order;
- There is an increasing gap between the rich and the poor as the standard of living for many decreases;
- Many people experience an absolute and not a relative increase in their income and there is a growing dissatisfaction by the less privileged with the ruling order;
- An improvement in the quality of education and exposure to and by the media leads to higher aspirations and expectations to a level where no satisfaction can be provided; and

- There is a formation of groups on a sophisticated basis, which strengthen the registering of demands to the authority – demands which usually cannot be met by the authorities.

Huntington (1979:50-51) also quoted incidents where rapid economic growth did not have any relationship with political instability such as the post-World War 2 period in Japan and Italy. Expanding on the relationship between rapid economic growth and political instability, Huntington stated that countries such as Honduras and Argentina had no (even negative) economic growth and still many people lost their lives in civil unrest.

One of the problems being experienced by people in the transitional phase is that economic development and social mobilisation takes place at a different tempo, which results in a gap between aspirations and the satisfaction thereof. The relationship between political instability and social frustration is a complex phenomenon and there are two variables which have a direct influence on this relationship, namely upward economic and social mobility as well as adaptable political institutions. Huntington (1979:49) argues that the extent of instability (the level in which it will manifest) is determined by the nature of economic and social structures in communities. From the above it is clear that the process of transition has its unique problems and challenges. The success of the transition largely depends on the modus operandi in managing the process.

2.10. Pre-requisites for successful transition

The transition from an old to a new system is accompanied by unique problems and challenges. The manner in which these challenges are being managed is crucial in determining its outcome. Huntington outlines the following strategies through which success can be achieved.

2.10.1. Setting up and developing effective government

Huntington (1979:7) noted that in modern societies, the limitation of government power and the distribution of power are priority issues within constitutional thinking patterns. However, the afore-mentioned is almost irrelevant in communities in the process of modernisation. The primary problem in modernisation states is not the achievement of freedom/liberty but the establishment of a solid legitimate order. Huntington (1979:145) is of the view that "...men may have order without liberty but they cannot have liberty without order." Naturally power has to be established before it can be limited. Power/authority is a scarce phenomenon in those modernising states, which are at the governing mercy of unruly students, intellectuals and colonels with their own agendas. Apart from establishing a strong government, it is of utmost importance that effective governance is also ensured. Ahrens (2006:7) argues that governance should focus on the quality of public policy as well as its impact on economic performance and transformation. In respect of the afore-mentioned, the state should be the most powerful actor due to its institutions for enforcement and coercive power.

According to Huntington (1979:142) the consolidation/concentration of power is an important pre-requisite for successful modernisation. It is however, important that political and economic reform as an initiative of government precedes the process of modernisation. In order to successfully implement reform, traditional aspects and institutions which are vested in society should be adjusted, changed or even destroyed. Without the concentration and consolidation of power, efforts of reform will almost be fatal. Modernisation implies thus a marked redistribution of power within the political system: the breakdown of local, religious, ethnic and other power centres and the centralisation of power in national institutions (Huntington, 1979:142).

Modernisation does not only require a change in respect of the distribution of power within a political system. It also requires an adjustment in the totality of power available to the political system. Political power can only be limited once it had been created. Instability and coups are familiar occurrences in those

underdeveloped political systems, which do not have integrated and adequate power systems and rebels find it easy to take control of government and governance. The problem in politically weak modernisation communities is not to take over power in a violent manner but to establish power. Huntington (1979:145) argues that power is created when new mobilised groups are taken into the system and when their political activity is effectively organised and institutionalised. Accommodating the newly formed groups in the system is a time-consuming process and managing crisis is a natural by-product of such an activity. Against the background of what had been highlighted, Huntington (1979:145) noted that modernisation is characterised by the concentration of power, the expansion of power or the dispersion of power.

2.10.2. The role of civil society

Bratton (1994:11) argues that civil societies have a crucial role to play in the consolidation of democracy and "... at a concrete level, civil society is the arena of voluntary associational life. It is through civil society that people participate in politics and development. According to Bratton (1994:11) the reinvigoration of civil society as a mobilising force for democratic governance can serve a major item on the transition and post-transition agenda.

The Geneva Centre for Security Policy (2012:7) notes that civic organisations can play a significant role in the strategic thinking by being part of debates and discussions surrounding key issues. Furthermore, the involvement of civil society in negotiations with the state on issues of common interest might help to develop positive interactions and build mutual trust. According to the Geneva Centre for Security Policy (2012:11), the relationship between the political sphere and the civil society sphere, is a key factor during any process of transformation.

2.10.3. The establishment of effective institutions

One of the pre-requisites for nation-building is that a genuine sense of belonging should exist between diverse groupings. Successful nation-building depends firstly on the horizontal integration of diverse cultures and secondly on the vertical assimilation of economic and social strata. According to Olivier (1984:177), any political community depends on consensus juris and utilitatus communion for longevity. However, Huntington adds a third dimension focusing on the crucial role of institutionalisation. Huntington is of the view that solid institutions are essential and the quality of institutions will mirror the quality of communities "... the institutions are the behavioural manifestation of the moral consensus and mutual interest" (1979:10). Ahrens (2006:6) argues that it is not necessarily the regime type which is the key to successful transitions. The quality of institutions and their interplay has proven to be crucial determinants for transformation and in particular economic transformation.

Apart from Huntington, many other theorists wrote extensively on the modernisation theory whether ranging from supporting the concept or from a critical-analysis perspective. The next section reflects two of these theoretical inputs.

Tipps (1973:199) remarks that while individuals may differ on how the phenomenon should be conceptualised, both the critics and advocates of the concept tend to assume the basic utility of the idea modernisation itself. According to Tipps (1952:201) the task of identifying characteristic features of modernisation is quite complicated. "The heterogeneous meanings which have been attached to the concept of modernisation embody a wide range of substantive interests, levels of abstraction and degrees of attentiveness to definitional problems". By making an analysis of the inputs by Apter and Huntington as being presented in the proceeding section, it is clear that modernisation is a multifaceted process which involves every area of human activity. Tipps (1973:201) therefore argues that the concept modernisation is a "summarizing" rather than a "discriminating" one. As a result of its multifaceted nature, the study of modernisation has focussed on

different levels from the individual to the international unit. Amongst these levels, the national territorial state is for Tipps of critical theoretical importance. He argues that whatever the conceptualisation, whether it is economic growth or political development, each component should be viewed as representing a source of change operative at the national level. Tipps (1973:202) conclude that theories of modernisation are fundamentally theories of the transformation of national states.

The modernisation theory has dominated the social science during the 1950s. Despite the afore-mentioned, Knöbl (2003:96) states that no canonical text exists which express all the hypothesis of the theory neither has any author dominated the entire debate. In fact it seems as if modernisation was simply a bundle of hidden, though decisive theories in the minds of social scientist who tried to link empirical research to several historical and social process. Knöbl (2003:96) is of the view that the afore-mentioned makes it extremely difficult to talk about a proper modernisation theory as there were neither “true believers” nor “aggressive renegades”. According to Knöbl (2003:96) the modernisation theory tried to conceptualise the development of societies initially focussing on the relationship between culture and economic progress, then between culture and political development and finally between economic growth and democracy. He regards the modernisation theory in the 1950s and 1960s as problem-solving exercise without a happy end and describes the so-called revival of modernisation since the 1980s as a case of old wine in new bottles.

Huntington is widely known for his contributions towards the study of political change in traditional societies and has shown great interest and insight into the relationship between political participation and political institutionalisation. As an outflow of this interest Huntington (1979: 12-21) developed certain criteria on which institutionalisation can be defined as a process in attaining value and stability. The study does not intend to compare, analyse and evaluate the work of Huntington but use it on the basis of its unique contribution to the field of study.

2.11. Criteria for political institutionalisation

2.11.1. Adaptability

It has been argued that the greater the level of adaptability within an organisation, the greater the level of institutionalisation. However, the opposite is also true. An institution with a low/limited level of adaptability will reflect a low/limited level of institutionalisation. The level of adaptability of an institution could reliably be measured by its age of which the following criteria can be used as a yardstick:

- **Chronological age:** The afore-mentioned implies that the longer an organisation is operational, the higher the level of institutionalisation will proved to be. Furthermore, it stands to reason that the older an organisation, the better its chances for continued existence becomes. Effective and solid political institutions do not develop and become established overnight. Such a development is a slow process as opposed to the much quicker pace of economic development.
- **Generative age:** This is a reference to the leadership or management generations, which were at the helm of an organisation since its inception. If the original leadership structure (individuals/officials) is still in place, the flexibility of the organisation has to be questioned. However, the level of institutionalisation would have increased if the organisation could survive amidst the replacement of old leaders with new ones
- **Organisational adaptability:** Any organisation which can adapt to the ever-changing environment in relation to its core function(s) would certainly have a high level of institutionalisation. The functional age of an organisation is measured against its functional adaptability which means that an institution is able to perform different functions under different circumstances (e.g. moving from the role of opposition to that of governance).

2.11.2. Complexity

The more complex the formation and organisational structure of a body, the higher the level of its institutionalisation. This aspect has reference to the co-existence of a variety of subsystems whether on hierarchical or functional level. Any political system which depends for its future existence on one person is doomed to fail. Such a structure usually does not have functional mobility and its life-span is short.

2.11.3. Independence

The level of institutionalisation can also be measured in terms of the degree of independence/dependence between political, social and economic groupings in a community. In a highly developed political system, the degree of independence is usually much higher than in the case of an under (less) developed political system. Political institutionalism, with reference to autonomy, refers thus to a situation where institutions and procedures do not function according to the rules and /or agenda of a specific social grouping. Any political institution which serves as an instrument of a specific group or class cannot claim any independence and does not have a high level of institutionalism.

2.11.4. Unity and cohesion

The level and degree of institutionalism is indicative of the unity and cohesion in an institution. If an organisation experiences solid unity and cohesion, the level of institutionalism would be high. Unity and cohesion can be achieved through the creation of consensus by all members in respect of the goals and objectives of the institution. Consensus, unity and cohesion are important factors especially in times of crisis when the continued existence of the entity is under threat.

From the above it is very clear that a continuous balance between political participation and political institutionalisation serves as a pre-requisite for stable

modernisation. Huntington (1979:398) is of the view that instability occurs in those communities where the level of political participation supersedes the level of institutionalism. The most important mechanism, through which increasing political participation can be managed and organised, is the political party.

Olivier (1984:180) noted that political parties should develop whilst the level and extent of participation is relatively low. Such a step will prevent the destabilising effect of greater social and economical mobility. In general agreement with Olivier, Huntington (1979:399) argues that the best option is to give attention to problems of political organisation and institutionalism at the earliest stages possible as it will ensure a smoother and less destabilising modernisation process. Huntington furthermore emphasised the imperative role of political parties underlining the need for strong political parties/systems as poor systems might create opportunities for corruption, instability and the exploitation of national resources. In addition, strong political parties can serve as a nodal point through which over-arching interests and loyalties can be accommodated.

In line with his argument about the necessity for the concentration of power in the infancy stages of political modernisation, Huntington (1979:422) states that a one-party political system is best suited to ensure stability during the transitional phase. He (Huntington) based his views on the belief that one-party systems tend to be more stable than pluralistic party systems. However, the one-party system as is the case with multi-party systems, do not offer long term solutions for political stability, Huntington favours the dual party system (and to a lesser extent the dominant party system) which is more realistic and closer to the ideal situation. The afore-mentioned status provides a better balance between political parties and various social groupings actively involved in political life.

Olivier (1984:189) in his critique notes that Huntington is silent about the how and why of institutionalisation and except for organising and structuring, he does not mention any other functions which have to be dealt with in the modernising state.

The researcher is of the view that modernisation has been sufficiently unpacked in relation to the broader framework and objectives of this study.

2.12. Conclusion

Several states, who gained independency, have opted for political transformation as a mode of change to establish a new political system. It would certainly not be unreasonable to accept that a decision to embrace the route of political transformation was taken after an analysis has been made of all the other options (e.g. revolution, adaptation, evolution) at their avail.

Political transformation refers to a specific mode of change. It represents a rapid, progressive and comprehensive process in which the core of society is fundamentally changed. Like in the case of almost any kind of change the old (former) state or condition is replaced by a visible and notably new one. When one refers to political transformation the core aspect of change is naturally implied and/or implicated.

The unique characteristics within the process of political transformation are vested in its reactionary and progressive nature. In addition, this process manifests rapidly, is non-violent and at its heart is the fundamental change of society.

Change should ultimately result in a situation where the old (or existing) state, condition or circumstance is altered and replaced by a notable and visible new one. Political transformation and modernisation are not processes on their own and have an integral inter-connectivity as both processes are agents of change.

In the historical sense, modernisation depicts that economic development encouraged political development and that the two are necessarily compatible. The new openness being brought about by modernisation fosters, amongst

others, urbanisation and the disintegration of traditional systems. Although modernisation had been used as similar to political development, modernisation refers to a systematic, on-going and goal-driven application of human efforts to establish rational control of its physical social environment – it is a process of human development aimed at building lives on the pillars of automatic choices.

Since the inception of the modernisation theory, it was subjected to severe forms of criticism in particular from theorists in Africa. The critique was based on several aspects such as the cultural basis and one-fits-all approach of modernisation.

Huntington underlines the strong relationship between modernisation and conflict. Instability and conflict usually occur when communities are subjected to rapid economic growth and social change whilst the political institutionalisation had not sufficiently developed to accommodate for the increased political activity. The degree of stability is highly dependent on the levels of institutionalisation, its solidity and sophistication. Institutions are established and managed by people. In the process of transition, several administrative and operational loopholes are identified and exploited. The afore-mentioned usually leads to corruption, or the existing acts of corrupt behaviour gain momentum and usually spiral uncontrollably with cancerous effects.

Political transformation, development and modernisation are complex issues and it is unlikely that any specific theoretical model theory will and could be applicable everywhere. Several theorists have argued that the newly found freedoms brought about by economic and political development, has paved the way for corruption. As with the case of political transformation it is thus equally important that a theoretical framework of corruption is set out inclusive of the causes and consequences of the phenomenon. The afore-mentioned will be collated in the next chapter.

CHAPTER 3

DEFINING AND ANALYSING CORRUPTION

3.1. Introduction

Corruption is a worldwide phenomenon and it has been with every kind of society throughout history. Although corruption manifests more in some countries than in others, it spans over colour, creed and culture. Furthermore, corruption does not discriminate against rich (developed), poor (underdeveloped) or developing countries as its objective of destruction remains the same everywhere.

Through the process of unpacking the concept of corruption, one discovered that it is an enormously rich term. The concept has been described and defined by many theorists and scholars in a vast array of literature and it has been discussed at many symposia, summits and conferences. As a result of its widespread coverage, the concept attracts different meanings from different people in different circumstances.

It is important to understand corruption in line with the objective of this research, which aims to determine whether a relationship exists between transformation and corruption. The first part of this chapter attempts to gain a clear understanding of corruption by presenting the views of several theorists on the one hand and pieces of legislation on the other hand and these inputs are collated to reach a more encompassing definition.

As a result of perceptions and interpretations, corruption has been misconstrued and confused with other types of criminal behaviour. It is quite possible that corruption may occur parallel and in conjunction with other forms of illegal activities. However, the objective(s) of corruption is very clear and it becomes evident in the forms (types) of corruption outlined as part of this chapter.

There is sufficient evidence supporting the fact that corruption does not occur as a stroke of magic. Corruption is an act of human behaviour and this code of conduct is as a result of several triggering factors which are presented in this chapter as causes of corruption. At best corruption always has a negative influence on almost every sphere of society and at its worse, it leaves a trail of devastation. By providing an overview and examining the major consequences of corruption, attention will be drawn to its negative role, influence and impact across every sphere of society.

There is a vast amount of empirical evidence which suggests that the global dimension of corruption does not have to be proven anymore. However, conditions are very pervasive in developing and transitional states. Despite many arguments aimed at providing explanations for this state of affairs, it can merely be ascribed to the prevailing conducive environments.

In relation to the preceding description, the increase in corruption in those countries which are in the process of political transformation (or which have undergone such a process) has led to the argument that a relationship exists between the process of change and the manifestation of corruption. On the basis of the definition and explanations of corruption provided in the theoretical framework, this chapter also tries to determine if such a relationship is real or just a perception. Against the backdrop of the above, the next section presents a framework in the quest to define corruption.

3.2. Definition of corruption

The rich body of literature on corruption has proven that it is a concept/ phenomenon which is difficult to define. According to Stachowicz-Stanush (2010:36) the difficulty in defining corruption is rooted in the reality that it can be analysed on different levels and its variants have been studied across a number

of disciplines which include psychology, economics, law as well as political science with the use of various political perspectives.

Within its historical context, corruption is derived from the Latin word “corruptus” which means corrupt, involving images of evil. In its etymological sense, corruption is derived from the Latin concept “corrumpo” which means to decompose, to disintegrate, to lose value to become putrid and useless.

The Shorter Oxford Dictionary defined corruption as “the destruction or spoiling of anything, especially by disintegration or decomposition. Making or becoming morally corrupt; the fact or condition of being corrupt; moral deterioration; depravity, perversion of integrity by bribery or favour; the use or existence of corrupt practices and/or the perversion of any from an original state of purity” (Ladikos, 1999:29). The Collins Essential Dictionary defines corruption as “... dishonesty and illegal behaviour by people in position of power” (Anon, 1995:173). The Advanced Oxford Dictionary defines corruption as “an act of dishonesty or an illegal behaviour aimed at using public office for one’s private gain” (2000:261).

In an attempt to provide a definition for corruption, the Public Service Anti-Corruption Strategy (PSACAS) highlighted some of the difficulties being encountered by the United Nations Office on Drugs and Crime (UNODC) and the Department of Public Service and Administration (DPSA) in their efforts to formulate a suitable definition. The UNODC and DPSA state that corruption appears in permutations and degrees of intensity varying from the occasional acceptance of bribes to a systematic process where bribery is accepted as “normal business practise” and “...massive looting of a country’s resources...” (2003:28). The PSACAS further argues that whilst the identification of corruption seems relatively easy, varying perspectives make it difficult to identify and to develop remedies, is even more complicated. As a result of this wide scope of perceptions and approaches, the PSACAS developed its own working definition

of corruption as:

“...any conduct or behaviour in relation to persons entrusted with responsibilities in public office which violates their duties as public officials and which is aimed at obtaining undue gratification of any kind for themselves and others” (UNODC and DPSA, 2003:28).

Caden, Dwivedi and Jabbra (2001) have the following viewpoint regarding corruption:

“Official corruption ... thrives on darkness and invisibility. It is anonymous and immeasurable. It is rooted in the very human vices of greed and lust for power through wealth ... (defying) ... normal approaches to definition and measurement ... Corruption is colourless, shapeless, collusive, secret, stealthy and shameless. Even when it becomes pervasive, it still retains these qualities.”

According to Van der Merwe (2001), corruption is generally to be understood as the abuse of public power for private gain. In general it might seem as if it is a problem related to the public sector but it is in reality a much wider problem and any study dealing with this aspect should take the wider implications into account. Van der Merwe (2001) furthermore argues that the abuse of public power can be viewed in two inter-related dimensions namely, the behavioural (micro/petty) or the structural (macro). Actions and attitudes are located in the behavioural dimensions where it is committed by individuals or groups via bribery, fraud, extortions and other forms of corrupt behaviour. The aforementioned dimensions receive the bulk of attention in the judicial and administrative processes. However, the systematic dimension includes social, economic structures and processes of corruption. The systematic abuse of power refers to a culture or a system (Van der Merwe, 2001) and in this domain you would find typical statements like “this is the way things are” and in a sense “the

system allows things to happen". The behavioural and systematic dimensions of corruption intersect. However, corrupt behaviour is not only the result of systematic corruption – individuals make conscious decisions.

Levin (2001) notes that the description - abuse of office for public gain - has developed into the universally accepted definition of corruption. Van der Merwe and Levin agree that the difficulty attached to their respective definitions is that they down play and even ignore the role of patronage and underestimate the extent to which corporate gain motivates acts of corruption.

Camerer defines corruption as "... the violation of formal rules governing the allocation of public resources by officials in response to offers of financial gain or political support" (2001).

Edwards (2001:1) described corruption as a cancer that needs to be cured. This medical metaphor being used by Edwards is very pertinent. It would certainly not be unfair to accept that the metaphor is derived from the fact that cancer takes on many forms and it often leads to the destruction of the entire organism. One should however not lose sight of the fact that in many instances it (the cancer) can be prevented and even overcome.

Lodge (1998:158) identified and made a distinction between different kinds of corruption. Lodge defines political corruption as the unsanctioned or unscheduled use of public resources for private ends (1998:158). Political corruption could furthermore be described as a method of exploitation through which a certain sector of the public sphere is exploited as if it was part of the market sphere. According to Lodge (1998:158), political corruption is located within the institutions of government involving intentionally dishonest acts. With reference to bureaucratic corruption also known as administrative corruption, Lodge (1998:159) notes that the habitual extortion of bribes by junior (minor) officials is

a well-known example whilst grand corruption encompasses the large scale misuse of public resources by senior civil servants and politicians.

Robinson (1998) considers three types of corruption, namely incidental or individual, institutional, and systemic or societal. Incidental corruption compares with petty corruption (see Figure 3) whereas systematic corruption would be closely associated with fraud or grand corruption. It is being argued by Robinson that systematic or entrenched corruption describes a situation where major institutions and processes of the state are routinely dominated and used by corrupt people and where citizens have few practical alternatives in dealing with corruption. This type of corruption features primarily in societies which are characterised by low or no political competition, low and uneven economic growth rate, a weak civil society and absence of institutional controls.

According to Baqwa (2000:23), corruption refers to dishonest or the preferential use of power or position which results in one individual or organisation being advantaged over another: "It involves the breach of public trust and promotes exploitation of individuals by public officials". Baqwa (2000:23) places his views into perspective by cautioning against a false sense of belief that the private sector is free of corruption.

Asforth *et al.* (2008) argue that corruption is generally associated with unethical and antisocial, dysfunctional deviance, organisational misbehaviour and counterproductive work behaviour. The focus on behaviour clearly suggests that corruption also involves strong elements of ethics and morality, an aspect which will be discussed in chapter 4.

The Corruption Act, 1992 (Act 94 of 1992) defined corruption as the abuse of power for illegitimate or illegal gain or profit. The following criteria should however be met to make such a definition valid and justifiable:

*“... there must be an offer and/or receipt or benefit
the benefit must be legally due
it must be for a person holding office
the purpose of which the profit is given and/or received must be to
influence a person in the exercise of his/her power to do or not to do
something...” (UNODC and DPSA (2003:28).*

From the above definition and its pre-conditions, it is thus very clear that the benefit does not necessarily assume a monetary form, but could also be payment in kind. Bauer (2004:2) notes that payment can take the form of an all-expenses paid holidays, free hunting/fishing trips and excessive discounts or free services, to name but a few. In addition to the definitions and explanations provided by theorists, corruption has also been described in the law manuals and statutory books and for the purpose of this document, reference is only being made to the South African context.

The statutory definition of corrupt activities relating to public officials in South Africa is found in Chapter 2 Section 4(1) of the Prevention and Combating of Corrupt Activities Act, no. 12 of 2004:

4(1) Any-

(a) public official who directly or indirectly, accepts or agrees or offers to accept any gratification from any other person whether for the benefit of himself or herself or for the benefit of another person; or

(b) person who, directly or indirectly, gives or agrees or offers to give any gratification to a public officer, whether for the benefit or another person to act, personally or by influencing another person to act, in a manner-

(i) that amounts to the -

(aa) illegal, dishonest, unauthorised, incomplete, or biased; or

- (bb) *misuse or selling information or material acquired in the course of the exercise, carrying out or performance of any powers, duties or functions arising out of a constitutional, statutory, contractual or any other legal obligation;*
- (ii) *that amounts to –*
- (aa) *the abuse of position of authority;*
- (bb) *breach of trust; or*
- (cc) *the violation of a legal duty or a set of rules;*
- (iii) *designed to achieve an unjustified result; or*
- (iv) *that amounts to any unauthorised or improper inducement to do or not to do anything,*
is guilty of the offence of corrupt activities relating to public officers.

Now that we have outlined the theoretical framework of corruption and gained insight into some of its definitions, it would be appropriate to focus on some typologies of corruption. Against the backdrop of the wide range of definitions on corruption, it is clear that there is no universally accepted definition of corruption and the same argument is also valid in relation to the typology of corruption. Theorists and researchers on corruption have elaborated multiple categories and classifications of which some are indicated below:

Corruption typology of Heidenheimer

Heidenhamer (1989:149) distinguishes between three different types of corruption:

- *White corruption:* Corrupt behaviour is being treated with toleration. This type of corruption is typically the case in traditional family based systems as well as in patron-client systems.

- *Grey corruption*: Corruption is seen as reprehensible in relation to public moral standards but the affected persons are not conscious about the wrong deeds.
- *Black corruption*: In this case corruption is being regarded as a severe violation of community ethical/moral and legal norms. This is characteristic for modern democratic societies.

Corruption typology of Aleman

According to Aleman (1995) corruption in societies is inevitable and being part of the informal politics it ranges from a grey area of informal agreements to a black area of illegal and unlawful activities. In his typology, Aleman (1995) proposed the following types of corruption:

- low level corruption;
- top level corruption;
- petty corruption;
- routine corruption; and
- aggravated corruption.

Corruption typology of Skogan and Mears

- Proactive vs reactive; and
- Personal gain vs organisational gain (“noble cause” of corruption).

The Corruption typology of Pedersen and Johannsen is provided in the table below:

TABLE 3: A typology of corruption based on actor categories

		The purchaser	The provider
Petty Corruption	Day-to-day corruption	Individual citizens	Individual providers of public service – health personnel, police
	Administrative malpractice	Individual economic actors – firms etc.	Public control and licensing agencies
Grand corruption	Political state capture	Collective economic actors – interest organisations. Individual economic actors	Politicians – individuals and political parties.

Source: Pedersen and Johannsen (2008)

Before we proceed, let us pause here for a while and allow a few moments for a theoretical reflection.

Corruption is a highly complex and diverse phenomenon which takes on many manifestations and it would be futile to regard it as a single concept, form or incident. This illegal activity is in context, influence and impact certainly much more than fraud and bribery while it relates to various forms of mismanagement and mal-administration. It is almost impossible to know the true nature and extent of corruption since it is a nefarious secretive activity that in its most direct form occurs between two consenting parties and is often referred to as a “victimless crime”. There is no doubt that corruption is an intentional act with the public official fully aware of the entire scope and limitations of his/her duties but prefers to neglect or mis-perform them in order to obtain some personal gain.

It is an act(s) deliberately undertaken with the intent of deriving personal and/or private rewards.

In essence one would agree with the generally accepted definition that corruption is the **ABUSE** of **POWER** for **GAIN**. Such abuse has its origin in a particular person/office in which extraordinary power is vested in return for gain in whatever form. Contrary to popular belief, the gain as a result of corruption does not necessarily refer to money and the rewards could include exerting influence towards a particular context such as an appointment.

Corrupt actions have spiralling effects, continuously infecting areas under its web but also other sectors not being contaminated. According to Bauer (2004:10), corruption is like a disease that thrives on the human vices of greed, a lust of power through wealth. The Lima Declaration (as cited in Van der Merwe: 2001) stated that:

“... corruption erodes the moral fabric of every society; violates the social and economic rights of the poor and the vulnerable; undermines democracy, subverts the rule of law which is the basis of every civilized society; retards development; and denies societies, and particularly the poor, the benefits of free and open competition”.

In order for us to detect/identify any manifestation of corruption it is important to have a clear understanding of the different types of corruption and how it manifests.

3.3. Forms (types) of corruption

Acts of corruption are not limited to a specific grouping. Bauer (2004: 3) is of the view that acts of corruption which are associated with public officials can also be associated with political office-bearers and vice-versa.

The Public Service Commission (PSC) noted the following as common forms of corruption:

- **Bribery:** Receiving a benefit that affects the decision of a public servant.
- **Fraud:** Actions by a public official to trick another into providing a benefit that should not accrue to them.
- **Embezzlement:** Theft of resources by a person entrusted with their control.
- **Extortion:** coercion of a person into providing a benefit.
- **Abuse of power:** use of a vested authority to improperly benefit another party.
- **Conflict of interest:** acting or failing to act on a matter in which the public official has an interest to ensure a benefit is received.
- **Insider trading:** use of information to provide an unfair benefit.
- **Favouritism:** the provision of a service according to personal affiliation.
- **Nepotism:** ensuring that family members receive advantaged consideration (2002:22).

According to Vargas-Hernandes (2010:139) **political influence** and **state capture** are also common forms of corruption.

Each of the components mentioned above will now be unpacked together with reference to applicable examples of its realisation.

3.3.1. Bribery

According to Masri (2006:6), bribery is a payment, in money or in kind, that is given or taken in a corrupt relationship. In explaining bribery more in-depth, Masri (2006:6) notes that a bribe is (or could be) a fixed sum, any favour in money or kind or a certain percentage of a contract usually paid to a state official who is in a position to make contact on behalf of the state or otherwise distribute benefits

to individuals, businessmen and clients. These are payments, demanded or needed to speedup matters, make it progress more swiftly and/or favourable through the government bureaucratic machinery. Bribery according to the United Nations (UN) (2000:4) is the essence of corruption. In defining bribery, the UN (2004:24) agrees with Masri and added that bribery is an offer of money or favours to influence a public official. Corporations and business people can use bribery to buy political favours, buy protected markets and monopolies and escape the burden of taxes and required regulations. Matsheza notes that bribery "... refers to consideration, giving an inducement to influence conduct in one's favour, contrary to standing procedures and regulation" (2007:3). In a research paper by the Uganda Debt Network (UDN) (2009:2) on the fight against corruption in Uganda, bribery is being explained as an act of offering somebody money or other goods for the purpose of persuading him or her to do something in return. Transparency International (TI) Business Principles for Countering Bribery defines bribery as follows: "The offering, promising, giving, accepting or soliciting of an advantage as an inducement or an action which is illegal or a breach of trust (2009:3).

The Lesotho Highlands Water Project has been designed to divert water from the Orange River to the urban and industrial Gauteng region in South Africa through a series of dams and tunnels blasted through the mountains. According to Winbourne (2002:19), a huge corporation scandal was exposed in April 1999, which involved the Chief Executive Officer of the Lesotho Highlands Water project and twelve of the biggest dam-building companies in the world. The companies, of which Acres International of Canada, Sogreah in France and Impregilo of Italy formed part, were accused of paying bribes to win lucrative dam-building and engineering contracts. Winbourne (2002:19) notes that the CEO was convicted of 13 counts of bribery in November 1999 and sentenced to 18 years in prison for taking more than \$2 million in bribes over a period of ten years.

The match fixing case of a German national-league football referee is another

classic example of bribery showing that sport, as part of broader society, is not immune to corruption as illegal activity. TI (2008:6) reported that the referee admitted to fixing matches in 2003 and 2004. The official received \$50 000 and a plasma TV to fix four matches by inventing penalties and sending off a player, who had complained. The investigation revealed that the referee acted on behalf of three Croatian brothers who paid him to rig matches. According to TI (2008), the Berlin state court found the match-official guilty of fraud and sentenced him to 29 months in prison and the mastermind of the scheme was also convicted for fraud and sentenced to 35 months in prison.

3.3.2. Fraud

In essence fraud is an economic crime that involves some form of trickery or deceit. Masri (2006:6) points out that fraud involves manipulation or distortion of information, facts and expertise by public officials who seek to draw a private profit. Fraud takes place when a public official responsible for carrying out tasks and orders assigned to him/her by superiors, manipulates the flow of information in order to gain a private benefit. The UDN is of the view that fraud covers both bribery and embezzlement whilst agreeing with Masri that it is an economic crime with some kind of deceit. The Black's Law Dictionary (as cited in Vona, 2006:1) defines various types of fraud under the categories of actual fraud, criminal fraud and bank fraud:

“Actual fraud is a concealment or false misrepresentation through a statement or conduct that injures another who relies on it in acting.

Criminal fraud refers to fraud that has been made illegal by statute and that subject the offender to criminal penalties such as fines and imprisonment.

Bank fraud – The criminal offence of knowingly executing or attempt to execute, a scheme or artifice to defraud a financial institution or to obtain property owned by or under control of a financial institution by means of a false or fraudulent pretence, representation, or promise.”

Whether actual fraud, criminal fraud and bank fraud are under the spotlight, it is clear from the descriptions that such actions are an intentional perversion of the truth inducing another party to part with something of value. TI (2009:12) reports that during the Ukrainian presidential elections of 2004, reports of election-rigging (e.g. voter intimidation and ballot box stuffing) led to the annulment of the winning candidate's victory and following the run-off, independent monitors declared the opposition leader as winner.

3.3.3. Embezzlement

In the handbook for prosecutors and investigators, the UN (2004:26) refers to embezzlement (also theft) as cases in which property is taken by those to whom it was entrusted. It furthermore explains that embezzlement involves the taking or conversion of money and other valuable items such as property by those who are not entitled to them but who have access to it by virtue of their position, employment and access. The TI (2009:10) defines embezzlement as follows: "When a person holding office in an institution, organisation or company dishonestly and illegally appropriates, uses or traffics the funds and goods they have been entrusted with for personal enrichment or other activities". According to TI (2009:10), the former chairperson of the Hyundai Motor Company was convicted in 2007 of embezzling \$110 million from company funds, a portion which was allegedly used to pay off politicians and government officials.

3.3.4. Extortion

Extortion is yet another type of corrupt behaviour in which one person coerces another to pay through money, favours or goods for an action. According to the UN (2009:27), extortion relies on coercion to induce cooperation, such as threats of violence or the exposure to sensitive information. Concurring with the description of the UN, the TI (2009:11) defines extortion as an "act of utilising

one's access to a position of power and knowledge, either directly or indirectly, to demand unmerited cooperation or compensation as a result of coercive threats". The act of extortion may be committed by a public official but he/she can also be a victim of it. Individuals seeking favour can extort payment from an official by making threats such as the revealing of sensitive information. In some cases extortion may differ from bribery only in the degree of coercion involved. TI (2009:11) reported that a member of the Tamil Tigers separatist group was deported from Canada after he used violence and intimidation to extort money from Sri Lankans living in Canada to support the group's military campaign and activities at home.

3.3.5. Abuse of power

Encyclopedia.com defines the abuse of power as the improper use of authority by someone who has that authority because he or she holds public office. Abuse of power should also be seen as the improper use of trust, confidence and influence placed in an individual. The Stanford Case in the American Health Care system serves as a typical example of the abuse of power. Poses (2003) notes that a former chairperson of the Psychiatry Department at a well-known hospital gave talks, wrote articles and led government research grants on Mifepristone as a treatment for depression. According to Poses (2003), the doctor simultaneously sat on the board of directors as well as the scientific advisory board and held three million shares of a company that sought to get approval to market Mifepristone as a treatment for depression.

3.3.6. Conflict of interest

Kanyane (2006:79) refers to the concept "conflict of interest" as an area that is sometimes poorly understood. The PSC views conflict of interest as the fact of "acting or failing to act on a matter in which government officials have an interest to ensure a benefit is received" (2003:22). According to McDonald (as cited in

Kanyane 2006:79), a conflict of interest refers to a situation in which an individual has a private and personal interest sufficient to influence the objective exercise of his or her official duties. In short, a conflict of interest occurs when the private interest of a government employee (or any other employee) clash or coincide with the public interest. In placing the conflict of interest under the spotlight, Kanyane (2006:15) observed that the Democratic Republic of Congo (formerly known as Zaire) was shell-shocked by former President Mobuto Sese-Seko, who in his period of thirty years in office, pursued selfish interest by virtually diverting between \$50 and \$70 million a year from the Bank of Zaire to personal accounts in Europe.

3.3.7. Insider training

This process involves the use of information secured during an official's course of duty. Matsheza (2007:4) states that the information is then leaked to companies competing for tenders, only alluding to one example. The information is also being used in areas such as the stock exchange, giving one party an unfair advantage over the other. According to Lieberman (2010:1), the internet giant Google announced earlier this year that it was the victim of a sophisticated attack from China which was designed to break into the accounts of political dissidents hosted by the company. Google further reported indications that some of its employees intentionally or unintentionally assisted in making the attack possible.

3.3.8. Favouritism / nepotism

The aspect of nepotism and favouritism should be carefully approached particularly within the African context. Bauer (2000:19) is of the view that corruption is even more complicated by the conflict of values and norms as they differ from culture to culture. These values and norms are very influential forces in day-to-day African life as they are determining factors in who gets appointed, who gets promoted and who wins government contracts to cite a few examples.

The unlawful discrimination against or favouring of individuals can be based on a wide variety of characteristics such as race, religion, political and other affiliations as well as personal and/or other relationships. It could justifiably be argued that the afore-mentioned ultimately breeds nepotism and favouritism.

Having said the above, one should focus on a broader accepted and structured definition/explanation of nepotism and favouritism. The concepts favouritism and nepotism are used interchangeably on the basis that the meaning of the one concurs and compliments the other. According to UDN (2009:2), favouritism means the granting of positions and/or benefits to relatives and friends regardless of their abilities. The UDN (2009:2) views nepotism as a special form of favouritism. Favouritism occurs when officials favour relatives or friends and will for example, nominate them for prominent positions. The UN agrees with the differentiation being made by the UDN and states that nepotism takes place when officials favour relatives or friends for positions in which they (the officials) hold some (or sole) decision-making authority.

Lodge (2001:66) reported that a former MEC for Education in Kwazulu-Natal was dismissed in August 2000 for appointing a poorly qualified relative to the position of deputy director-general in his department. The afore-mentioned could be seen as a typical act of nepotism on the one hand and an endorsement of meritocratic appointment principles by political leadership on the other.

Expanding on the forms of corruption, Arora (1993) differentiates between three types – collusive, coercive and non-conjunctive.

In the case of collusive corruption, the corruptees are willing and personally involved by using corruption as an instrument for inducing action or inaction on the part of the authorities and by so doing, derive benefits greater than the cost of corruption.

Coercive corruption takes place when the activity is forced upon the corruptee by those in a position of power and authority.

In non-conjunctive corruption, benefits are obtained at the cost of someone else and the victims are unaware of their victimisation.

Caden *et al.* (2002:17) regard the following as forms of official corruption: treason, subversion, illegal foreign transactions; smuggling, kleptocracy, privatisation of public funds, larceny, stealing, deceit and fraud, misrepresentation; cheating and swindling. Their list also includes blackmail; the perversion of justice; false evidence; unlawful detention; frame-ups, tampering with elections; vote rigging as well as the acceptance of improper gifts; black market operations; and links with organised crime.

According to Hope and Chikulo, corrupt behaviour may entail “theft, the embezzlement of funds or other appropriation of state property, nepotism and/or the granting of favours to personal acquaintances, the abuse of public authority to extract monetary benefits or other privileges” (2000:19).

3.3.9. Political influence

Vargas-Hernandez (2010:139) notes that a new type of corruption, also referred to as uninstitutionalised corruption, was generated from the rise of the new groups of wealth and power during modernisation. These groups engage in efforts to make themselves effective in politics in a political system which was too slow to provide legitimate channels. Political influence allows private individuals to help shape public law and it is dependent on the size of the enterprise and interactions with public officials, rather than direct payments. According to Vargas-Hernandez (2010:139) the judiciary, legislative and executive systems may be weak (and fall prey) to political influence. Political influence has the ability to buy the decisions of the judiciary, legislative and executive actors even in a

party system. One of the models which capture large political influence is the lobbying model. Closely linked to the aspect of political influence, is state capture.

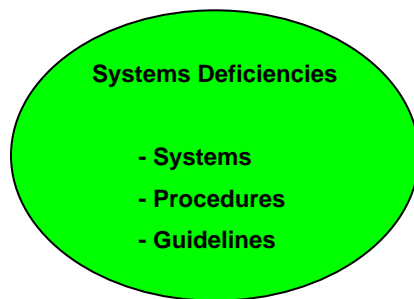
3.3.10. State capture

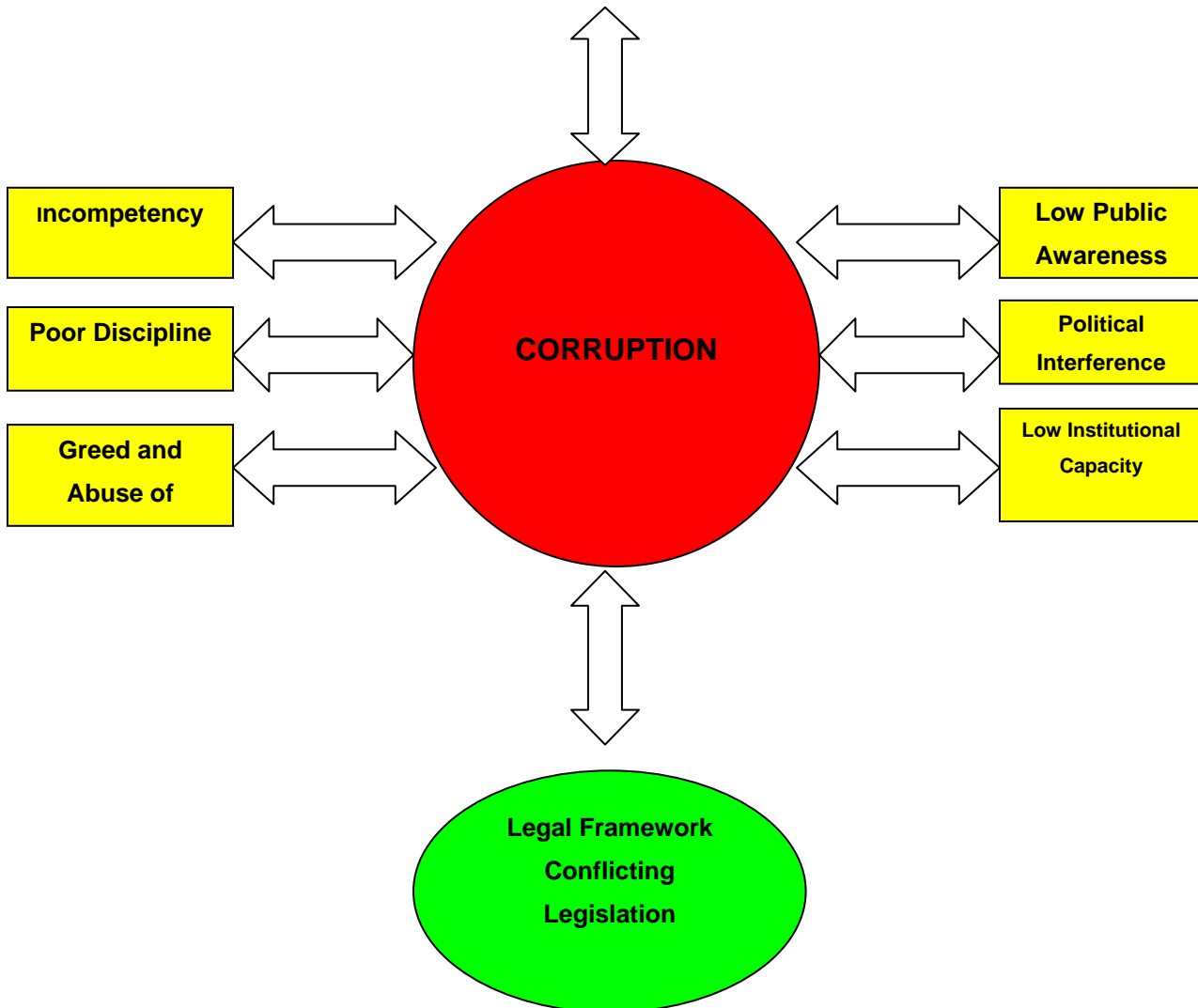
State capture as a form of corruption centres on the formation of laws, policies and regulations. It is defined by the World Bank (as cited in Rendtorff, 2010:111) as “the action of individuals, groups, firms, both in the public and private sectors, to influence the formation of laws, regulations, decrees and other government policies to their own advantage as a result of the illicit and non-transparent provision of private benefits to public officials.” One form of state capture is decision-altering which includes bribes and promises of bribes to alter or affect decisions which might have a direct influence on policy formulations, decrees and regulations amongst other things.

On the basis of this definition and by glancing at the common forms, it is clear that corruption is an illegal activity which has been created and is being executed by human beings. Van Maanen (1999:140) however warns that corruption should not be seen as human nature as it would be an injustice to millions of people who have never fallen into the trap of corruption: “...it is a crime of the minority with power, a crime of those people who are in the privileged position to rule the waves and waive the rules”.

The following diagram demonstrates an analytical perspective of corruption which serves as a summary of the consequences outlined above.

Figure 4: An analytical perspective of corruption





Baker (2008:4)

Corruption is, however, not a new phenomenon. More than two thousand years ago, Kautilya, the prime minister of the Indian kingdom, had already written a book entitled Arthashastra, discussing corruption. Referring to examples from the Bible, Van Maanen (1999:140) notes that corruption is as old as Zacchaeus who enriched himself at the expense of his neighbours by using his power as a tax collector as well as the sons of Eli who used their priesthood for personal benefit. Clearly there would be factors which cause corruption both directly and indirectly.

3.4. Causes of corruption

In an attempt to explain the causes of corruption, reference will firstly be made to a conceptual framework based upon two models supported by economic analysts as structured by Tugrul Gurgur and Anwar Shah (2005:6-7). Economists generally opt to use either Becker's "crime and punishment" model or the "principal-agent" theory of Klitgaard. These two models can be formulated as follows:

The crime and punishment model

This model puts more emphasis on an individual who compares the expected utilities of legal and illegal behaviour. The fundamental propositions of this model are that the incidence of illegal behaviour is positively related to the potential gains from illegal activity and negatively related to the probability of conviction and punishment. In relation to the public sector, this model postulates that the more government is involved in market operations, the more opportunities for corruption become evident through discretion and regulations on the allocation of resources. In addition, it argues, the bigger government, the more opportunities are created for corrupt officials to discover and auction profitable parts of government.

The principal-agent theory model

This model involves some probability of detection and punishment. It treats corruption as an information problem on behalf of the "principal who fails to properly control the agent". Within this context, the citizens who elect the politicians/legislators are being regarded as the principal and the politicians as the agents. In explaining the occurrence of corruption, this model relies primarily on information problems. The degree of discretion and the monopoly power of

officials create information problems in explaining the incidence of corruption. Flowing from the afore-mentioned, the principal-agent model strongly emphasises the importance of monitoring the power of government institutions and competition as a remedy in managing corruption.

It is worth noting that there is very little difference between the crime-and-punishment model and the principal-agent model in explaining corruption. Both models view corruption as a function of two major set of variables: opportunities for corruption and the control over institutions of power.

Some of the primary factors, which directly and indirectly caused corruption, are outlined below.

3.4.1. Regulations and authorisations

In most countries and especially in developing countries, the role and functions of the state are carried out through the use of numerous rules and regulations. For almost any action or transaction, licenses, permits and authorisation of some sort are required and in some cases, different government offices are involved to ensure that the activity(ies) is legal. Tanzi (1998:10) argues that regulations and authorisations provide a monopoly to officials who have authorising and inspection power. Officials may refuse to issue authorisations and might even delay the decision process for months on end. Thus, such officials can (and some do) use their public power to exert bribes from those applying for permits or authorisation.

According to Abed and Gupta (2002:27), some individuals become middlemen or facilitators in the permit chain. In many cases some of the regulations are non-transparent, not even publicly available and the granting of authorisation is limited to one office or an individual. Abed and Gupta (2002:27) argue that the absence of competition in the granting of authorisation sets the stage and

provides both the power and opportunity to the bureaucrat to get involved in corrupt activities.

Myint (2000:37) observes that the conduct of economic and business affairs is like engaging in a sport event where adherence to the rules of the game are essential for activities to proceed in an orderly fashion. Rules, regulations and authorisations are required to maintain fair play, keep greed and conflict in check and to ensure that participants abide by accepted standards of moral conduct and good behaviour. However, in many cases regulations are non-transparent, not publically available and authorisation is vested in a specific office or individual. Such a state of affairs according to Tanzi (1998:11), presents a situation that where there is no competition in the granting of authorisations, bureaucrats are being given a great amount of power and ample opportunity to exert bribes.

The ignorance to rules and regulations which results in corruption is clearly reflected in the investigation by the Public Service Commission on Remunerative Work outside the Public Service (RWOPS) which is also generally referred to as “moonlighting”. In contravention of the Public Service Regulations of 1999, the majority of the medical doctors in the Gauteng Health Sector only work four hours per average before leaving to consult their private patients despite the fact that they are employed on a full-time basis by the Gauteng Health Department. The PSC (2004: v) reports that some of these doctors stole medicine and state equipment from state hospitals to be used in private clinics. In addition some nurses and doctors submitted claims for overtime which they did not perform. The investigation furthermore revealed that at the Pretoria Academic Hospital (state hospital) nurses are often recruited by a private recruitment agency for “moonlight” employment (PSC, 2002). These actions constitute both a conflict of interest and corruption.

In any administration, regulations and authorisation(s) are inextricable linked to the aspect of institutional controls and those organisations that are serious about addressing the phenomenon of corruption need to ensure that a clear set of institutional controls is implemented.

3.4.2. Institutional controls

The existence and application of institutional controls reflect greatly on the political attitude towards the problem. Baqwa (1999:30) is of the view that countries with weak mechanisms of control and accountability coupled with an underdeveloped civil society, have found it very difficult to have a proper check on corruption. The afore-mentioned aspect is particular relevant in times of transformation when management is new (relatively inexperienced), tensions are high and relationships of trust still has to be established.

Addressing the causes of corruption, Sulluivan and Shkolnikov (as cited in Njunwa, 2009:6) argue that corruption is an institutional problem. They argue that corruption prospers in countries with amongst others, weak legal systems and too many discretionary powers with little transparency at various levels of government.

Ngobeni (2007:3) is of the view that corruption with the allocation of Reconstruction and Development Programme (RDP) houses at the Maphata Village in the Limpopo Province can be ascribed to a number of factors such as nepotism/favouritism. It was however, the lack of institutional controls that proved to be a major contributing factor to corruption. According to Ngobeni (2007:50), there was a lack of monitoring, evaluation and control by the Greater Giyani Municipality to ensure that the project was administered in a transparent, equitable and accountable manner.

In his extensive research on corruption and governance in Guatemala, Kenya, Latvia, Pakistan, the Philippines and Tanzania, Shah (2005:242) concluded that societies, who are experiencing low levels of public sector corruption, usually have strong institutions of participation and accountability that control abuses by public officials. These institutions are either created by the state itself (e.g. a bill of rights and electoral processes) or it develops outside of formal structures (e.g. organised civic groups). Noteworthy is that some of the countries have also undergone processes of political change and in almost all the cases these processes were aimed at establishing democratic governance structures. Almost every country in the world and especially emerging and established democracies has a taxation system in place. Regulations and authorities in conjunction with institutional controls should address several important elements of the taxation system.

3.4.3. Spending decisions and discretionary decisions

The term discretionary power(s) is extremely difficult to measure and as is the case with spending decisions, it is generally associated with rules and regulations.

Jain (2001:78) points out that these regulations by design, locate powers with those who have to implement the regulations. It is furthermore being argued that corruption requires, above all, someone with discretionary powers over the allocation of resources. In the domain of corruption which relates to discretionary powers, Jain (2001:77) distinguishes between three types of agents, namely the political elite, the administrators and the legislators. The discretionary powers of these agents differ in terms of these powers and in terms of the principals' abilities to monitor their respective agents. In a simplified form, the process works as follows: The political elite are chosen by the ordinary citizen (the populace) with the mandate to make policy. The elite acquires broad powers to make policy and it is very difficult to determine whether they make the right policy or not and it

is difficult to identify/observe the corruption they are involved in. According to Jain (2001:77) the elite thus has a broad leeway in using their discretionary power. The administrators are appointed by the political elite and have been assigned the powers to administer the policies made by the political elite.

The relationship between the agents is very complex. Each actor has its own agenda to further personal/individual interests at the expense of the principals and could for example change a decision that would favour someone (initially not being earmarked) who is willing to pay a bribe.

In his research on the aspects of transparency, accountability and citizen's engagement as it relates to the drivers of corruption, Khan (2011:2) remarks that on the basis of the consensus view, corruption happens when public officials have been given the mandate and opportunity to make discretionary decisions and the cost of violating official regulations is low relative to the potential benefit. "When these conditions hold, a public official may be tempted to violate official rules to make decisions that benefit particular individuals for a share of the benefit" (Khan, 2011:2). It is important to note that Khan does not dispute the fact that a certain measure of discretionary powers should be allowed as it could even act as a deterrent to corruption. He is, however, concerned that weak institutionalisation creates a platform for discretionary powers to be applied without being subjected to any measure of accountability. In essence, the abuse of discretionary powers will ultimately result in corruption manifesting in one form or another.

As an outflow of their studies on discretionary powers as a cause of corruption, Goudie and Stasavage (1997), Pointer (1999), Amundsen (1999) and Purohit (2000) agree that the more discretion is being entrusted to a person, the more senior the post he/she occupies and the more authority the individual can exercise, the easier (the more likely) it will be for such a person to engage into acts of corruption. In addition, the more discretionary powers are being assigned, the more opportunities will be created for agents to favourably interpret rules and

regulations in exchange for illegal payments. In an interesting summary of the relationship between discretionary powers and corruption, Klitgaard (1998:4) presented the following metaphorical formula: $C=M+D-A$ or Corruption (C) equals monopoly power (M) plus discretion (D) – accountability (A).

Discretionary decisions as outlined in the preceding paragraph are often worth a lot to enterprises and individuals. Naturally, attempts will be made by some to get favourable decisions by using methods such as paying bribes in some cases and/or by exploiting close personal relationships with public officials. As an outflow of some of these afore-mentioned activities, the financing of political parties amongst others, become a reality.

3.4.4. Financing of parties

The money required to finance the activities of political parties including election campaigns, has to be sourced from somewhere and one of the avenues being used is known as high level corruption conducted by top and leading politicians.

According to Mavuso and Balia (1999:35), politicians are often required to decide on major contracts for public works and welfare programmes where large sums of monies are involved while the same politicians belong to parties which must run costly campaigns to ensure re-election. As an outflow of the afore-mentioned, corporate political funding becomes competitive where the buying of voters, state officials and legislators becomes a lucrative business as it presents the highest “bidder” with an edge in ensuring future government contracts and projects.

Political parties and elections depend to a very large extent on other sources of finances apart from the contribution of its membership.

Kargbo (2006:5) argues that the financing of political parties in Africa has become common practise. Such activities should be viewed against the

background that political parties are characterised by (amongst others) inadequate funds and resources, weak structures, poverty of political supporters and divisions on aspects such as ethnicity and tribalism. In their efforts to address the financial shortfall, parties usually solicit funding from agencies and big business. According to Kargbo (2006:6) the financing of political parties and elections constitute an entrance gate for corruption as "...both the party and those elected will be manipulated by those who paid the piper". The sponsor will eventually play an influential role in the operational running of the party which will include aspects such as the awarding of contracts and the appointment of employees.

There is no doubt that a democracy gives citizens a role in the election of their political leaders and corrupt officials can thus be voted out of office. However, democracy is not necessarily a cure for corruption. Selected employees of political parties, specifically from the ruling party, are usually taken into the levels of the bureaucracy and if tainted from the outset, it could certainly have a negative impact on the quality of bureaucracy.

3.4.5. Quality of the bureaucracy

It is true that the quality of bureaucracies varies a great deal amongst countries and in some countries public sector employment provides much more status and prestige than in others. According to Max Weber (as cited in Abed and Gupta 2002:32), the tradition and pride, officials have in working for the government sector, explains to a large extent why some bureaucracies are more efficient and less vulnerable to corruption than others.

The quality of the bureaucracy is further more determined by factors such as patronage, nepotism and clear guidelines on hiring and promotion. In addressing problems with the quality of bureaucracy, former President Thabo Mbeki of South Africa noted "... we must be impatient with those in the public sector who see

themselves as pen-pushers and guardians of rubber stamps, thieves intent on self-enrichment ...” (Mbeki, 2004).

In his research on the phenomenon of corruption in Africa, Dassah (2008:47) notes that civil servants in many developing countries see public service solely as an avenue for getting rich. In essence, the primary focus of the civil servant is then aimed at self-enrichment without any consideration of making a positive contribution to the quality of the bureaucracy. Dassah (2008:47) furthermore argues that another factor thought to play a role in the quality of the bureaucracy and corruption in Africa, is the phenomenon of the soft state where there is a diffuse sense of national interest and an absence of commitment to public service. In addition many of these civil servants can themselves be inefficient and incompetent which are inhibiting factors to a country’s economic growth and development prospects.

The wages paid to public servants is an important determining factor in the levels and degree of corruption. Furthermore, the level of wages certainly plays a determining role in the quality of service rendered by public officials.

Commenting on the conditions of service and conduct in the South African public service, Baqwa (1999:130) argues that high levels of poverty (real or perceived), economic hardships and low salaries are familiar characteristics in the working environment. The afore-mentioned factors together with the rising cost of living have lured many public officials to take bribes. According to Baqwa (1999:130), the economic crisis has made it difficult for many low-paid workers in particular to continue to follow official norms and high standards of honesty.

Several theorists such as Pointer (1999:83), Gorodnichenko and Peter (2006) and Olken (2011) argued that market forces play a significant role in the manifestation of corruption and in some case control it. It would then be appropriate to pay public officials competitive salaries so that they do not become

victims of market forces. Rose-Ackerman (1996:28) argues that “if officials are paid much less than people with similar training elsewhere in the economy, only those willing to accept bribes will be attracted to the public sector”.

Van Rijckeghem and Weder (2001) examined, by sampling thirty one developing countries, the extent to which the level of public sector wages is linked to the incidents of corruption. The research results indicated, amongst others, that low salaries force public servants to supplement their incomes illicitly. Countries such as Argentine and Peru dramatically increased the salary levels of officials employed in sensitive areas such as customs and tax administration explicitly aimed at reducing corruption in the said environments. It had been widely argued that higher salaries might deter and reduce levels of corruption. However, it may also lead to an increase in bribes being requested by those involved in acts of corruption. The fact that the number of corrupt activities may decrease does not imply that the amounts involved will follow a similar pattern.

3.4.6. Penalty system

Officials who are involved in corruption should be punished for their engagement in illegal activities and the penalty structure in the public sector should aim to deter and prevent continuous corrupt behaviour. However, the afore-mentioned does not seem to be the case, as corruption would have been decreased if penalties were mooted out correctly. The administrative procedures that have to be followed before an employee can be punished for corruption is usually very slow and cumbersome. In addition it often happens that legal, political and administrative pediments prevent the full applications of penalties.

Underlining the above, Huther and Shah (2005:4) remark that penalties provided through legislation may be ambiguous or penalties may be set at the discretion of judges. In many developing countries, corruption furthermore, thrives because the judicial system does not have sufficient resources and the independence of

the judiciary is seriously under question as is typically the case in Zimbabwe. With regard to resource constraints, the South African Department of Public Service and Administration highlights in its report of January 2002 that the Independent Complaints Directorate (ICD) which has a blueprint of 500 staff members could only employ 100 members due to budgetary limitations whilst the office of the Public Protector was only able to employ 100 of its allocated 200 staff complement (2002: 28). On the basis of the afore-mentioned figures it is not difficult to understand why penalty systems only exist as theories letting perpetrators off the hook only to continue with existing or to initiate new corrupt activities.

Gumede (2011:20) warns that if the rule of law is not applied fairly (penalties for some differ from those mooted to others) it would be difficult to get the buy-in from any society and such a situation will certainly lead to mistrust in the judicial system placing its principles of fairness and objectivity under suspicion. "There are obvious dangers in selective punishment: prosecuting only those who are perceived to be rivals while protecting allies, undermines the credibility of not only the corruption fighting authorities, it also undermines the broader fight against corruption" (Gumede, 2011:20).

3.4.7. Transparency of rules, laws and processes

Rules define how people interact with each other and it places constraints on the behaviour of individuals and that of the group and broader collective. Rules do not in themselves preclude the possibility of corrupt activities. However, the absence of such rules creates the ideal conditions for corruption and conflict of interest. This is particularly applicable in transformation states where a void exists between existing rules and those being foreseen.

Hope and Chikulo (2000:21) notes that the lack of the rule of law and administrative predictability, contributes to corruption in Africa. In explaining this phenomenon, Hope and Chikulo (2000:21) note that the predictability and the rule of law are characterised by policies, procedures and regulations which are developed and implemented according to a set process and it (or should) presents ample opportunities for review. Formal bureaucratic organisations are captured by the ruling party which uses and/or interferes with the powers and functions of government for gain. Situations like these afford considerable discretion in decision-making and produces irrational decision-making, which might be both un-procedural and illegal.

Apart from the lack of the rule of law and interference in its application, Shah (2005:243) notes that public corruption thrives where laws are applied to some and not to others and where enforcement of the law is mainly used as advice for furthering private interest instead of the broader public interest. A common symbol of the breakdown and ignorance to the rule of law in highly corrupt countries is when the police act as lawbreakers instead of law enforcers e.g. stopping motorists for bogus traffic violations and then extracting bribes. The corruption case (discussed in chapter 5 of this research) of the former South African Police Commissioner, Mr J Selebi could be viewed as a classic example.

Zvekic (2002:8) comments that an analysis on the laws of corruption in the Southern African Development Community (SADC) has clearly outlined and identified major weaknesses in criminal law provisions, jurisdiction and complimentary legislation which results in the fact that corruption cannot be addressed within its broader context.

The lack of transparency in rules, the general difficulty being experienced in understanding laws and the inconsistent manner in which they are applied (if applied at all) and major weaknesses in provision as well as jurisdiction, have

contributed in creating fertile ground for engaging into corrupt activities. In more than one way, the penalty system is connected to the aspect of leadership.

3.4.8. Examples set by leadership

As in any other sphere of society, leadership by example is an important process in the fight against corruption. Following his research on corruption in the South African Police Service (SAPS), Basdeo (2010:396) contends that in the quest for addressing the phenomenon, leadership should be regarded as a critical imperative. “To ensure sustainability, strong, ethical, exemplary, incorruptible and dedicated leadership; leadership beyond reproach is essential to champion the anti-corruption war” (Basdeo, 2010:396). The afore-mentioned findings are definitely valid and applicable to all sectors of society.

The former chief whip of the ANC, Nyami Booï abused parliamentary travel vouchers, using it for R92 000 worth of car rentals and hotel accommodation worth R20 000 (Anon, 2009:30). Booï admitted to the acts of fraud. However, the ANC’s parliamentary caucus has defended Booï, the former chairperson of the then National Assembly’s Portfolio Committee on Defence and Military Veterans, noting that he showed remorse and cooperated with the judiciary (Anon, 2009:30).

Addressing the causes of corruption in Africa, Hope and Chikulo (2000:19) argue that exemplary ethical leadership is seriously lacking in the great majority of African States. According to Hope and Chikulo (2000:19), a lack of ethical leadership can be attributed to the fact that personal and private interests take precedence over national interest. Public officials have no fear of being held accountable; they disobey rules and regulations; and display openness for disregarding responsibilities – in essence they generally do not display a public service ethic. Unaccountability and lack of ethics amongst leadership has bred irresponsibility as an outflow. Camerer (2001) emphasised that besides

acknowledging corruption, the aspect of political will is essential in preventing and combating the disease and political leadership should set the example.

The Public Service Accountability Monitor (PSAM) who is focusing specifically on governance in the Eastern Cape province, argues that the poor track record of the South African government in addressing high level allegations of corruption has seriously affected its credibility and "... called into question whether the leaders have the requisite political will to address corruption in the corridors of government" (2010).

According to Shah (2000:243), widespread corruption in the public sector endures when authorities are either unwilling or unable to address it forcefully. Shah (2000:243) argues that in societies where corruption is endemic, it is only reasonable to suspect that the phenomenon has its tentacles in the highest level of government and that many senior officials will not be overtly motivated to work against it. From the above, it is clear that the lack of political will be as a result of ignorance, unwillingness or any other motive which could be a major driving force behind the manifestation of corruption.

The preceding section clearly indicates that where top political and managerial leadership are seen (or perceived) to be involved in unethical practices and where there is a failure, both intentionally and unintentionally, to apply the law impartially, a climate conducive to corruption is created and established. It would naturally and logically be unfair (even impossible) to expect employees in the public administration to display a different kind of behaviour.

Corruption finds origin in human activity. It is however, the consequences of corruption, which have devastating effects on almost all sectors of society. The following section will provide an overview on some of the consequences of corruption indicating its influence and impact.

3.5. Consequences of corruption

The causes of corruption are being experienced in all spheres of society which include amongst others the economic, political and social strata. Although it might have a different impact at different times on different levels, the lack of development, destruction and decay are some elements of the final outcomes.

3.5.1. Lowers investment and economic growth

Referring to research being conducted on the topic, Mauro (1998:12) stated that empirical evidence on cross-country comparisons clearly suggests that corruption has adverse effects on private investments and economic growth. In supporting his views, Mauro (1998:12) noted that a country which improves its standing on the corruption index from 6 to 8 (0 being the most corrupt and 10 the least) will experience a 4% increase in its investment rate and a 0,5% increase in its annual per capita GDP growth rate. Corruption could also be expected to reduce growth by lowering the quality of public services and infrastructure, which cause rent-seeking rather than productive activities and thus distorts the composition of government's expenditure.

Based on their research in African countries relating to corruption and economic growth, Balamoune-Lutz and Ndikumana (2008:47) argue that the adverse impact of corruption on private investment (both domestic and foreign) is particularly harmful to developing economies. Corruption furthermore discourages private investments by raising indirect production costs and by increasing over future capital return.

According to Camerer (1997), corruption stifles private initiative and enterprise and commissions and kickbacks demanded may act as disincentives to investments by both foreign and local entrepreneurs. Camerer (1997) is also of

the view that corruption threatens economic growth and outlines the following effects of corruption on the economy:

- Distorts the allocation of resources, sharply raises the cost of goods and services;
- Diverts scarce resources to less or non-priorities, in this way largely neglecting fundamental needs, particularly basic needs such as food, health and education;
- Acts as a disincentive, possibly deterring prospective economic activities and investment; and
- Increases the likelihood of committing other crimes.

UNCAC (2008:5) notes that corruption deters investment, explaining that the effects on corruption are comparable to a tax on investments. Any company intending to make an investment has to take into account the cost of bribery in setting up a business venture and keep it running.

When one has to make a preliminary analysis on the inputs of the theorist in the preceding paragraphs, the similarities such as bribery, rent-seeking, kickbacks, provision of sub-standard services and corruption as a form of tax are particularly striking. There is general agreement that the afore-mentioned phenomena operating as a collective or on its own, lowers investments and retards economic growth. Apart from these, there are also other impeding factors being highlighted below.

According to Johnston (2005:26) the manifestation of corruption might be much higher and the aggregate substantially lower in those countries with extensive bureaucratic delays and there is no evidence to suggest that corruption cuts through red tape. The sentiments of Johnston are echoed by Campos and Pradhan (1997) who argue that countries which have low levels of corruption may attract significantly more investment than those perceived to be more

corrupt. In general, high levels of corruption are associated with greater government intervention in the economy.

Nowak (1998:12) is of the view that small and medium enterprises (SMEs) are important contributors to economic growth. One can then argue that any obstacle which impedes the growth of SMEs will make the economy less competitive and will also tend to slow the growth rate. It can then be concluded that for SMEs, corruption is cost-increasing because the payments being made only ensure survival and do not contribute to profitability.

Commenting on corruption in Africa, Ayittey (2004:104) notes that corruption has several deleterious effects on economic development. In addition, corruption aggravates the budget deficit problems, contributes to economic contraction and creates unwillingness/uncertainty in the mind of foreign investors.

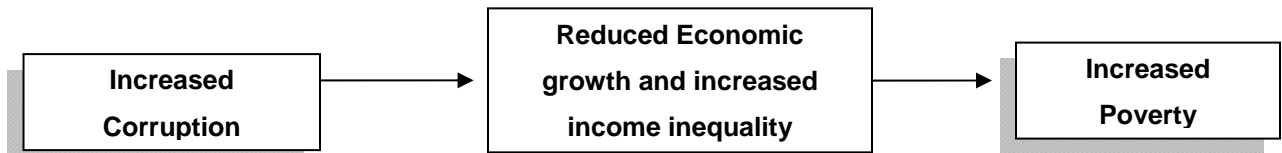
Focusing on the relationship between corruption and poverty, Chetwynd, Chetwynd and Spector (2003:7) identified two distinct models namely the economic and governance models.

The economic model supports the notion that corruption impedes growth in the following ways:

- Corruption discourages both foreign and domestic investment whilst rent taking increases costs, reduces incentives to foreign and domestic investors and creates uncertainty;
- Corruption taxes entrepreneurship;
- Corruption lowers the quality of infrastructure as public resources are diverted to private use and required standards are waived with funds for operations and maintenance being diverted in favour of more rent seeking activity;

- Corruption diverts talent into rent seeking. Officials, who would normally be involved with productive activities, become pre-occupied with rent taking and its increasing return encourages more rent taking; and
- Corruption distorts the composition of public expenditure; rent seekers will opt for and pursue projects for which rent seeking is easiest and best disguised, diverting funds from projects through which poverty will be alleviated such as health and education.

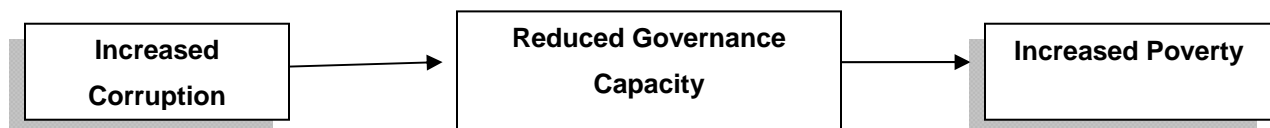
Figure 5: Schematic presentation of the economic model



Chetwynd *et al.*, 2003:7

The governance model postulates that corruption reduces government capacity which has an escalating effect of increasing poverty. It has been argued by Chetwynd *et al.* (2003:12) that corruption destabilises government institutions, reduces the provision of services, negates respect for the rule of law and gradually decreases public trust in government and its institutions. With the situation of impaired governance, there is a reduction in social capital and public trust which in turn, leads to a reduction in public funds available for programs ultimately leading to a broader increase in poverty.

Figure 6: Schematic presentation of the governance model



Chetwynd *et al.*, 2003:7

Camerer (1997:36) is of the view that for its part, poverty has contributed to the spreading of corruption. In explaining the relationship between corruption and poverty, Camerer notes that those who cannot meet their basic needs in an honest manner, may (and are most likely to) resort to less honest means of subsistence. However, this argument according to Camerer (1997:36) is relevant to individuals who have the opportunity (and access) to exploit possible opportunities for corruption. Corruption thus becomes both the cause and consequence of poverty in general. Apart from lowering investment and growth, corruption has a major distortion impact on government's expenditure.

3.5.2. Distortion of the composition of government expenditure

The development of any country's economy centres on a strategic vision and generally spending decisions are made with the objective to achieve a set of public goals. Morgan (1998:30) argues that the distortion of government expenditure makes the realisation of these development goals irrelevant in a state of affairs and the decision on public expenditure is not related to the vision (if any) for strategic development.

According to Morgan (1998:30) the consequences are not only slow growth but erratic and even stunned as the spending decisions do not correspond with the broader needs of the population. Overall, the distortion from this type of corruption is even greater than that from the theft of public assets.

Empirical evidence exists (Shera 2011; Dreher and Herzfeld 2005 and Mauro 1997) that corruption distorts the composition of public expenditure. Large capital intensive projects in which the actual costs are difficult to estimate are usually being favoured. Morgan (1998:31) argues that expenditure on disciplines such as education is reduced as there are fewer kickbacks to be collected from reading and writing.

In every country, but specifically in developing countries, corruption is detrimental to state efficiency. “It hampers budget equilibrium, diminishes expenditure efficiency and distorts its allocation between different budgetary functions” (Delavallade, 2005:2). In the first instance, corruption reduces state revenue as the state’s budget equilibrium is undermined in a corrupt political context. According to Delavallade (2005:2) corruption raises the cost of expenditure and reduces the quantity input as provided by the state. Secondly, it is argued that for the same level of spending and for a given budgetary function, public spending is less efficient in countries with high levels of corruption. Delavallade (2005:2) notes that corrupt officials tend to favour investments projects which generate the highest bribes but which are not necessarily the most efficient. In essence, corruption diminishes the impact of public spending on social outcomes and negatively alters the quality of public services. In the third place, corruption affects some economic sectors’ expenditure as a share of the GDP: it has a negative impact on the part of human capital investment, on education to be precise and a positive on military spending.

Mehrara, Firouzjee and Gholami (2011:52) contend that corruption can affect resource allocation in two ways. Firstly, corruption can change the assessment of private investment by inducing changes in the relative prices of goods and services. In the second place, corruption causes inefficient resource allocation. Where the decision-maker about public and private investment is corrupt (an individual, organisation or government) bribery is generally being used as a criterion. In relation to the afore-mentioned, corruption distorts the efficient allocation of resources and disrupts government’s plans of action.

3.5.3. Rise of the underground economy

Underground activities are a world phenomenon. According to Jie, Hon Tat, Rasli and Chye (2011:17), the underground economy could be described as a

business or trade that avoids notice or observation by the government agencies. Activities such as illegal drug dealings are included in the underground economy. Furthermore, the bartering of goods and services that are not reported to government for tax purposes are also a major part of the underground economy.

Scheidner and Enste (2000:77) argue that the underground economy, also referred to as the shadow economy, includes all economic activities that officially contribute to the gross national product but which are unregistered. It is important why an eye should be kept on the prevalence of the underground economy. According to Scheidner and Enste (2000:77-78) the following reasons should be of concern to policy makers in relation to the rise of the underground economy:

- A growing shadow economy can be seen as the reaction of individuals who feel overburdened by the state;
- A prospering shadow economy may cause severe difficulties for politicians because official indicators on aspects such as unemployment, income and the labour force are extremely unreliable; and
- Consideration should also be placed on the effects of the growing shadow economy on the official one. It is thus extremely difficult (if not impossible) to assess economic performance or to provide information for policy-making analysis.

In concurring with the above theorist, Ramona (2011:1117) states that the underground economy is part of the national income which is not officially registered and recorded. As such it is extremely difficult to precisely measure the extent of the unofficial economy. It does, however, constitute real and material quantities of goods and services which in one form or the other falls within the ambit of the national and international economic system. The underground economy is a means of avoiding the tax and social burden as well as excessive government intervention. In one way or another, the rise of the underground economy also connects with the discrepancies as it relates to income distribution.

3.5.4. Income distribution/inequality

Jong-sung and Khagram (2005:136) argue that the impact of income inequality on corruption may differ between more democratic countries and less democratic countries. In countries with authoritarian governments, the rich and powerful can promote repression to advance their interests. In democratic dispensations, oppression as a substitute for corruption cannot be used; therefore the rich must rely on corruption more as the pressures for redistribution increases unabatedly. Corruption has a tendency to reinforce and simultaneously widen the existing inequalities of which income is but one aspect. "Corruption contributes to the inequality by facilitating the unequal appropriation of wealth and privilege and by inhibiting institutional changes that could threaten exiting advantages" (Jong-sung and Khagram, 2005:140). Naturally one would expect to experience a persistence of corruption with the persistence of (income) inequalities and a mutual relationship between inequality and corruption is thus reinforced. Wealth, avenues to access and the monopoly over it, is concentrated almost entirely within the realms of the privileged and well connected resulting in a situation where the rich becomes richer and the poor are even worse off – a situation which is quite prevalent within the broader Africa-context.

Commenting on corruption, economic growth and income inequality in Africa, Gyimah-Brempong (2002:190) contends that the notional tax system in African countries is not regressive. Corruption allows the rich and powerful to escape their tax obligations, with the result that the tax burden falls almost exclusively on the poor. Corruption also leads to the concentration of assets among a few wealthy elite members of the public. "Because earning power depends, to some extent, on resource endowment (including inherited wealth); the rich are able to use their wealth to further consolidate their economic and political power" (Gyimah-Brempong, 2002:190). Production decisions in African countries are highly influenced by an elaborate system of taxes and subsidies. According to

Gyimah-Brempong (2002:190) capital is heavily subsidised while labour is taxed at a high rate with the result that businesses choose capital intensive technologies over labour intensive ones. The policy approach of subsidising capital is furthermore exacerbated by high levels of corruption. This strategy leads to a low demand for labour, low wages which is a strategy that effectively redistributes income from the poor to the rich since the subsidies are paid with taxes paid by the poor.

3.5.5. Social costs

In almost every society there are laws and regulations serving social objectives and to protect public interests such as building codes, environmental controls and traffic laws. Through the process of corruption, many of these laws have been violated purely for economic gain and serious social harm has been caused as a result of such practices. The usage of substandard materials, shoddy workmanship and the disregard for design and engineering specifications, has caused bridges to collapse and dams to burst resulting in the loss of life and property. According to Ayittey (2000:104), contractors and suppliers fail to deliver in a corrupt system. Ayittey (2000:104) further argues that who you are and how big a kickback you offer, are of much more importance than how well you perform a job. Resulting from the afore-mentioned, many roads in Africa are poorly constructed; communication systems are in tatters; and medical services lack basic supplies such as blankets and bandages.

Mauro (1998:12) states that corruption is most prevalent where there are other forms of institutional inefficiency such as bureaucratic red tape and weak legislative and judicial systems. Corruption thrives in societies where there is considerable discretion for public officials, little accountability and transparency and limited accountability as well as weak institutions.

In recent times, corruption and transformation, specifically political transformation, has been coupled as if the one feeds on the other. Against the backdrop of the theoretical analysis of transformation and corruption as well as the causes and consequences of corruption, it is thus important to determine the framework within which one can determine whether a relationship exists between the phenomena.

3.6. Conclusion

In the recent past, the issue of corruption has regained new interest among academics, policymakers and especially the media. One of the prime reasons why this topic is placed under fresh scrutiny is the effect corruption has on society in general and specifically the poor.

Theorists (Amundsen 1999, Edwards, 2001 and Bhargava 2006) have described corruption as a cancer and a disease which thrives on lust and human greed. Corruption is not confined and/or limited to a specific grouping, sector or association. It is a universal phenomenon, which manifests in different types and forms ranging from bribery, fraud and extortion to treason, misrepresentation and perversion of justice. There is a vast literature dedicated to defining corruption. In a broad sense, taking most of the definitions into consideration, corruption can be defined as the abuse of power for gain.

Several factors lie at the heart of corruption and contribute towards its growth and expansion both directly and indirectly. The application of regulations and authorisation, inconsistent interpretation of tax administration and excessive discretionary powers as well as biased decision-making coupled with the quality of the bureaucracy and wage levels in the public sector are influential aspects contributing to corruption in a direct manner. Negative examples set by leadership, lack of transparency and institutional controls are amongst others, factors that indirectly contribute to corruption. In addition, corruption also

manifest through different typologies. However, it is worth emphasising that every cause has a consequence and it is not different in the case of corruption. The adverse impact of corruption on investments is seriously harmful to developing economies. Apart from the afore-mentioned issues, corruption retards economic growth, which in turn has a negative influence on development. As a result of corruption, it is usually extremely difficult to gain a clear picture of government expenditure, which is exacerbated by the rise of the underground economy. The social cost as an outflow of corruption is immeasurable in respect of loss of human life and damage to infrastructure. Wealth is concentrated in the hands of a minority who are privileged and well-connected, widening the gap between the rich and the poor.

By gaining a broader understanding of several key aspects such as change, institutionalisation, system stress and political fluidity, one could satisfactorily identify and draw a link between corruption and transformation. Evidence of this could be found by just glancing at incidents of corruption in the Eastern Cape Province as a prelude to a more in depth discussion in chapter 6.

This chapter has assessed the problem of corruption with particular emphasis on its definition, causes and consequences whilst it also provides a framework against which a possible relationship between transformation and corruption can be evaluated and/or measured. It is clear that fighting corruption relies heavily on good governance in all its facets. The practice of good governance includes aspects such as exemplary leadership, political will as well as providing a framework for institutional control(s) which enforces adherence and accountability.

All the governments in the world have been a victim of the relentless onslaught of corrupt practices and because of its very nature, government departments are prone to corruption and fraud. Corruption should be regarded and treated as a

high-risk activity and governments which fail to do, so will soon find their countries on the route to political decay.

In the final analysis, corruption is a human activity and is thus inextricably linked to the aspects of ethics and values. The next chapter will deal, although in brief, with definitions of ethics and values and will also outline the relationship between ethics and corruption.

CHAPTER 4

THE ETHICAL DILEMMA OF CORRUPTION

4.1. Introduction

In chapter 2, the various interpretations as well as the conceptual framework of corruption were outlined. The chapter emphasised amongst others, that corruption does not take place through a stroke of magic but that it is an act(s) of human behaviour being planned and executed by individuals and/or groups. Whenever one thus deals with the activity(ies) of human beings and human behaviour, you are inevitably challenged with the issues of ethics, morality and values.

Theorists such as Edwards (2007) and Camerer (2001) have revealed that a decline in ethics and morality are most commonly cited as the reason for an increase in corruption in South Africa. This moral and ethical crisis has taken on epidemic proportions and has certainly necessitated that society and government re-evaluate their positions regarding ethical behaviour. An integral part of this re-evaluation process would be to focus on the aspects of leadership and political will.

The entire world is being confronted by the challenges of ethics and corruption. However, the effects are much more devastating in developing countries as it deprives people of their integrity and fully deserved rights. Against this backdrop it is thus crucial that the concept of ethics be clearly defined and understood as it is integrally linked to the aspect of corruption.

This chapter will provide a theoretical framework of ethics; although the aim is not to provide an in-depth discussion and/or analysis of the phenomenon. The chapter will furthermore touch on ethics as it relates to the manifestation of

corruption and it will attempt to indicate the interface between leadership and political will.

Although ethics and morals are at times being used interchangeably, no distinction will be made between the concepts as the terms will be used as synonyms of each other (note the first section under paragraph 2 in which the terms define each other). The primary focus in this section will be placed on the concept of ethics with reference also being made to the aspect of values.

4.2. Defining ethics

The Compact Oxford English Dictionary (1991:534) defines ethics as “of or pertaining to morality” and “the science of morals, the moral principle by which a person is guided”. In the same dictionary, the word moral is defined as “of or pertaining to the distinction between right and wrong, or good and evil in relation to the actions ...” (Compact Oxford Dictionary, 1991:1114).

In a study on the ethical fitness of public managers, Edwards (2001:2) explains ethics in terms of several individual frameworks. Plato was of the view that ethics was based on theoretical insights which one can gain by means of philosophical thought (as cited in Edwards, 2001:2). Plato (as cited in Edwards 2001:2) refers to this theoretical insight and knowledge as episteme. This implies that with the knowledge of the good, one can become morally good and undertake good deeds. Aristotle (as cited in Edwards, 2001:2) on the other hand refers to the study of ethics as the study of excellence or the virtues of character. In the view of Aristotle, ethics implies the kind of life people ought to live, meaning what is good and becomes good. Aristotle differs from the views of Plato on the concept and reality of ethics. According to Aristotle (as cited in Edwards, 2001:2), ethics is not just a matter of gaining intellectual understanding but also a practical, hands on experience and a sense of what action is the most appropriate in a given situation – referred to as phronesis.

The Josephson Institute of Ethics (2002:1) notes that ethics refers to the standard of conduct and that those standards indicate how one should behave based on moral duties and virtues, which are derived from the principles of right and wrong. According to the Public Service Commission (1999:150), being ethical means to adhere to moral values and thus subscribing to ethical standards which indicate the appropriate stance and behaviour of individuals, groups, institutions as well as organisational and societal systems. These standards are in fact moral obligations originating from principles about what is right and what is wrong.

According to Cameron and Stone (as cited in Baqwa, 2000): "Ethics is different from law because it involves no formal sanctions. It is different from etiquette because it goes beyond mere social convention. It is different from theology because it makes no theological assumptions. It is different from prudence because it goes beyond self-interest to include the interests of others. Ethical inquiry consists of asking what is good and what is evil; what is right and what is wrong."

In addressing ethics management in the public service, Mavuso (1999:63) notes that ethics is concerned with matters of conduct. According to Mavuso (1999:63), ethics serves to guide the actions/behaviour of individuals only insofar as it is necessary for the good of the/an institution: "Ethics is a matter of responsibility management as much as it is individual property. It requires some basic moral dispositions and presupposes some fundamental moral principles" (Mavuso, 1999:63).

Commenting on public sector ethics, Kennedy (1999:14) expresses the view that ethics is vested in a process of systematic thinking about what are moral and reaching judgements in relation to what is right and wrong or good and bad. This process of thinking ultimately leads to decisions being taken and the way people behave, is an outflow of the decisions which were taken.

Hanekom, Rowland and Bain (1986:152) argue that ethics refers to the basic principles of the right (proper) action and to the rules of conduct. Ethics is not restricted to race, colour, culture or creed. According to Hanekom *et al.* (1986:152), ethics has a macro meaning, which could be applied across all cultural spectrums whilst the micro or restrictive meaning relates to a specific society or societal group. In this sense the macro view pertains to the good or bad, right or wrong. The macro perspective refers to how good or evil and right and wrong are understood by a specific society, group or individual. Ethics evaluates conduct against some absolute criteria, which imposes negative and positive values upon it. Kernaghan - a Canadian expert on public administration - notes that these criteria can be in writing or merely the interpretation by an individual of what is acceptable or not. However, both these means are insufficient in promoting public service ethics (1993:15).

Eze (2006:290) refers to ethics as a discipline of the passions whose primary focus is to enable individuals to live a well-rounded life guided by reason. It deals with human conduct in so far as it is considered right or wrong, good or bad. In addition, according to Eze (2006:290) ethics is concerned with the philosophical inquiry about morality, moral problems and moral judgements.

“Ethics is the study of moral values and conduct. It deals with morality, though it is not the same as morality. However, morality is the subject matter of ethics. Morality consists of the standards that an individual or a group of individuals have about what is right or wrong, good or bad. Moral standards themselves are ideals that people try to live up to concerning what is right or wrong, good or evil” (Uduigwomen as cited in Leo and Patrick, 2010:469).

Kernaghan (1993:16) argues that ethics is concerned not only with distinguishing right from wrong, good from bad but more with the commitment to do what is good or what is right. In its true essence the concept of ethics is inextricably linked to the aspect of values, an issue with which Levin (2002:11) fully agrees.

Let us now take a bird's eye view. Presently the concept of ethics has broadened to include both the characteristics of the good person but also best practice. Ethics in modern times refers to a moral set of values in which the behaviour of people is being judged as good or bad, acceptable or unacceptable. Ethics is the discipline dealing with what is good or bad. Using the definitions and explanations provided in the preceding paragraphs as a point of departure, one can conclude that ethics has to do with human conduct and actions. Moreover, ethics concerns itself with a deliberate act(s) as it makes decisions between what is right and what is wrong, what is good and what is bad and it is thus normative in nature.

Ethics cannot be viewed and understood in isolation as it dove-tails with culture and is inextricably linked the aspect of values. The following section aims to provide a reflection on theoretical aspects and the definitions of values.

4.3. Values

Any form of human behaviour whether individually or within a group, subscribes to a value or a set of values. According to Kernaghan (1993:16), values are enduring beliefs that influence the choices we make from available means and ends. It is a range of values such as the social, political and organisational that influences the attitudes and actions of public servants. Most of these values are in essence concerned with what is right and good and can be described as ethical values.

Values according to the Josephson Institute of Ethics (2002:2) "... are core beliefs or desires that guide or motivate attitudes and actions." The UNIDO Competency Model (2002:4) describes values as enduring convictions that influence our actions and the choices we make and represent our collective sense of what is good.

In his work on ethical behaviour, Schermerhorn (1996:48) explains values as the underlying beliefs and attitudes that help determine individual behaviour. Schermerhorn (1996:48) is of the view that values vary amongst individuals and therefore people have different interpretations of what is ethical or unethical in a given situation.

Addressing the role of values in the business world, du Toit and Crous (2004:24) note that values represent a belief that “a specific mode of conduct or end state of existence is personally or socially preferable to an opposite or converse mode of conduct or end state of existence”. According to du Toit and Crous (2004:24) values contain a judgemental element in that they carry an individual’s idea as to what is right, good or desirable. It is furthermore being argued that values cloud rationality and objectivity as it is based on preferential inclination.

Sindane (2008:343) describes values as ideals to which people and organisations subscribe and these values offer standards that guide human and organisational conduct. In addition, values act as a process (or processes) through which behaviour is being judged and evaluated.

In summary it can then be argued that values form the basis for understanding the reason(s), attitudes and motivation behind behaviour whilst it has a major influence on how matters are perceived by individuals and society. Quite clearly values imply that certain actions and outcomes are preferred above others and as a result it generally lacks objectivity and rational thinking. Furthermore it is clear from our discussion on ethics and values that these concepts, amongst others, direct human action. Meehan (1990:22) argues that an action occurs whenever the capacity to produce a change in the environment is present, whether such capacity is vested in the individual or within a collective. According to Meehan (1990:22) actions could be described as the exercise of real human capacity to produce change and it could either be voluntary or involuntary. Within the framework of ethics and morality, Meehan is of the view that only voluntary

actions are open for broad scrutiny and it (actions) are equal to the process of making choices. “The exercise of capacity (action) always creates a world that is different than it would otherwise be” (Meehan, 1990:22). Whenever there is a real need for action(s), individuals or the collective will interrogate the alternatives available and then make particular choices. These choices are made on an ethical / moral basis and within the framework of a particular value system

The value system underpinning the public sector needs to be corruption resistant and a commitment to this value system, which is based on honesty and integrity (the good and right), should be clearly demonstrated by politicians and officials (Levin, 2002:11). By its very nature, politicians and senior government officials assume leadership roles in one way or another. These (political) and other leaders are challenged with the aspects of ethics and values as part of their broader functional responsibilities.

4.4. Ethics, values and leadership

Azuka (2009:22) is of the view that any successful organisation is built on a strong set of core values which are embraced by its members. In order to bring a group of people from diverse backgrounds, interests and motivations together to share one common set of values, it is the responsibility of the leader to establish those values, and living as well as portraying them in words and deeds. Azuka (2009:11) is of the opinion that ethical behaviour reflects a sense of self-respect and in return, respect to others whilst living one’s personal values, gives meaning to life.

Resulting from his extensive research on the impact of corruption on social trust, Richey (2009:678) determined that corruption lowers political trust. Using the example of Japan, Richey (2009:678) notes that the distrust in the Japanese government had reached deplorable levels by 2000. This distrust in government was primarily caused by decades of scandals which were extensively and

relentlessly covered in the media. Taking evidence from criminology in supporting his theory, Richey (2009:679) advances that victims of a society commonly distrust an entire society based on the activities of an individual. There is thus a spill over from the individual who did the crime to the broader community.

Leadership according to Qobo (2010) plays a crucial role in defining and embodying the value system on which a nation is built. “Leaders engage with their followers on the basis of motives, and values and goals” (Qobo, 2010). The ethical conduct of a leader can have a positive or negative impact in a society’s performance. Qobo (2010) states that the moral behaviour of a leader(s) can affect the spiritual quality and sense of self-belief in a nation. When leaders accordingly rationalise moral dubious conduct, they could unwittingly encourage all sorts of morally questionable activities. He further warns that it will not take long before those who plunder the state or who do what might be ethically questionable, might find creative ways defending and even rationalising their activities. In short, the actions of leaders could have long lasting consequences for their followers.

It is of vital importance for leaders to combine a solid foundation of ethics and values as they are being confronted with challenges both in their professional and private lives. It is impossible to measure ethical and value-based leadership but its effects will last for generations to come. Some sectors of the independent media, argue that corruption is so prevalent that it has become the new way of doing business in the developing world. If such an analysis is anything to go by, it seriously implies that ethical principles are being (have been) eroded or just blatantly ignored.

Responding to the ethical dilemma of corruption, Wellman as quoted by Ramadikela (2003:2), argues that power is seductive and one can never have enough of it. It has also been argued by Wellman that power places certain

demands on a person's character and whilst some respond to the temptation in a positive way, others battle to cope and are led astray (Ramadikela, 2003:2). Those who failed to stand the test of time do not experience problems in distinguishing between right and wrong but with the commitment to do what is right and good. Based on the afore-mentioned, it is interesting to note that it is not a lack of knowledge that causes people to act corruptly but how that knowledge is applied. Naturally one would then argue that there is a connection/linkage between ethics and corruption.

According to Edwards (2008:77), the public service has failed to develop ethical leaders who are committed to instilling and inculcating important ethical and value-based aspects such as professionalism and accountability in the workplace. Edwards (2008:85) further argues that the manifestation of corruption and the prevalence of dishonest behaviour and maladministration are direct consequences of several factors of which unethical leadership is an important one.

Against the backdrop of the preceding focus on leaders and leadership, it is certainly appropriate to briefly focus on these concepts in an effort to gain a better understanding thereof.

The concept of leadership has generated different views from scholars over the years. This situation is connected to the fact that people see and interpret leadership from different perspectives. Addressing this complex issue, Van Rooyen (2008:396) explains that leadership and ethics are two concepts which are often used in a fashion which seems to indicate that the two are mutually dependent or at least closely related. In relation to the afore-mentioned it is generally accepted that leadership coincide with a high level of ethical conduct of the leader(s) in structures. Van Rooyen (2008:396) reminds us that when mention is made of leadership, not only are leaders' persona necessarily the subject of discussion, but also the collective of organisational leadership.

“Leadership could be defined as a personality characteristic, organisational function or relationship among leader traits, follower expectations and situational demands” (Fox and Meyer, 1995:72). According to Serrat (as cited in Gberevbie, 2011:149) distributive leadership has to do with trust and accountability at both the individual and organisational level. According to Johns and Saks (2005:274) effective leaders exert influence for the purpose of achieving organisational goals through enhancing productivity, satisfaction and commitment to the workforce.

If one has to analyse the above-stated views on leadership, it can be summarised in the following way:

- Leaders behave in a responsible and trustworthy manner;
- Leaders have the interest of the organisation at heart;
- Leadership is serious with development and ethical practices; and
- Leaders/leadership is driven by commitment and (political) will.

The increase of corruption and the increasing involvement of leaders in such activities, places the political will of leaders and leadership in the open domain, making it subjected to general scrutiny.

4.5. Political will and leadership

Successful transformation and reform depend on a variety of factors which operate in tandem. One of the key factors in successful reform programs is undoubtedly strong political will being demonstrated by leadership at all government levels. What then is political will?

Kpundeh (2001:92) refers to political will as the demonstration of credible intent of political actors to attack perceived causes or effects of corruption at a systematic level. The political actors include elected or appointed leaders, civil society watchdogs and stakeholder groups. Political will is, however, affected by

many variables which can be the subject of action. In this respect, the rules of the political game, the role of the private sector and the contribution to society are major factors at play.

When addressing and assessing political will, one is usually being faced with the challenge to differentiate between genuine reform initiatives and the artificial ones which are designed to bolster the image of the political leadership. According to Kpundeh (2001:99) there are several indicators which demonstrate genuine political will:

- The degree of analytical rigor that has been utilised to understand the context and causes of corruption. Such an approach would deal with questions about whether the government has unearthed the complexities at the core of such behaviour and what strategies have been implemented to promote integrity in government.
- Establishing of an inclusive and participative process where shared ownership is essential in ensuring sustainability.
- The creation of an open and objective process that monitors the impact of reform and incorporates the findings into strategy that ensure goals and objectives support thus enhancing support and strengthen reformers against criticism.
- The level of structured political competition in both political and economic spheres as it provides an arbitrary check on the abuse of power.

Political will, according to Brinkerhoff (2000:241) is a complex issue which incorporates the following aspects: (i) individual actors with their aspirations and motivations, (ii) organisations, within which individuals function and on whose behalf individuals act, (iii) socio economic and governance systems as well as (iv) policies, programmes and activities, actors are involved with at different stages. In addition, political will exhibits a latent quality; it is not visibly separate from some sort of action and measuring it can only be done indirectly and

primarily from a retrospective point of view. Brinkerhoff (2000:242) defined political will as “the commitment of actors to undertake actions to achieve a set of objectives – in this case, anti-corruption policies and programmes – and to sustain the costs of those over time”. In his assessment of political will for anti-corruption efforts, Brinkerhoff (2000: 243-243) has developed a conceptual framework in which the characteristics/indicators of political will are outlined:

- Locus of initiative: This characteristic has relation to where the impetus of tackling corruption is located, addressing issues such as whether the initiative for reform comes from the actor initiating the change or whether the actor receives corruption as a matter requiring attention.
- Degree of analytical rigor: This indicator entails the extent to which the reformer or the reform group undertakes to make an in-depth analysis of corruption and using the findings to institute a corrective program
- Mobilisation of support: This characteristic of political will deals with both the willingness and ability of the reformer/group to identify and mobilise support for anti-corruption activities.
- Application of credible sanctions: Political will should also be characterised by the openness of the reformer to identify incentives and sanction, whether positive and/or negative, within the context of reform strategies.
- Continuity effort(s): This feature of political will is allocated in the on-going effort and resources which support anti-corruption activities.

Brinkerhoff (2000:243) cautions that in the process of measuring and identifying political will, it is important to treat the indicators as an integrated unit and not to treat one or another as a proxy of the rest.

Kpundeh and Brinkerhoff strongly advocate that political will should determine the origin of corruption and then aggressively addresses it through the implementation of corrective steps, including sanctions. They also agree that political will is a process which involves the participation of stakeholders such as

the private sector and the general public. In addition, political will finds expression in actions aimed at achieving certain objectives.

According to Godi (2007) the most pressing need in most countries are neither new constitutions, nor the introduction of new laws and treaties but **political will**. This political will should be accompanied by strong independent institutions and broad political support. Godi (2007) contends that political will requires the commitment of political leaders to eradicate corruption which is possible when the following pre-conditions are met:

- the existence of a comprehensive anti-corruption strategy;
- an independent and well-resourced anti-corruption agency; and
- fairly enforced anti-corruption laws.

It is, however, unfortunate that most of the characteristics and/or indicators are strikingly absent in the behavioural code of many leaders and organisations, as the option to act corruptly is almost entrenched in the psyche.

Van Vuuren (2002:20) is of the view that the failure of South Africa's anti-corruption strategy is neither legislative nor institutional in nature. Several state bodies exist to combat graft and even new legislation is planned. The core of the problem according to Van Vuuren (2002:20) lies at the implementation of legislation on the one hand and political will on the other. Political leaders recurrently fail to lead by example and to implement swift and uncompromising action against offenders in their own parties. According to Lodge (2001:64) political leaders are a long way from achieving a culture of 'zero' tolerance of corruption within their respective membership. Lodge (2001:64) notes that prior to the 1999 general elections, most branches of the ANC in the Free State favoured the nomination of a senior member despite his removal from provincial government for financial irregularities.

On the question of political will, Allan (2003:46) agrees with Van Vuuren, noting that the government's anti-corruption campaign has suffered from a lack of leadership and its inability to implement systems. Although the constitutional and institutional model serves as a model for the rest of Africa, there exists a pervasive sense of denialism when it comes to translating this framework into practise.

Responding to the manner in which the leadership of the ANC has dealt with the Tony Yengeni issue, Tsedu (2003:19) expressed concern about the message of zero tolerance to corruption. He (Tsedu) is of the view that it is no surprise when government is being perceived as soft on corruption especially when the time for stern and quick action presents itself.

Punt (2000:175) in reference to other cases, such as the abuse of parliamentary travel vouchers, argues that these manifestations are indicative of unethical activities becoming fully embedded in the South African society. What is of greater concern is that many leaders are part of a driving force in corrupt endeavours.

It would certainly be a good idea to pause here and to reflect on the relationship between ethics, values, leadership and corruption. One can justifiably argue that the aspect of decision-making (the process of making choices) is the golden thread between the issues of ethics, values and leadership. When the wrong and ill-informed decisions are intentionally taken for the purpose of gain, the relationship between the phenomena is easily detected. The reluctance and unwillingness to take decisions, being described by Meehan (1990:22) as negative action, also embraces the relationship between ethics, leadership and corruption albeit not so obvious all the time.. The afore-mentioned generally manifest when leadership fail to exercise political will because any actions might have negative consequences for the individual and/or the collective. The unethical/corrupt activity is thus endorsed and becomes "acceptable" whether it

is in contrast with the value-system for as long as gain in whatever form is being derived. Let us not forget that the relationship between corruption, ethics, values and leadership should be interpreted and understood against the theoretical framework outlined in Chapter 2 of this thesis.

There could be little doubt that ethical leadership and political will are both complex and challenging phenomena and in the process of dealing with its complexities, the devastation of corruption expands both in extent, input and impact. President Nelson Mandela, the first democratically elected president of South Africa, was fully aware of the scourge of corruption as well as its ethical and moral implications. “Our hope for the future depends on our resolutions as a nation in dealing with the scourge of corruption. Success will require an acceptance that, in many respects, we are a sick society. It is perfectly correct to assert that all this was spawned by apartheid. No amount of self-induced amnesia will change this reality of history. But it is also a reality of the present that among the new cadres in various levels of government you find officials who are corrupt – as if not more than those they found in government” (Mandela, Opening address to Parliament, 1999).

In an effort to address this challenge, President Mandela initiated a corruption summit which was ultimately held during April 1999. This summit was the first of four to be held in South Africa and it represents a tangible way in which governments engaged (or intended to engage) with corruption. However, whether the resolutions taken at these summits were implemented and whether the actions steps as an outflow of these resolutions were successful in dealing with corruption is an open debate and should most probably constitute a theme for a research product on its own. In the next section, focus will be placed on the four summits with emphasis on strategies, findings and approaches.

In preparation to the first National Anti-Corruption Summit, a Public Service Anti-corruption Conference was held at Parliament in Cape Town on 10 and 11

November 1998. Taking the cues from the initiatives of Pres. Mandela the outcome of the conference was aimed at producing focused and detailed recommendations to prevent and combat corruption in the public sector. The recommendations were submitted to the Cabinet and then forwarded to the National Anti-Corruption Summit scheduled for April 1999.

The first National Anti-Corruption Summit was held at Parliament, Cape Town on 14 and 15 April 1999. The theme of the summit was: “Fighting Corruption: Towards a National Integrity Strategy” and it was attended by 263 delegates representing government leaders, organised business, the media, organised labour, academia, professional bodies and the public sector. Delivering the keynote address, Mr T Mbeki, the then Executive Deputy President of South Africa, wished the Summit success, “confident that it will not disappoint the expectations of our people whose spirit is vexed because they are daily victims of the scourge of corruption which is a blight on our society” (Mbeki, 1999). According to Ramsingh and Dobie (2006:4) all representatives committed themselves to:

- stamp out corruption at all levels in society;
- develop a culture of zero tolerance of corruption;
- visibly support and subscribe to the national integrity strategy in order to combat corruption in all sectors of civil society and Government; and
- educate all persons in South Africa to work together towards a high moral purpose.

The Summit adopted various resolutions aimed at combating and preventing corruption, building integrity and raising awareness. Some of these resolutions are illustrated below:

- Develop, encourage and implement whistle blowing mechanisms;
- Special courts for prosecuting acts of corruption;

- Blacklisting businesses, organisations and individuals;
- Establishing a National Anti-Corruption hotline; and
- Promoting and implementing sound ethical, financial and related management practices.

One of the prominent resolutions taken at the Summit was a call for the establishment of a “cross sectoral task team to look into the establishment of a National Coordinating Structure with the authority to effectively lead, coordinate and monitor the National Anti-Corruption Program” (Ramsingh and Dobie 2006:5).

Naidoo and Jackson (2009:5) comment that the Summit has created momentum in the national campaign for addressing corruption which ultimately culminated in the launch of the National Anti-Corruption Forum (NACF) in June 2001 as well as the Public Service Anti-Corruption Strategy (PSACS) during January 2002. In addition the government gave effect to the resolutions leading to the enactment of the Prevention and Combating of Corrupt Activities Act.

Six years after the inaugural National Anti-Corruption Summit, a second Summit with the theme “Fighting Corruption Together: Past Achievements, Future Challenges” was held on 22 and 23 March 2005 at the CSIR Centre in Pretoria. This summit was also attended by more than 600 delegates representing almost every sphere of the South African society. Naidoo and Jackson (2009:6) outline the resolutions taken at the summits which are presented below:

- Encourage whistle blowing and reporting. Address the shortcomings of the Protected Disclosures Act (No 26 of 2000);
- Strengthening capacity to implement anti-corruption legislation;
- Better coordination between and strengthening capacity of anti-corruption agencies;

- Ethics training and audit on state of ethics. Developing and enforcing codes of conduct. Reviewing and extending financial disclosure framework for public representatives;
- Establish joint research initiative to evaluate implementation by the Executive resolutions made by Parliament pertaining to corruption; and
- Encourage post public sector employment, i.e. cooling-off period.

The third and fourth National Anti-Corruption Summits were held on 4 and 5 August 2008 in the Sun Birchwood and at the Sandton Convention Centre over the period 8 and 9 December 2011, respectively. In essence the resolutions taken at these two summits correspond to a very large degree and it will be reflected by way of summation:

- Building on and reaffirm the outcomes of the previous National Anti-Corruption Summits;
- Sector representatives commit to securing renewed commitment from leaders/leadership;
- Reaffirm the engagement of various constituencies by way of inter-sectoral collaboration; and
- Review of anti-corruption initiatives and programmes.

Concluding on the above-section, it would be fair to argue that the hosting of four anti-corruption summits within a relatively short space of time, certainly displayed the seriousness with which the South African government and broader society approached corruption. Likewise it would be fair to accept that with all these efforts and initiatives there should have been notable progress in curbing/managing corruption. On the contrary, all indications are that corruption has taken on epidemic proportions. How is this state of affairs being explained? Amongst others, this situation is best understood if it is analysed against the background of the causes of corruption but also within the framework of ethics/morals, values, leadership and political will.

Although it would almost be irreconcilable to use the concepts of ethics and corruption within the same contextual framework, the above suggests and implies a connection between ethics and corruption. It would thus not be far-fetched to argue that a linkage exists between ethics and corruption.

4.6. The linkage between ethics and corruption

In her research on the causes of corruption, Camerer (2001:45) has found that greed and the desire for self-enrichment represented the second largest percentage of the respondents' perception. People are aware of the ethical consequences of their decisions but still opt for a situation where the bad outweighs the good.

Also commenting on the causes of corruption, Heath (2001:2) argues that it is often greed, ethical depravity and opportunity that lead civil servants to become involved in corruption.

Prozesky (2002:4) believes that corruption takes place when self-indulgence gets the better of self-control. Focusing on the greed factor, it is argued by Prozesky (2002:4) that several trends may indirectly encourage it. One of the prime actors is the current dominance of materialism. It has been argued, according to Prozesky (2002:4) that if we have only one life to live, certainly it makes sense to make the most of it and if there is no form of reckoning, it is possible to permanently get away with misdeeds. Highlighting another influential factor, Prozesky (2002:4) noted that "then there is the culture of vulgar consumerism and of measuring our worth by our salaries, cars and houses. More is better is the creed of the cult".

Another major aspect in the issue on the ethical dilemma centres on service delivery. With states in transition there exists a major shift in emphasis from public administration to service delivery. Levin (2002:14) noted that new actors

and perspectives challenge the rule-bound bureaucratic culture, where rules, procedures and internal control are seen as blockages to swift and effective service delivery. The pressure may and could lead to a compromise in ethical standards and the flaunting of basic controls.

Punt (2006:176) concurs that corruption in South Africa can partially be explained by deprivation resulting from poverty. However, many of these corrupt officials cited a sense of relative deprivation as motivating factors. “They have enough to live comfortably, but want more to live in luxury” (Punt, 2006:175).

During the opening of the inaugural National Anti-Corruption Summit in 1999, former President Thabo Mbeki posed the following challenge:

“We must strive to find the answer to the question - What must we all do to rebuild a system of morality in our country, a generally accepted value system that is inimical to actions that are ethically wrong?”

In partially answering this question, Edwards (2001:5) calls for ethical training to be incorporated in the public sector. Such training challenges are primarily due to the radical transformation process the country is currently experiencing. The transformation process in the public sector often implies that people find themselves in positions for which they lack the necessary exposure and training. According to Edwards (2001:6) an outflow of this training shortage and also consequent unethical behaviour are more often a result of incompetence than that of intention – this in itself is quite a contentious issue! The ethical training of public officials should be geared towards the path of professional ethical conduct and integrity. According to Punt (2006:179), the ultimate aim should be to secure an ethical culture change reaching into the homes of citizens and the best place to start is where most employed people spend most of their time – at work!

4.7. Conclusion

On the basis of the theoretical framework of ethics, there is broad consensus that the concept of ethics refers to the principles of proper actions (behaviour) and rules of conduct. Theorists such as Azuka, Edwards and Punt agree in general that 'ethics' refers to a distinction between right and wrong but also with the commitment to do what is right and good within a particular context. Ethics entails action and it is not only a topic for theoretical and academic discussions. The purpose of ethics is thus setting up of a framework in which human beings know how to do good or how to stand up against what is (being perceived as) wrong. In the final analysis it has to do with human conduct.

Although unethical behaviour can be ascribed to a lack of knowledge and incompetence, there are other reasons and causes for corruption marching on unabated.

Ethical norms are continuously under attack via the weaponry of greed/lust and a hunger aimed at the accumulation of wealth and power – the latter which could be seductive in nature.

Apart from being continuously under siege, ethics is inextricably linked to a value-system approach. Values can be summarised as a mixture of needs, feelings, interest, goals and purpose as well as a belief in which an individual acts out of choice and by preference. Values can be used as an instrument for understanding attitudes and motivation and as a vehicle for influencing our perceptions. It furthermore makes a clear interpretation of what is right and what is wrong.

On the surface it might appear that ethics and values are interchangeable. It should however be noted that ethics is concerned with how moral a person

should behave, whilst values directly concerns the various beliefs and attitudes which determine how an individual actually behaves.

Apart from the theoretical analysis, it has also been proven that ethics and values are inextricably linked to the aspect of leadership. Leadership should coincide with strong ethical conduct and any leader who desires to lead with justice and integrity should be strongly committed to a solid set of core values and ethical principles. In respect of the afore-mentioned, leaders and leadership are confronted daily with the aspect of political will.

In exercising the aspect of political will, the root causes of corruption should constantly be placed under review and efforts should be examined and implemented to address the scourge. Exercising political will constitutes a process which needs to continuously repeat itself in order to achieve the desired outcomes. When greed and self-enrichment take control and supersedes the value judgement between right and wrong, it clearly points towards a linkage between corrupt behaviour and political will. The silence and/or soft approach of government to several high profile incidents of corruption clearly indicates that the leaders lack the political will to address corruption. Such responses are contrary to the value-system approach, which is aimed at promoting honesty and integrity.

According to Heath (2001:3) it has been proven that corruption and moral degeneration go hand-in-hand. Poverty, greed and unemployment together with a number of expectations can and does lead to moral and ethical decay. Heath (2001:3) further argues that moral degeneration leads to integrity and dishonesty. This in turn, combined with opportunity and motive leads to crime and corruption.

In our discussion on the relationship between corruption and transformation, one could almost place the aspects of ethics/morals, values and leadership under one umbrella. Any type of conduct which strays from the ethical/moral

imperatives of governing behaviour of individuals and organisations (inclusive of businesses and government) is unethical and destabilise, through acts such as corruption, the environment in which its functions. Theorists such as Leo and Patrick (2010), Edwards (2008) as well as Sindane (2007) argue that the relationship between corruption and transformation in so far as far as it relates to ethical/moral dimensions, is very strongly based on the proper conduct of the individual and the collective. It is through ethical conduct and ethical administration, amongst others, that good governance is achieved.

Ethics, values and leadership are essentially about the future. It thus implies the future of individuals, the future of society and the future of the nation state – in our case the state of transformation. If the leadership are involved and it embraces unethical conduct, then surely the transformation process will reflect such characteristics and in this process the relationship between corruption and transformation is a reality and no longer just a mere debate.

It is an open debate whether ethical training in the public sector would at least deter crimes of corrupt practice. However, few would dispute that it is worth putting such an intervention to the test.

The decline in ethics/morals and the erosion of values are steadily encroaching on all sectors of society on a global level. These moral and value-based dilemmas have to be confronted at the same time as corruption seems to increase and gain momentum. On the surface it might appear that those nation-states which have selected the option of political transformation as mode of change are more prone and vulnerable to the ever-increasing scourge of corruption.

The aim of the case studies in the next chapter is to provide empirical evidence of the manifestation of corruption in selected countries which have undergone or is in the process of political transformation.

CHAPTER 5

THE GLOBAL MANIFESTATION OF CORRUPTION – THREE CASE STUDIES

5.1. Introduction

The liberalisation of politics and markets, the establishment and expansion of globalization together with the rapid movement of people, capital and information around the globe has irreversibly shaped societies. In more than one way, this re-shaping process had positive outcomes and the lives of people were changed to the better. However, the developments have been accompanied by a new scourge in corruption which has the potential to negate all the positive developments which were achieved.

Johnston (2005:32) states that many nations which have launched democratic and market transitions experienced corruption and scandal. As a result of the change in political order according to Johnston (2005:32), the established elite gave way to a more fragmented approach whilst new economic and political opportunities began to open up. Likewise new opportunities and avenues for corruption also presented itself although the scope and implications will vary from case to case.

In addressing corruption in Nigeria, Omotola (2006:214) asserts that many African countries find themselves in a situation of crisis and contradiction. This crisis is deep-rooted and multi-dimensional. Omotola (2006:214) further argues that this crisis entails leadership questions, the succession and legitimacy crisis, political violence and ethno-religious conflict. In addition to this crisis, transitional states are also challenged with several vulnerabilities. At the heart of these crises one would find the problem of corruption as one of the prime contributing factors. Zimbabwe and Nigeria are typical examples of such African countries as being

characterised in the preceding statement. The selection of the afore-mentioned African specific countries is based on the fact that political histories of the said nation-states have similarities to the South African situation in that all were under British rule. Furthermore, these countries were involved in wars aimed at gaining political independence, although South Africa and Zimbabwe in a conventional war and Nigeria in civil war. Prior to the implementation of the change process, these countries also boasted well-established economies and growing sectors such as mining and agriculture. Duvenhage (2003:44) argues that change does not always have a positive outcome and can often be associated with political decay of which Zimbabwe and Nigeria are clear examples. In the event of Botswana, however, the political change process brought with it major positive outcomes leading to the establishment of a stable nation-state both politically and economically. The choice of Botswana has been guided by the general positive media and research reports of the country being the success story of Africa.

The Bertelsmann Stiftung (BTI) Botswana Country Report (2010:5) comments that by enlarge, the country has maintained its high level of transformation since independence. There is a qualitative level of administrative functionality and public safety and order are effectively insured. In some aspects, progress is limited by bureaucratic sluggishness BUT not by corruption.

Why then opted for the case-study approach? Mouton (2001:94) notes that in studies where the units of analysis consist of large groups such as countries, regions and cities is it not unusual to find reviews of literature organised around instances of such collectives. In addition Mouton (2001:94) argues that case studies are more prevalent when the aims of the study are primarily exploratory and descriptive instead of explanatory or evaluative. The aim of literature review in case studies is generally to provide examples covering a wide range which may demonstrate or illustrate a certain point or argument as, in this thesis, would be the case for the relationship between political transformation and corruption.

Nieuwenhuys (2007:75) argues that the term case study has multiple meanings. “It can be used to describe a unit of analysis (e.g. a case study of a particular organisation) or to describe a research method (Nieuwenhuys, 2007:75). The aim of a case study is to provide greater insight and understanding into the dynamics of a specific situation.

According to Bromley (1990:302) case study research is an inquiry into an event or set of related events with the ultimate aim of describing / explaining a phenomenon or interest.

The first two sections of this chapter will focus on corruption during the process of transformation in Zimbabwe and Nigeria. It should be noted that this section does not aim to serve as a comparative analysis as only empirical evidence will be provided. The case studies will be linked with the theoretical inputs with the aim of correlating and linking the theory with the practice. The approach to the last section of the chapter which will be dealing with Botswana, will not materially differ from the approach adopted in the first two parts although focus will be placed on why the country has, against all the odds, undergone a successful transformation.

5.2. Zimbabwe – a country in crisis

Zimbabwe is situated in Southern Africa on the northern border of South Africa and borders Mozambique, Zambia and Botswana (See figure 6). The country covers a geographical area of 390 580 square kilometres and has a population of 11, 651, 858. Zimbabwe is a country rich in natural resources, such as water, forests and minerals. It has been described as the “Jewel” of Africa because of several breath-taking attractions like the majestic Victoria Falls, Lake Kariba and a number of sophisticated national parks. It is no wonder that the country was a haven for tourism.

Figure: 7 Political Map of Zimbabwe



<http://www.nationsonline.org/oneworld/map/zimbabwe>

Following decades of white minority rule, Zimbabwe attained independence during February 1980. Zimbabwe was the focus of great optimism; it had all the potential of becoming a great nation that would be a showcase for democracy. The country is theoretically a constitutional democracy with its parliament previously dominated by the Zimbabwean African National Union (Patriotic Front), ZANU (PF). The political landscape changed dramatically as the Movement for Democratic Change (MDC) vested itself as equal partner enforcing a power-sharing government.

The two decades of political dominance by the ruling party have resulted in a state characterised by the fusion of economic and political domains in which political power is regarded as the key to achievements in all other spheres. As a result of the political state of affairs, politicians and their associates have the capacity to exert much influence in most aspects of economic activity.

Over the past few years, however, Zimbabwe experienced a calamitous decline in its economy and the state is characterised by rampant poverty, economic failure as well as political strife and repression. The situation has been exacerbated by droughts, persistent rains, poor governance and political turmoil. According to the Corruption Index 2009 of Transparency International (TI), Zimbabwe is regionally ranked 32 out of a total of 47 African countries using the numerical scale 1 being the least and 47 the most corrupt (Transparency Corruption Index, 2009).

In chapter three of this research thesis, corruption has been described, amongst others, as a complex phenomenon which presents itself in many forms and manifestations. Obayelu (2007:2) explains that corruption is a global problem which exists in varying degrees in many countries. The next section deals with several acts of corruption in the Zimbabwean nation-state.

5.2.1. Political corruption (grand corruption)

Rampant corruption in Zimbabwe can be ascribed to a variety of factors. However, the economic crisis in Zimbabwe has largely contributed towards the incidents of corruption as high ranking political officials took advantage of the opportunities presented by issues such as the commodity shortages, weak institutional controls and ineffective governance.

According to Meredith (2002:160), the Zimbabwe Electricity Supply Authority (ZESA) declared in February 1999 that the corporation was technically insolvent, crippled by government-imposed controls and increasing foreign debt. The corporation had lost nearly Z\$10 million through theft and fraud by senior personnel in its employment. A parliamentary inquiry into ZESA found that the corporation “was so permeated with intrigue, insubordination, and ‘entrenched corruption’ that corporate governance had virtually collapsed” (Meredith,

2002:160). ZESA was however, not the only state-owned company plagued by corruption.

The National Oil Company of Zimbabwe (NOCZIM) monopolises the importation of fuel into Zimbabwe. Zimbabwe has been experiencing oil shortages since 2000. Chigugu (2006) argues that the afore-mentioned state of affairs could be ascribed to factors such as foreign currency shortage, ruinous economic policies and corruption at NOCZIM. Meredith (2002:161) reports that during February 1999, the Zimbabwean government suspended the entire management of NOCZIM after findings that managers had siphoned off an estimated Z\$1.5 billion over five years and the company had an accumulated debt of Z\$9 billion. NOCZIM struggled to find funds to pay for fuel imports and in December 1999, suppliers turned off the tap. Naturally the incapacity of NOCZIM to import, negatively affected every sector of the economy.

It emerged during mid-2001 that the corporation issued licenses for fuel importation to 246 individuals, many of whom were either ministers or people/companies connected with government. According to Chigugu (2006) the fuel crisis was worsened by a scam involving the diversion of fuel from NOCZIM for resale by privately owned companies linked to senior government officials at ten times the officially regulated price. High-ranking government officials used storage facilities belonging to the National Railways of Zimbabwe to store fuel imported from Botswana without paying for the storage facilities. Furthermore, licenses were issued to entrepreneurs for the importation of fuel for corporate or personal consumption.

The aspects of political corruption as highlighted in the preceding cases firmly corresponds with what Lodge (1998:59) describes as the large scale misuse of public resources by senior civil servants and politicians. In almost all cases, political corruption is located within the institutions of government and it involves intentionally dishonest acts. In the case of ZESA it was clear that senior (and

other) officials abused their positions for financial gain without having the interest of the company and the state at heart as their only consideration was the misuse of public resources for private ends. The unprecedented corruption at NOCZIM is a clear indication of the inter-connected nature of grand corruption as it involves access to and fraudulent utilisation of privileged information by a selected few, abuse of power and an orchestrated network of cronyism. The world-renowned economic analyst R. Nowak (1998:6) comments that political corruption (also being referred to as state capture) is common in both transitional economies and in developed democratic constitutions. In his work on political corruption, Nowak argues that state capture occurs when influential individuals and firms illegally influence policy making with the aim of reaping private benefits thus confirming that the process includes sophisticated networking and the inherent abuse of power.

It is however important that we place the views of Nowak (and that of Shah, 2007) in the proper context as it relates to the relationship between transformation and corruption. There is little doubt that grand corruption falls primarily within the realm of senior politicians and bureaucrats. It should not be forgotten that these individuals are usually influential members of the ruling party and are either collected in their positions during the transformation phase or they are being brought into power through corrupt acts of favouritism/cronyism. With privileged access to information and a huge amount of discretionary powers assigned to a selected few, these individuals are either wittingly and/or unwittingly drawn into the web of corruption. With states in transformation, the activities of such individuals are hardly scrutinised and it is seldom expected from them to account. According to Robert Klitgaard "... illicit behaviour flourishes when agents have monopoly power over clients, when agents have great discretion and when accountability of agents to the principal is weak" (Klitgaard, 1998:75). When one also views grand corruption against the lack of and/or weak institutional controls, which is usually being experienced by states in

transformation, then the relationship between the phenomena (transformation and corruption) clearly manifests.

Corruption is endemic; it thrives in chaos/decay and has the inherent danger of absorbing those generally being regarded as vanguards of ethics and morality such as members of the judiciary to mention but one category.

The instability, turmoil and political decay in Zimbabwe also had an influence on the judiciary questioning its independence and impartiality as some officials got involved in corrupt practices. According to Moyo (2004:37), six of the seven judges currently serving in the Supreme Court, were appointed in 2001 after the government's program of land acquisition began. Moyo (2004:37) notes that reports have emerged indicating that all the new appointees including the Chief Justice were allocated farms after the evictions of the owners.

The Daily Telegraph (UK) of 17 June 2003 (as cited in Moyo, 2000:38) reported that two Zimbabwean judges, Benjamin Hlatshwayo and Tendai Chinembiri Bhunu even invaded farms and took commercial farms personally. Mushonga (2008:4) of the Institute for War and Peace Reporting (IWPR) reported that the second highest judge in the land, Judge-President Paddington Garwe, acquired a farm called Mount Lothian which is situated in the fertile wheat and tobacco enterprise belt east of Harare. Arnold Tsunga, executive director of the NGO, Zimbabwe Lawyers for Human Rights, argues in an input compiled for the IWPR (2008:4) that those judges and members of the judiciary who accepted farms have been institutionally compromised as these farms were not part of a written perk (in their contract of employment) but as a discretionary perk by politicians. It just stands to reason that the independence of judges will be tainted if they accept discretionary gifts.

The code of conduct of judges should be understood against the backdrop of the examples set by leadership on the one hand and the aspect of ethics on the other.

In almost every country, the role, status and image of the judiciary are being held in high regard. This is particularly valid in transformation states where it is expected of the judiciary to play a leading role in setting the pace towards democratic dispensations. Naturally the judiciary should then be independent, impartial and being afforded the space/liberty to act in such a fashion. Once the judiciary is being contaminated by political interference and it has lost its independence, their impartiality and objectivity will justifiably be questionable and undoubtedly challenged. Many of the judges in Zimbabwe were appointed as political peons of the ruling party and even acted as active implementers of policy.

The main objective of transformation is to change the core of society and in this process the role of the judiciary cannot be underestimated. When judges however, see it fit to use the transformation process for engaging in corrupt activities, such an unholy alliance confirms the relations between transformation and corruption on the one hand and raises serious ethical moral/concerns on the other.

The example set by the judicial leadership clearly portrayed an image of partisanship which has placed their integrity and moral mandate seriously under question. Through these actions, several senior judges discarded the principles of ethics which requires a process, according to Kennedy (1999:14), of systematic thinking about what are moral and reaching judgements in relation to do what is right and wrong or good and bad. Azuka (2009:14) argues that “making ethical choices requires a clear idea of one’s moral mandate and the ability to critically analyse choices to determine how they stand up in principle”.

Taking part in the land-grab on the part of several judges was a conscious decision based on political influence, political persuasion and political power.

It could furthermore be argued that the judges were acutely aware that in the event of any court cases brought against them with regard to their actions, the plaintiffs would find themselves in a disadvantageous position right from the outset. In the event of such a game, the judges were in the powerful position of being both the player and the referee. With the dominant political system as backing, one can hardly imagine more ideal circumstances for the abuse of power. The very same abuse of power also left devastating trials through acts of bureaucratic corruption.

For the purpose of emphasising the inter-related nature between the manifestations of corruption, incidents of bureaucratic corruption will be highlighted as well as the lack of/ or weak institutional controls and the relationship between transformation and corruption will be outlined by using reference to the theoretical framework as the basis.

5.2.2. Bureaucratic corruption (administrative corruption)

Bureaucratic corruption in Zimbabwe is typically exemplified by the claims for compensation submitted in terms of the War Victims Compensation Act (Act 22 of 1980).

On 14 November 1997, several war veterans in Zimbabwe protested against the looting of funds assigned for their post-war welfare, especially those who were disabled during and as a result of the war. According to Dashwood (2000:102), it was discovered that an amount of Z\$450 million had been looted from the War Victims Compensation Fund. President Robert Mugabe responded to the protests by appointing a judicial commission of enquiry.

According to the Chidyausiku Judicial Commission of Inquiry (1998), several of the claims submitted for compensation were supported by false affidavits, certifying non-existent service in the war or declaring that applicants were discharged whilst they were still active members of the armed forces. The Judicial Commission of Inquiry (1998) further found widespread looting of funds and also unearthed several acts of corruption committed by personnel and medical doctors stationed at the compensation office. Dashwood (2000:102) reports that the main culprits (beneficiaries) turned out to be senior officials in the political and military wing of the ZANU-PF as the following suggests:

- Z\$390 000 each were awarded to the late Joshua Nkomo and his wife for various ailments arising from the war;
- Z\$250 000 awarded to Local Government Minister John Nkomo;
- Police Commissioner Augustine Chihuri received Z\$138 000; and
- Z\$820 000 was paid to First lady Grace Mugabe's brother, Reward Marufu.

Chenjerai Hunzvi, one of the medical doctors responsible for assessment relating to claims, influenced some of his relatives to file applications for compensation and then facilitated the successful processing of such claims. As a medical assessor, Hunzvi had a discretionary and decisive say in who qualifies for compensation. His position turned him into a powerful and influential figure and he eventually used (abused) the newly acclaimed power for private gain. The doctor himself, according to Meredith (2002:137) had been awarded a total of US \$43 300 after making four claims for impaired hearing and sciatic pains of the thigh. "For the first three claims, amounting to an 85% disability, he had been paid Z\$361,620; when the fourth claim amounting to Z\$155,916 was included, Hunzvi's disability rating had been recorded as 177% (Meredith, 2002:137).

The government ignored many of the recommendations of the Commission of Inquiry and many of the victims of serious human right violations were not

compensated, which resulted in untenable levels of dissatisfaction amongst veterans. Carver (2000:10) comments that the 70,000 strong War Veterans launched highly audacious protest actions which included disruptions of Mugabe's diplomatic engagements in Harare. In resolving the situation, President Mugabe caved into the demands of the War Veterans. According to Carver (2000:10) the President conceded to an unbudgeted Z\$50 000 to each veteran and a monthly pension of Z\$2,000 without consulting the Finance Minister. The decision by the president prompted a general crisis in government finances ultimately leading to the World Bank suspending its lending program to Zimbabwe.

The war veterans developed into a strategic and influential grouping in Zimbabwean society and it was not in the political interest of Mugabe and his party to alienate this strong support base. Although Mugabe was to a certain extent forced to accede to the demands of the war veterans, it was a calculated step in using power for gain. Mugabe was convinced that he could count on the unwavering support of the war veterans to achieve selected political objectives of which the land invasions serve as a classic example.

To a great extent, the corruption in relation to the War Victims Compensation Funds can be ascribed to the lack and/or non-implementation of institutional controls.

5.2.3. Institutional controls

The public service is organised around several codes, policies and procedures aimed at guiding the conduct of public officials. The lack of institutional controls is clearly evident in the case of several transactions taking place within the Ministry of Rural Resources and Water Development.

The Auditor-General (AG) of Zimbabwe (as cited in Goredema, 2005:3) uncovered that the ministry awarded tenders for selected public works to an individual without considering (not even establishing) whether the contractor had the requisite capital resources and technical expertise to complete the projects on time. This ignorance resulted in the ministry incurring escalation costs to approximately Z\$57 7 million.

The ministry furthermore guaranteed a loan of Z\$1,5 million to a favoured contractor from a government-aligned commercial bank without Treasury's authority and it paid unsecured advances to an amount of Z\$7,2 million to a contractor for three rural dams.

In addition to the above, it was found that several "ghost workers" in the Ministry were beneficiaries of subsistence and travel allowances. The Ministry (as cited in Goredema, 2005:3) had paid out allowances to these unknown employees on 50 occasions in a period of eighteen months without any verification process.

Throughout this research, it has been argued that acts of corruption do not manifest in isolation and it would be appropriate to reflect on how bureaucratic corruption and institutional controls are exploitative in feeding on each another.

5.2.4. Bureaucratic corruption and institutional controls – feeding partners

The theoretical framework of corruption clearly spells out that corruption is a complex and diverse phenomenon of which the true extent can hardly be determined. In an effort to determine whether there is a relationship between corruption and transformation, the researcher is of the view that it would make little/no sense to isolate or compartmentalise types of corruption as if they represent and operate in different segments. The theoretical and practical inter-relatedness between administrative corruption and institutional controls is clearly identifiable in the case of Zimbabwe.

The Workbook of the UN (2004:10) on corruption and theorists such as Nowak (1998) and Khan (2000) have defined petty corruption, interchangeably referred to as low levels of corruption, as synonyms for bureaucratic corruption. Such activities would typically include the submission of false affidavits and declarations to access public services as was the case with the War Compensation Fund. Any political system operates on a variety of interdependent factors which operate in equilibrium thus ensuring that stability is maintained on a continuous basis. Huntington (1968:12) refers to this system as institutionalisation and claims that strong systems of institutionalisation literally ensure stability during a process of change. Human (1998:25) argues that institutions which develop during the times of equilibrium always attempt to replicate themselves even in the face of overwhelming evidence that it might be wrong. In respect of the afore-mentioned, paradigms of the past are thus alive and well and replicate themselves in the public sector institutions.

The generally weak institutional framework of countries in transformation increases the opportunities for high levels of corruption. Governments with poor levels of institutionalisation are not just weak governments but also bad governments. Weak governments lack authority and fail to perform their functions also in relation to corruption. The lack /poor presence of institutionalisation culminated in the inability of the system to initially identify false claims, unauthorised loans and the presence of as well as payment of ghost workers. In order for corruption to continue and flourish, the perpetrators of such acts prefer to remain in positions of power and authority. Responding to the afore-mentioned, Geraint (as cited in Omotose, 2006:337) notes that “because of their power, organisation, political skill or qualities, members of the elite are always potentially capable of exploiting their positions so as to preserve elite domination.” Therefore politicians and bureaucrats would walk the proverbial extra mile to ensure that power is attained through whatever means. The process of transformation provides new avenues and incentives for corruption which, amongst others, clearly manifests in election processes and campaigns.

5.2.5. Electoral corruption / flaws

In his review of the 2002 Presidential Election in Zimbabwe, Smiles (2003:152) notes that one of the big fraudulent mysteries was locked up in the electoral register. It took more than four court orders to allow the Zimbabwe Civic Education Trust (Zimcet) access to the register. According to Smiles (2003:157), the register of 5, 2 million voters was supposed to be closed at the time the court interdict was granted. However, in the remaining two months, the ruling party illegally registered an extra 400 000 voters in the rural areas which put the number up to 5 612 272 voters. Johnson (as cited in Smiles, 2003:157) reported that a survey by Probe Market Research in 1997, suggested that there were only 12 million Zimbabweans and with a family size of six children, more than 50% were under 15 and 60% under 18. Based on the figures it leaves only 4, 8 million adults of voting age, meaning that about 1, 8 million on the voters role did not really exist.

Responding to the questionability of parliamentary results of March 2005 in Zimbabwe, Bratton and Masunungure referred to the statement by the Zimbabwe Electoral Commission (ZEC) when announcing the official results; "... for many constituencies the outcomes bore little resemblance to the totals and distributions of votes recorded by observers and party agents on the spot" (2006:3).

In what the Global Integrity Scorecard (2008:2) reported as one of biggest scandalous cases, the controversial governor of the Reserve Bank of Zimbabwe, Gideon Gono, illegally withdrew money from the foreign-currency accounts of non-governmental organisations, individuals, companies and embassies allegedly to fund operations and bankroll the electioneering process. According to the Global Integrity Scorecard (2009:2), Gono publically admitted that the Central Bank raided accounts of non-governmental organisations to an approximate amount of Z\$1billion.

Any election is a contest where power is the ultimate winner and in the case of politics, it is state power. Okafor (2009:125) argues that state power remained the most lucrative business and the struggle to acquire it had been mediated through corrupt practices. In the quest to retain power, there are often cases of the abuse of power and the activities of Gono, the controversial governor, as well as the Central Bank of Zimbabwe, bears testimony to this corrupt behaviour. Furthermore, the case of Gono and the Central Bank of Zimbabwe classically typify corrupt actions of embezzlement.

The information outlined above, is a clear reflection of the serious and potentially damaging nature of embezzlement directing us to re-visit the theoretical framework. According to TI (2009:10), embezzlement takes place when a person holding office, dishonestly and illegally uses or traffic funds/goods, he/she has been entrusted with for personal enrichment. The UN (2004:26) does not differ with TI and explains that embezzlement involves the taking or conversion of money and other valuable items such as property by those who are not entitled to them but who have access to it by virtue of their position, employment and access. It would be naïve to interrogate the aspect of embezzlement and in the process ignore as to how it dovetails with the notion of the abuse of power. Such an approach will assist in achieving the objective to determine a relationship between transformation and corruption. Encyclopedia.com defines the abuse of power as the improper use of authority by someone who has the authority because he or she holds public office. From the actions of Gono, executed in his capacity as Governor of the Zimbabwean Reserve Bank, one can safely (only) conclude that the ruling ZANU (PF) did not have sufficient funds in the coffers of the party to administer an election aimed at ensuring that power is retained. In addition to the above, it would also be justifiable to conclude that Governor Gono embezzled the funds by abusing his power and position whilst being conscious of the fact that no punitive actions will be taken against him.

In terms of the relationship between transformation and corruption, the activity by Gono is typical of what the theory refers to as institutional attribute or perspective of corruption. From an institutional perspective, corruption arises where public officials have been assigned wide powers of authority to which little accountability is attached. Kalombo (2005:76) argues that the institutional attributes of corruption are most likely to be found in developing and transitional countries where conditions for corruption are pervasive. Being governor of the Reserve Bank, placed Gono in a position through which wide authority could be exerted and minimal accountability was required. Empirical evidence such as the embezzlement of funds and the abuse of power sufficiently proves the existence of a relationship between transformation and corruption.

5.2.6. Corruption by the Zimbabwean Police

The Advocacy and Legal Advice Centre (ALAC) of Transparency International (TI) (2009) in Zimbabwe, provides citizens with a platform to report corruption, propose solutions in the fight against corruption and seek legal advice. In an effort to determine the entity most prone to corruption, research found that the police occupy the second highest percentage with the private sector taking the top position (ALAC, 2009). Police officers from low to middle ranks continue, as if it is part of their mandate, with activities of extortion and the elicitation of bribes both explicitly and by implication.

The involvement of the Zimbabwean Police in corrupt activities clearly surfaced under and during a nationwide operation, code-named Chirokoza Chapera (End of Illegal Planning). According to Human Rights Watch (2009:19), the operation started during November 2006, five months after diamonds were discovered in Marange and it was aimed at stopping illegal mining across the country including Marange. During this operation 600 hundred police officers were deployed, 22 550 individuals arrested (approximately 9 000 in Marange) whilst gems and minerals to an estimated total value of US\$7 million were seized.

Human Rights Watch (2009:19) reports that the operation was marked by gross human right abuses, corruption, extortion and the smuggling of diamonds. Police coerced local miners to join syndicates which would provide the police with revenue from the sales of diamonds found by the miners. The police set up eleven (11) security checkpoints and guard posts on the 100 km road between Mutare and Marange. These security checkpoints according to Human Rights Watch (2009:20) quickly developed into de facto payment posts where miners would bribe the police to gain access to the field and also paid an exit fee on the way out. During several interviews that Human Rights Watch (2009:20) held with miners, it was determined that the initial bribes were small and modest ranging from a pack of cigarettes, a can of beer or mutsege (roasted nuts).

Apart from the afore-mentioned, the services of women were made available to the police at the checkpoints. Police engaged in sexual activities while miners were digging for diamonds. Over the time, however, the police began to charge more. Miners who were interviewed by the Human Right Watch (2009:20) agreed that at some of the checkpoints, police began to extort payment of at least US\$5 or the equivalent in South African rand, for miners to enter and as they proceed closer to the fields, the bribes would increase.

With the aim of ensuring for themselves a cut of the diamond revenue, police officers formed syndicates with local miners. According to Human Rights Watch (2009:21), a syndicate was a group of miners that operated under the direct control of members of the police. The police would provide local miners, security and escort in the field in return for a share of the proceeds from selling any diamonds. Under the Zimbabwean Police Act (Act 22 of 1980) it is illegal for members of the police to run syndicates. The Act furthermore prohibits police from improperly using their position for private gain and from entering into any trade, business, or occupation while on duty.

It has been noted in the theoretical framework that the wages paid to public servants is an important determining factor in determining the levels and degree of corruption. Baqwa (1999:30) tends to remind us that high levels of poverty, economic hardships and low salaries are not unfamiliar characteristics within the African environment. The factors outlined in the preceding sentence (individually or as a collective) coupled with an ever-increasing cost of living, lure many officials to corruption. Smith (2007:61) argues that many officers, who are involved in corruption, do so many a times not by choice, but pre-dominantly within the context of strong economic and moral pressures. According to Kalombo (2005:76) aspects such as low salaries and rewards for employment create incentives for public officials to pursue self-serving rather than public-serving interests. Is this the case with the police in Zimbabwe? In addition to greed and the abuse of power, corruption in the Zimbabwean Police is undoubtedly a consequence of the very low salaries of police officials and the increasing demands put on them by the country's worsening economic crisis. In a country such as Zimbabwe where incomes are low, the economy generates minimal wealth with the result that governments are not in a position to pay decent salaries to civil servants. Can one identify a relation between transformation and corruption as it relates to the Zimbabwean police? Chetwynd *et al.* (2003:7) argue through the governance model that increased corruption reduced economic growth and increase income inequality which ultimately increases poverty. With the situation of impaired governance, there is amongst others a reduction in social capital resulting in a reduction of available public funds thus leading to a broader increase in poverty. It is just natural and makes common sense that salaries can hardly be adjusted in the absence of financial resources. Camerer (1997:36) notes that those who cannot meet their basic needs in an honest manner, may (and are most likely to) resort to less honest means of subsistence. This argument according to Camerer (1997:36) is explicitly relevant and applicable to individuals who have the opportunity and access to exploit opportunities for corruption. One might argue that being a member of the police certainly creates the opportunities conducive for corrupt

activities. The transformation era has changed little about the material condition of the majority of the police officers in Zimbabwe. In fact, the transformation phase brought about a new wave of economic pressures and social challenges. However, it also opened up new avenues and opportunities for corruption which were identified and exploited by members of the police. Against the backdrop of the above, it can be confidently argued that the relationship between transformation and corruption is real.

Furthermore, in countries where the incomes are low, the marginal value of money is higher than in the wealthier countries. It can thus be expected that lower average incomes increase the propensity both to offer and accept corrupt payments. Like with so many acts of corruption, competing for the top honours, it seems as if favouritism/cronyism is an important role-player.

5.2.7. Favouritism / nepotism (Cronyism)

The biggest Black Economic Empowerment (BEE) deal concluded in Zimbabwe makes for interesting reading in relation to favouritism and cronyism. Smith (2009:6) reports that in the afore-mentioned deal, Anglo American Corporation sold its chrome producer, Zim Alloys to Benscore Investments, a consortium led by banker Farai Rwodzi and tobacco merchant Adam Mloi. According to Smith (2009:3), Mloi is married to the daughter of President Robert Mugabe's late brother and Rwodzi is a business associate of retired General Solomon Mujuru, husband of Vice-President Joyce Mujuru as well as Ray Kaukunde, a former governor of Mashonaland East. The consortium belonging to Solomon Mujuru includes a former ZANU-PF member of parliament and holds a minority stake in the controversial River Ranch diamond company.

Against the backdrop of the BBE deal as outlined in the preceding paragraph, one has to re-visit the theoretical framework of favouritism and cronyism and whilst doing so be mindful that the manifestations of corruption do not operate in

isolation. In respect of the afore-mentioned, it would not be overtly difficult to determine that favouritism and cronyism could be linked to aspects such as political corruption, unethical leadership and rent-seeking.

The UDN (2009:2) views nepotism as a special form of favouritism. Favouritism occurs when officials favour relatives or friends and will for example, nominate them for prominent positions. The UN agrees with the differentiation being made by the UDN and states that nepotism takes place when officials favour relatives or friends for positions in which they (the officials) hold some (or sole) decision-making authority. The process of transformation in Zimbabwe ultimately resulted in the centralisation of power vested within a few influential individuals of which senior cabinet ministers and businessmen are influential role-players. In our discussion on political corruption, it became clear that such individuals have both access and fore-knowledge and use these advantages to appoint family and friends in major decision-making capacities. Corruption is a secret and nefarious activity and the perpetrators would preferably like to keep it that way. One could then safely argue that aspects of favouritism and cronyism are aimed at keeping corruption in the proverbial “family circle” on the one hand whilst the enrichment is also limited to a selected few on the other.

Favouritism and cronyism usually takes place in the absence of oversight, institutional controls and the lack of accountability. Friends and/or family members are appointed in positions or given preferential treatment without the authority having to provide reasons or explanations justifying such actions. According to Dye (as cited in Dassah, 2008:49) common factors which contribute to corruption include: inadequate checks and balances, poorly conceived and managed programmes as well as a lack of accountability and responsibility. The factors identified by Dye manifest almost without fail in transitional and states in transformation. With regard to the practise of favouritism/cronyism, one can thus, in a tangible way, link the relationship between transformation and corruption.

In addition, it is worth noting that favouritism and cronyism reach far beyond the boundaries of appointments only. Mary Jane-Ncube, the national director of Transparency International Zimbabwe (TIZ) wrote in her August 2009 monthly report that “the distribution of farming equipment and farm implements, such as grinding mills, fuel and scotch carts, has largely been corrupt as responsible officials, like members of parliament, district administrators and agricultural extension offices, allegedly abused their offices to enrich themselves” (as cited in Global Integrity Scorecard: Zimbabwe, 2009:134).

5.2.8. Favouritism / nepotism in relation to income distribution

In Zimbabwe, the manifestation of favouritism/nepotism stretches far beyond officials who favour relatives of friends for certain positions in government. Favouritism is aimed at ensuring that the ruling party remains in power by placing selected individuals in identified positions and that wealth is vested amongst a few influential people thus showing a highly uneven income distribution. Myint (2000:4) notes that corruption tends to increase when well-placed individuals are allowed to take advantage of government projects and activities. Rwodzi and Moloji could only engage and conclude the BEE deal on the basis that they had foreknowledge about the developments. Goredema (2005:27) argues that the legislative frameworks within which procurement of goods and services take place, are bristling with the opportunities for the extension of favouritism.

The distribution of farming equipment after the seizure of white-owned farms, underscores the principle of nepotism in relation to income distribution. The afore-mentioned is based on the report of Global Integrity Zimbabwe, that senior government officials, members of parliament and administrators were the prime recipients of such equipment. Ninghua (2010:4) states that these well-connected individuals were part of the above-middle income grouping thus exacerbating income inequality/distribution, as it creates distortions from which one group/individual can benefit more than the other.

5.2.9. Conclusion on Zimbabwe

Since its independence in 1980, Zimbabwe has experienced a relatively short period of economic stability as it regressed into an environment similar, if not worse than the period under colonial rule. The above related information only serves to provide a bird's eye view of developments and/or regression in Zimbabwe. In fact, it only scratches the surface.

It is clear that political corruption in Zimbabwe is safely vested within the institution of government where senior officials squander the state resources at will and with their own interests at heart. The cases of ZESA and NOCZIM bear testimony to this. Transformation is aimed at changing the core of society. If the existing situation is made worse to the extent that it borders on decay, then the link between transformation and corruption becomes clearly evident which is also applicable in the cases of bureaucratic corruption.

Effective institutional controls are essential pre-requisites for any society who aims to manage the process of transformation successfully. In a situation where institutional controls are either weak or not enforced, it will eventually lead to a state of chaos, if not decay. The War Compensation Fund classically typifies a system of weak institutional framework and it has undoubtedly contributed towards an increase in the opportunities for high levels of corruption. In an effort to define corruption, the phenomenon has also been referred to as a cancer and disease. Any disease should be cured and if it is not possible, the disease should be treated and managed. Unfortunately this did not happen in Zimbabwe and the judiciary as well the police fell victim to the disease. Those who were (are) supposed to uphold the law have become entangled in a web of corruption and bribery putting the credibility of law-enforcement into serious jeopardy.

Fraud, extortion and bribery together with the abuse of power have become entrenched and systematic in Zimbabwean society and it has contributed to the

worsening economic crisis in a country polarised between the once powerful ZANU (PF) and the relatively new Movement for Democratic Change (MDC). One can find the proverbial golden thread linking different types of corruption running through almost all sectors of Zimbabwean life nakedly exposing the relationship between transformation and corruption.

The political situation in Zimbabwe has deteriorated to such an extent that Catholic Bishop Kevin Dowling compared the state of affairs to the South African worst days of apartheid (“worst days”, 2007). It will certainly not be unfair to conclude that the “Jewel” has lost its shine, its worth and its value and there is little doubt that Zimbabwe is a country in crisis.

On the basis of the information provided in the preceding section, it seems as if corruption is firmly vested in the Zimbabwean public and private spheres of life. The information contained in the chapter indicates a strong causal relationship between political transformation and corruption. The change of government and governance (effect) has led to a period of fluidity, lack of institutional controls and political will, nepotism together with administrative and judicial decay (causes). The activities of the Zimbabwean Police, as per example, bear justifiable testimony to the characteristic of a causal relationship which is supported by the theoretical framework. Low morale and meagre salaries together with the absence of an effective command-and-control structure (effects) resulted in the police becoming a formidable force which resulted in amongst others taking / demanding bribes and their involvement in illegal activities to supplement their salaries (cause).

If one has to determine a possible relationship between political transformation and corruption, focus also has to be placed on another country with a similar historical background and/or developmental characteristics as Zimbabwe. In the next section Nigeria will be placed under the spotlight.

5.3. Corruption in contemporary Nigeria

Like in the case of Zimbabwe, the nation-state of Nigeria was an artificial structure initiated by the British. Nigeria became independent in 1960 and under the new political dispensation; the country became a federal republic composed of 36 states. It is the most populous nation in Africa with 146 million people consisting of 300 different ethnic and cultural groupings. Almost half of the country's population are Muslims who live primarily in the northern half of the country. The country neighbours Benin to the West, Niger and Chad in the North East and the Cameroon to the East. (See figure 7). Despite its riches in oil and natural gas which has the estimated potential to replace Norway as the world's third largest oil exporter, the country remains highly underdeveloped, experiences slow/little economic growth and poverty is rampant.

Figure: 8 Political map of Nigeria



<http://www.nationsonline.org/oneworld/map.nigeria>

According to the Corruption Index 2009 of TI, Nigeria is regionally ranked 27th out of a total of 47 African countries using the numerical scale 1 being the least and 47 the most corrupt. Ploch (2009:1) is of the view that poor governance in particular has left the country mirrored in poverty and turmoil. Nigeria faces a severe crisis in its economic, social and political development which is connected to the problem of corruption and since the country's return to civic rule in 1999, corruption "... has been the bane of democratic stability and survival" (Ogundiya, 2009:281).

Of all the forms of corruption, political corruption has been a major obstacle towards progress and development. In concurring with Ogundiya and Ploch on the subject of development, Omotoso (2006:337) notes that good governance takes the back seat because of corruption in the higher political hierarchy. The next section will focus on the manifestation of political corrupt practices under two military regimes following Nigeria's political independence.

5.3.1. Political corruption

Nigeria has been led by more than a dozen presidents ranging from military heads to civilian presidents. Throughout this time, corruption was an ever-present phenomenon and it was just its levels of manifestation which varied. During the autocratic regime of former President Ibrahim Babangida, corruption was raised to the level of state policy and corruption was treated with levity thus negating all the achievements of the previous administration under the leadership of General M Buhari (Ogundiya, 2009:6).

5.3.1.1. The Babangida Administration (27 August 1985 - 27 August 1993)

Omotoso (2006:338) reports that the military regime of Babangida opened the floodgates for corruption and the regime made the issues of settlement and corruption, matters of state policy. Corrupt officials who had been jailed had their

cases reviewed. Some of these officials were released while others had their sentences reduced. In addition some of the worst offenders were released from prison and the ill-gotten wealth and properties which had been confiscated earlier were returned to the corrupt politicians.

Other reported cases of corruption (Ogundiya, 2009:288) under the Babangida administration was the mismanagement of 2.4 billion US dollars Gulf War oil windfall and the approximate wastage of 250 million US dollars on the Better Life Project. According to Adesoji and Rotimi (2008:161) the Babangida administration, could not adequately account for billions of dollars which Nigeria has earned as revenue from the sales of crude oil during the Gulf War of 1990 and 1991. The regime diverted national funds to clandestine dedicated accounts specifically earmarked for other projects. Adesoji and Rotimi (2008:161) note that approximately 12 billion US dollars were diverted to off-budget accounts in addition to underreporting petroleum revenues to an amount of US\$2, 1 billion in 1990.

The increase of corruption in government led to a decrease in public support and eventually the government officially collapsed on 12 June 1993. The Nigerians must have thought that they have witnessed corruption in its most devastating form. However, the levels of corruption under the leadership of General Sanni Abacha could not have been imagined.

5.3.1.2. The Abacha Loot (17 November 1993 - 8 June 1998)

Ogundiya (2009:288) describes the Abacha regime as the most illegitimate, reckless and ruinous government throughout the political history of Nigeria. In the case of Sanni Abacha, the former army general was asked to forfeit six ultra-modern buildings worth millions of naira and his family was asked to return to the state an amount of 100 million naira which was illegally acquired. Until his death, Abacha clung to power, nursed and promoted corrupt practices (Ogundiya

2009:288). Pay offs and undue rewards to loyalists of the political order were not an uncommon occurrence. For example, Chief Anthony Ani was a recipient of generosity and unmeritorious gifts to the tune N5 million amongst others.

The children of General Abacha were paid huge amounts of money in both Naira and American dollars for contracts that were not properly executed or not executed at all (Adesoji and Rotimi: 2008:161). Many years after the death of Abacha, his loot that had been stashed away in foreign banks is still being repatriated while his aides and family members are being tried for corruption. It was during the regime of Abacha that one of his military administrators, Colonel Abdullahi Wase, had a cache of Naira notes stored in twelve large overhead tanks in his house (Adesoji and Rotimi, 2008: 161). The discovery was made after the sudden death of the administrator in a plane crash.

The prevalence of corruption in the civilian administration of 1999 eventually led to serious instability in the National Assembly. In order to address the concern, the president appointed an investigation panel. The Idris Kuta investigating panel unearthed several corrupt activities of which only some will be reflected on. Senator Nzeribe (as cited in Adegbulu, 2010:15) claimed that each senator was bribed with N3 million to dump the impeachment move against Obasanjo. Senator Gbenka Aluko testified that each senator received N5 million for a furniture allowance instead of the N3, 5 million that was passed into law.

One can justifiably argue that not even during the colonial history of Nigeria was corruption as rampant as under the regimes of Babangida and Abacha. Lodge (1998:160) in his research on political corruption of countries in transition, argues that cases of extreme corruption (as described in preceding paragraphs) often correlates with situations in which the state derives the majority of its revenues from external sources of easily controlled sectors within the national economy. According to Lodge (1998:160), the state controlled monopolies in commodities such as oil and diamonds which, when exploited in restrictive conditions, are

cases in point and the Nigerian example is a classic case of such political corruption.

In the theoretical framework, political corruption has also been referred to as grand corruption. It is once again useful to refer to the views of Tom Lodge on corruption. Lodge defines political corruption as the unsanctioned or unscheduled use of public resources for private ends (1998:158). Political corruption could furthermore be described as a method of exploitation through which a certain sector of the public order sphere is exploited as if it was part of the market sphere. According to Lodge (1998:158), political corruption is located within the institutions of government involving intentionally dishonest acts.

The Abacha and Babangida administrations were in power whilst Nigeria found itself in the midst of a political transformation process. Omotoso (2006:338) correctly argues that, although corruption was prevalent in Nigeria under colonial rule, it would be impossible to draw comparisons between the impact of corruption in the pre and post-colonial era. During the process of transformation in the post-colonial era, corruption has virtually become state policy, causing serious economic and social hardship.

At this point we should refresh our memories with regard to the theoretical foundations of transformation. According to Webster (2003:15) transformation is “an act, process, or instance of change in structure, appearance or character. A conversion, revolution, makeover, alteration or renovation”. In defining political transformation, Van Coller (2008:166) agrees in principle with Duvenhage noting that “transformation represents a fast, progressive and fundamental political change of society”. Human (1998:13) aptly describes political transformation as the displacement of the old (state, condition, circumstance, process) by a/the new condition. One tempts to justifiably argue that for ordinary Nigerians, the new era did not carry with it the long awaited change. In fact, their daily lives developed into a routine worse than it was before. Naturally the question would

be asked: Is there a relationship between transformation and corruption? Clearly the facts undeniably serve as a basis of approval. The self-enrichment by the head of state, selected individuals and families in the top echelon of the Nigerian government as well as the diversion of funds assigned for specific poverty-relief stricken projects undoubtedly outlines the relationship between transformation and corruption. Furthermore, the relationship between the phenomena finds resonance in the fact that the functioning and authority of the National Assembly, Nigeria's highest decision-making body came under threat. The theory does not fail in reminding us that corruption is an act designed and operationalised by individuals in which leaders play a significant part.

Leadership plays a crucial role in embodying the value-system on which a nation is built. The cases of Chief Dariye and Dr Alamieyeseigha are significant examples in respect of those leaders who serve with a total disregard for ethical and moral conscious and responsibility. According to Waziri (2010:5), the highest level of corruption in Nigeria is in the corridors of power as indicated by the number of state Governors and Local Government Chairmen that have been investigated. This mentality has permeated to the ordinary men who continuously seek every legal or illegal means to make their own wealth. In his input on the causes of corruption, Heath (2001:2) argues that it is often greed, ethical depravity and opportunity that lead civil servants to become involved in corruption. The afore-mentioned will become clear in the section on the manifestation of corruption in the Nigerian Police. According to Obayelu (2007:11) the overall culture of governance also plays an important role in the manifestation of Nigerian corruption. "Most of Nigerian leaders and top bureaucrats are setting bad examples of self-enrichment or ambiguity over public ethics thereby promoting the lower level officials and members of the public into corrupt practices" (Obayelu, 2007:11).

5.3.2. Corruption in the Nigerian Police

Odebayo and Ojo (2009:73) report that the Inspector General of Police (IGP) is waging a serious war of public extortion in the police and by his own admittance they have arrested no fewer than 250 police officers and an amount of N100,000.00 had been recovered.

According to Okafor (2009:119), one of Nigeria's former Inspector-Generals of Police (IGP), Tafa Balogun, was found guilty on 2 November 2005 for stealing more than N13b (about \$10m) of police funds.

Another form of corruption that makes the police becomes objects of ridicule, when dealing with members of the public are illegal charges. According to Adebayo and Ojo (2009:73) in reported cases, especially those that are bailable offences, the police would not allow the suspect(s) to go on bail free of charge. There is no set formula or tariff for the payment of bail and it differs from person to person. The amount is based on the social status of the suspect, the level of involvement as well as the nature of the crime. It is furthermore being reported by Adebayo and Ojo (2009:74) that if suspects are unable to pay the bail amount they are kept in police cells for as long as possible despite the fact that no suspect is supposed to be kept in custody for more than twenty four hours.

In an analysis of police and policing in Nigeria, Etannibi, Alemika and Chukwuma (2005:13) found that the police force is still largely vicious and corrupt. The corrupt motive is also a source of brutality. Etannibi *et al.* (2005:14) argue that in many cases and circumstances police brutality is being used as a means of coercing civilians to succumb to demands for bribes and in some other cases it is punishment for not cooperating in the demand for gratification.

The police are regularly cashing-in on the high rate of illiteracy in the society. Adebayo and Ojo (2009:73) state that, especially over weekends and annual

yuletides, the police would go to public squares and bus stops in major cities and arrest citizens at random. Quite often commercial vehicles are chartered for these nefarious activities. Those illegally arrested are not allowed to go "... until they grease the palms of policemen who also never make any entry of such illegal arrests" (Adebayo and Ojo, 2009:73).

The police force in Nigeria is still strongly militarised and has not adjusted to the process of democratisation. Although the process of change has taken place in certain sectors of the society, the designed change as described by Wallace (2005:4) has not taken root in the Nigerian Police and there is no notable change in what the status quo was and what it was intended to be. The reactive nature of political transformation was not successful in the Nigerian Police as the unacceptable past has not changed fundamentally.

Furthermore, one of the causes of corruption as outlined in the theoretical framework is the low level of public wages. Mauro (1975:5) notes that low wages in the civil service relative to wages in the private sector are a source of low levels of corruption. Obayelu (2007:11) agrees with Mauro stating that low civil service salaries and poor working conditions are strong incentives for corruption in Nigeria. Unfortunately, the transformation process did not address this issue of police salaries. According to Oyesoji (1997:201), the Nigerian Police are poorly remunerated whilst salaries and allowances are not paid on time. In addition, 70 % of the entire police force constitutes the junior cadre and this crop of officers is, apart from the fact that they are poorly paid, also poorly qualified. Bribes are taken more often to supplement the poor salaries in order to make a proper living. Like in Zimbabwe, the general poverty occasioned by the poor economy has led to a situation where police officials will do everything possible to "alleviate" his or her poverty and corruption provides a viable alternative.

One of the major consequences of corruption is that it lowers investments and economic growth and in essence contributes to poverty. Oyesoji (1997:201)

argues that the general poverty occasioned by the poor economy has also affected the ordinary police officer. The police officer would do anything to alleviate this poverty and in his/her line of duty, corruption is the easiest and most viable option. Addressing the causes of corruption in the civil service of Nigeria, Obayelo (2007:11) notes that salaries are low, working conditions poor and there are very few incentives for efficient and effective performances which serve as strong incentives for corruption. Camerer (1997) argues that such actions would in most likelihood be relevant to those, in for example low ranking government positions where the remuneration is exceptionally poor but where the work provides possibilities for corrupt activities.

5.3.3. Judicial corruption

During May 2004, the Chief Judge Justice David Idiong was requested to make statements concerning allegations that he had bribed members of an election tribunal adjudicating a petition questioning the Governor's election in 2003 (UNDR, 2003:8). The Independent Corrupt Practices and Other Offences Commission (ICPC) prepared a formal judgment against Justice Idiong. In fear of possible criminal charges against him, the judge filed a lawsuit aimed at stopping the impending prosecution on the grounds that the NJC had cleared him following an investigation. According to the UNDR (2003:8), the Federal Capital High Court dismissed Justice Idiong's suit on 25 January 2005 stating that it could not prevent a crime agency from carrying on with its tasks.

Two Appeal Court justices, Justice O Opene and A Adeniji were dismissed in May 2005 (UNDR, 2003:8). The National Judicial Council (NJC) had found that these judges had collected bribes to award victory to a party in an appeal over a decision with regard to an election dispute in the Anambra State. These Appeal Court judges were sitting as a final decision-making court for the case in question and have sought judicial review of the constitutionality of their dismissal. The case was dismissed by the Court of Appeal.

Arowolo (2010) remarks that the political leadership collaborate with the bureaucracy to plunder the resources of Nigeria for personal gain. These actions, in what is being described as the unholy alliance between the state and bureaucracy, are easily sustained and aggressively maintained as a result of the poor judicial administrative system. According to Arowolo (2010) the judiciary was made and forced to be dependent and even over-dependent which was a calculated attempt to render this legal structure a toothless bulldog unable to bite corrupt officials.

As a result of the inter-connectivity between political and judicial corruption, there is almost no differentiation between the phenomena. The two cases as outlined in the preceding paragraphs would also comfortably fit in the category of electoral fraud, in particular criminal fraud as per definition of the Black's Law Dictionary (as cited in Vona 2006:1).

5.3.4. Fraud

Nigeria was ruled by military regimes for three decades following its political independence. According to Ploch (2009:2) the country never had a free and fair election since a change in the form of government. Referring to electoral fraud that had taken place during the 2007 general elections, Ploch (2009:6) highlighted aspects such as vote buying, underage voting, ballot box stuffing and theft as well as falsified results sheets as primary incidents of electoral fraud. The violations and irregularities reported by election observers included polling stations opening late or not at all and the omission of serial numbers on presidential ballot boxes. The newly elected President, Umaru yar'Adua conceded that the electoral process was flawed and appointed a panel to recommend changes to the Electoral Act. The findings of the committee were submitted to the President during 2008 but have not been made public yet.

The activities, as they relate to the 2007 elections in Nigeria, fit squarely into the description of actual fraud as defined under manifestations of corruption. "Actual fraud is a concealment or false misrepresentation through a statement or conduct that injures another who relies on it in acting." (Black's Law Dictionary as cited in Vona, 2006:1) According to Masri (2006:6) fraud involves the manipulation or distortion of information, facts and expertise by public officials who seek to draw private profit. In essence, fraud is the intentional perversion of the truth inducing another party to part with something of value. Nigerian officials had manipulated and/or distorted information thus providing a false misrepresentation (concealing the real facts) so that one party could obtain an unfair advantage over the other. It will be a misnomer to limit fraud to developing countries and in particular to countries in transformation. However, conditions such as a lack of institutional control, unethical leadership and bribery create conducive conditions for fraud (and other forms of corruption) confirming the relationship between transformation and corruption.

Any research focusing on corruption in Nigeria would be incomplete without addressing the 4-1-9 letter scheme, also known as the Advance Fee Fraud and/or Nigeria scam. Apart from oil, the 4-1-9 letter scheme placed Nigeria under the international spotlight although for wrong reasons. In a nutshell, the goal of the criminal using the 4-1-9 letter scheme is to delude the target into thinking that he/she is being drawn into lucrative arrangements which will pay out an imaginable fortune. Once the victim is sufficiently convinced (misled) over the prospect of becoming rich, he/she is squeezed for however much money they have. Usually the victim departs with the money under the pretence that the ultimate pay-out would be much bigger and fails to realise during the sting that the payment of the promised fortune will never materialise. In almost every case, the document spells out a sense of urgency, inciting the receiver not to delay any response. For the purpose of providing legitimacy, the document usually refers to legislative government buildings and/or corporations and the exact amount which is allegedly to be paid out, is stated.

The following serves as an example of a letter being sent to an address taken from a mailing list:

Figure 9: Example of e-mail letter

Lagos, Nigeria

Attention: The President/CEO

Dear Sir,

Confidential Business Proposal

Having consulted with my colleagues and based on the information gathered from the Nigerian Chambers of Commerce and Industry, I have the privilege to request your assistance to transfer the sum of \$65,500,000.00 (Sixty-Five Million, Five Hundred Thousand United States Dollars) into your accounts.

The above sum resulted from an over-invoiced contract, executed and paid for about five years (5) ago by a foreign contractor. This action was however intentional and since then the fund has been in suspense account at the Central Bank of Nigeria Apex Bank.

We are ready to transfer the fund overseas and that is where you come in. It is important to inform you that as civil servants, we are forbidden to operate a foreign account. That is why we require your assistance. The total sum will be shared as follows: 75% for us, 20% for you and 5% for local and international expenses incident to the transfer.

The transfer is risk free on both sides. I am an accountant with the Nigerian National Petroleum Corporation (NNPC). If you find this proposal acceptable, we shall require the following documents:

(A) Your Banker's name, telephone, account and fax numbers

(B) Your private Telephone and Fax numbers- for confidentiality and easy communication.

(C) Your letterhead paper stamped and signed

Alternatively we will furnish you with the text of what to type into your letterhead paper, along with a breakdown explaining, comprehensively what we require of you. The business will take thirty (30) working days to accomplish.

Please reply urgently.

Best Regards

http://hubpages.co.hub/The_Nigerian_4-1-9_ScamScam

It is important that we discuss the Nigerian e-mail scam within its proper context. Smith (2008:28) argues that the infamous scams are emblematic of Nigeria's worldwide reputation for corruption. Yet the focus of these scams obscures the fact that the primary victims of this type of corruption are the Nigerians themselves and not foreigners as what is commonly believed to be the case. According to Smith (2008:28) these e-mail scams are perpetrated by Nigerians against ordinary fellow countrymen and foreigners are by no means the only and primary target. In addition the primary resources of Nigeria are looted and squandered by a relatively small group of criminals, who are aware of Nigeria's reputation and through their actions smear the reputation of honest Nigerian travelling and doing business as being criminals until they have proven the opposite. What is then the relationship between transformation and the e-mail scam as an activity of corruption?

The process of change in former colonial states has acted as a gateway giving access to the once elusive (or exclusive?) global arena. The transition to democracy was swiftly followed by the proliferation of the Internet with cellular phones reaching Nigeria in 2002, thus remarkably improving international communication. It was, however, extremely difficult and costly (as a result of the paying of bribes required) for ordinary Nigerians to obtain the services of an ordinary telephone line and to get the services of an international line, clients had to pay huge deposits with preference given to the highest bidder. Smith (2008:31) argues that many Nigerians believed that the "burgeoning business centre industry, with its 4-1-9 focus" was operated in collaboration with top NITEL officials in conjunction with high-level government and military support. According to Apter (1999) there was popular consensus that the Babangida administration not only tolerated these activities but also supported and in the main, benefitted from it. The bribery with regard to the e-mail scheme in Nigeria furthermore illustrates the relationship between transformation and corruption. In addition, it strongly suggests an evolution of corruption during a period of change.

Corruption permeates almost every facet of Nigerian life with bribery a famous (or is it notorious/) manifestation.

5.3.5. Bribery

Incidences of bribery in Nigeria have been highlighted by what Ribadu (2009:6) describes as the "... unholy alliance between local political elites and western financial institutions". The Halliburton/KBR scandal and the Siemens scandal are well-known and recorded cases of bribery in Nigeria.

In the Halliburton/KBR scandal a total of \$185 million had been exchanged for a contract to build a liquefied natural gas plant (Ribadu, 2009:6). Quoting from a Nigerian newspaper, Ribadu (2009:6) notes that leaders received "stacks of US dollars in briefcases and sometimes in bullion vans" as an outflow from the deal. In the other famous case Ribadu (2009:7), Siemens made approximately \$12, 7 million in "suspicious payment" for Nigerian projects including to government customers for four telecommunications projects with a contract value of approximately \$130 million (Ribadu, 2009:6). The German and United States mother companies have initiated investigations and taken strong actions against these companies which were involved in the corrupt activities. However, Ribadu (2006:7) expresses concern that those who received bribes in Nigeria are still enjoying the fruits of their labour without any action taken against them.

Under the heading "credibility deficit", Adegbulu echoes the same sentiments as Ribadu. Adegbulu (2010:10) wrote that in the Siemens and Halliburton scandals, corrupt Nigerian officials were involved to an approximate amount of at least \$436 million. Instead of taking decisive action, Nigeria had politicised the issue thus leaving the corrupt officials to escape justice and there is growing consent amongst the Nigerian people for the lackadaisical attitude of the Yar'Adu administration towards the scandal.

According to Matsheza (2007:5), bribery in the form of grand corruption usually involves individuals in the private and public sphere who exercise influence over large contracts and these well-placed individuals used their positions to extract large bribes from national and transnational corporations. The payments of bribes was demanded to positively influence the decision in awarding the contract to Siemens as preferred service provider.

Gillies (2009) reports that Albert Stanley, an employee of Kellogg, Brown and Root, a United States (US) oil company pleaded guilty to paying approximately \$180 million in bribes to the Nigerian National Petroleum Corporation (NNPC), the Petroleum Ministry and other government officials in order to secure four contracts worth over US\$6 billion to build liquefied and natural gas facilities. The case documents illustrated how aspiring contractors used fake consultancy firms through which payments were channelled to government and how they (the contractors) distributed payments to representatives designated by those at the higher echelons of government. The Halliburton/KBR scandal as well as the bribery activities of Stanley, has once again placed the role of leadership in corruption under debate.

5.3.6. Examples set by leadership

Since independence, Nigeria has been led by military and civilian governments, many of which came into power through a coup d'état. The recurrent theme of the war against corruption was used as justification for overthrowing some governments to be replaced by others. The new governments coming into power boldly claims to be corrective and to decisively deal with corruption. However, history has proven that the one was the same if not worse than the other. Even for those governments who were not over-thrown for corrupt practices, corruption pervaded in various forms in government programmes. Corruption goes with power and to have any useful discussion on corruption in Nigeria, we should

locate where it properly belongs – within the ranks of the powerful that also constitutes the leadership!

Adesoji and Rotimi (2008:162) note that Dariye and Alamiyeseigh were governors of their respective states and members of the ruling party. It is interesting to note that both Dariye and Alamiyeseigh were caught for money laundering by the London Metropolitan Police. Dariye was arrested on 2 September 2004 in a hotel with £93 000 cash while Alamiyeeigha was arrested at Heathrow Airport on 15 September 2005 with more than £1 million in cash (Adesoji and Rotimi, 2008:163).

The London Metropolitan Police determined that Dariye had acquired £10 million in benefits through criminal conduct in London and used front agents to penetrate real estate markets where he purchased choice and expensive properties. According to Ribadu (2009:3), Alamiyeseigha owned four properties in London valued at approximately £10 million plus another property in Cape Town worth \$ 1.2 million. In addition £2 million was restrained at the Royal Bank of Scotland and over \$240 million in Nigeria in addition to bank accounts which were traced to Denmark, Cyprus and the USA.

Ogundiya (2009:289) reports that Vice President Atiku Abubakar was found guilty on the allegation that he had diverted US\$145 million of the Petroleum Technology Fund. It was furthermore reported that the Vice President had abused his office by aiding or abetting the diversion of public funds which had been approved for specific projects by fraudulently converting some of the funds as loans to the NDTV and the Mofas Shipping Company.

Oil is dominating the Nigerian economy and generates the majority of government revenues. Nigeria is the world's sixth largest oil producer and in a country with a culture of corruption it is not surprising that the rich oil resources would be targeted by corrupt elements. According to Okafor (2009:120) figures of

the World Bank indicated that approximately \$300 billion of Nigeria's oil wealth had been stolen by the country's leaders over the last four decades. In addition the leaders have also looted \$500 billion donors' assistance from western countries.

In any sphere of society, the example set by leadership is an important factor in the fight against corruption. In the research on the causes and consequences of corruption, Abed and Gupta (2002) argue that when leaders do not set the example it cannot be expected that employees in the public administration will display a different kind of behaviour. Based on the behaviour of governors and the vice-president, one can only conclude that greed and self-enrichment had superseded the value-judgement between what is right and wrong. In the case of Kellogg, Brown and Root, leaders knew precisely the financial gain they would be making by influencing and manipulating tender procedures. According to Hope and Chikulo (2000:19), a lack of such ethical leadership can be attributed to the fact that personal and private interest takes precedence over national interests. Apart from the ethical aspect as outlined in the preceding sentence, such behaviour is also a classic case of the abuse of power as these officials had the knowledge, influence and access to resources allowing them to engage in such corrupt activities.

5.3.7. The penalty system

Nigeria has never been in want with regard to policy measures to combat corruption. Agbu (2004:2) comments that government initiatives that include the establishment of the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Economic and Financial Crimes Commission (EFCC) and the institution of the Budget Monitoring and Price Intelligence Unit (BMPIU) are some of the anti-graft reforms which were undertaken. According to Omotola (2006:219) other anti-corruption measures implemented are the Investigation of Assets Decree, No 5 of 1966, the corrupt Practices Decree of 1975 and a code of

conduct tribunal. More recently the Indiscipline Corrupt Practices and Economic Crime (Prohibition) Decree of 1994 and the Advance Fee Fraud and Other Related Offences Act Decree of 1996 came into being. In spite of all these measures and legislation, very little has been achieved and it is difficult to understand why corruption still persists in Nigeria when all the enabling laws are available. Omotola states that “not a single case of corruption is known to have been prosecuted in the regular or superior court of record” under these laws (2006:218). Sharing the same sentiments Agbu (2004:5) notes that since former Pres. Olusegun Obasajo launched his campaign about corruption, no high profile individuals have been jailed for corruption in a country what is arguable undergoing a silent revolution. Werlin (2005:526) agrees with Agbu adding that the ICPC has not received adequate funding and was limited to a specific timeframe in its investigative authority. Omotola (2006:220) argues that most of the enforcing bodies lack autonomy and are subjected to interference from the state, do not receive sufficient funding and experience ambiguities in legal provisions that provide opportunities for those under investigation to obtain arbitrary court injunctions. It would not be unfair to argue that the status quo as outlined in the preceding paragraph is wilfully being kept alive so that corruption can flourish unhindered.

In addition to the above, Agbu (2004:3) is of the view that the main reason for the persistence of corruption is the perceived conflict of interest which makes it even more difficult to implement any penalty system whilst Werlin (2005:526) argues that leaders from poor countries are insecure and their positions are constantly under threat from powerful families, ethnic and religious leaders and/or regional rivals to name but a few. In order to secure financial security, many leaders have opted for the rent seeking options and opportunities.

5.3.8. Rent seeking

In addressing the rent-seeking phenomena in Nigeria, Omotola links the current state of affairs with the colonial origin of the state and "...the predatory character of its post-independence variant and elites" (2006:219). The privatisation of the Nigerian state found manifestation by and through its excessive subjection to extensive rent-seeking. The afore-mentioned is an ever-present policy through which private benefit is obtained from public action and resources. The rent-seeking policy has contributed to the stagnation and the decline in economy. It has furthermore created some form of benefit for the ruling elite (a tiny majority) and contributed to excessive income equality.

Nigeria is the African continent's largest oil producer and according to Omeje (2006:44) the contribution of Nigeria's crude oil to the United States has increased from 8% in the late 1990s to about 14% in 2005. Omeje (2006:46) argues that oil-related rents such as royalties, taxes, oil exports etc. are the lifeblood of Nigeria's economy. The domestic budget and the huge import trade sector as well as other expenditure are primarily funded by the oil revenues. In addressing rent-seeking as it relates to the oil industry, Omeje (2006:46) comments as follows: "The combination of rent-seeking features of the economy with the neo-patrimonial traditions of the post-colonial state produces a convoluted political culture marked by clientelistic desperation. The key stakeholders, clients, and partisans of the political economy seek to pursue, fast-track, secure, protect and defend oil-related accumulation by desperate measures that may include the use of threats of violence, extortion and outright plunder – not to mention traditional practice like witchcraft" (Omeje; 2006:46). Omeje agrees with Omotola that the elites occupy the top hierarchy of the rent-seeking space but added that given the centrality of the oil rent to the economy, the phenomenon is not just limited to the top hierarchy as the general political discourse in Nigeria is pervaded by a high-stakes renter mentality. What is then the link between corruption and rent-seeking?

In order for us to answer the above question, one should refer to the theoretical framework and in particular to the definitions of rent-seeking. Tollison as cited in Svensson (2005:21) defines rent-seeking as the socially costly pursuit of rents which are often created by governmental interventions in the economy. Obuah (2010:36) argues that rent-seeking is a result of too much government intervention in the economy. According to Olowu (1999:2) rent-seeking opportunities are triggered by bad economic policies, poor levels of leadership coupled with low levels of remuneration, weak detection and penal mechanisms. Gillies (2010) argue that Nigeria exhibits typical characteristics of a rentier state: “the driving logic of governance is the allocation of resources and opportunities in ways that strengthen the position of those in power”.

With states in transformation there is almost an obsession to exert a strong measure of control on all aspects of the socio, political and economic conditions. Mbaku (1998:197) argues that the ruler and the civil service strictly control the allocation of rents and the competitive interest groups do not invest directly in the creation of rents but invest their resources in influencing civil servants. Entrepreneurs pay bribes to the bureaucrats in exchange for benefits they would not otherwise have received. Mbaku (1998:209) concludes that bureaucratic corruption is essentially rent-seeking behaviour and is directly related to government intervention in private exchange. Such an approach ultimately leads to the abuse of government intervention in the economy resulting in various rent-seeking activities such as bribery, election fraud and bureaucratic corruption, confirming the theory of a relationship between transformation and corruption. It is needless to say that any reform such as transparency measures, oversight and institutional controls would ultimately threaten corrupt acts such as rent-seeking.

5.3.9. Institutional controls

Erero and Oladoyin (2000:280) comment that it was “...bewildering...” to find cases of financial misappropriation in government, as was with the case of the

Nigerian Railways Corporation (NRC). During 1987 the NRC was accused of corruption stemming from the improper keeping of ledgers as well as duplications and omissions in subsidiary ledgers. According to Erero and Oladoyin (2000: 280), auditing firms discovered differences and discrepancies in the financial files they had studied. It was furthermore discovered that the corporation had settled many contract bills without certificates of completion.

The lack of institutional controls also finds realisation within the realms of the National Drug Law Enforcement Agency (NDLEA). On 16 December 1993, two containers with 648 wraps of heroine worth approximately US\$800 million were seized by the NDLEA from a suspect. When the trial judge visited the office on 1 February 1994, it was discovered that eight wraps were missing (Erero and Oladoyin, 2000:282).

Adesoji and Rotimi (2008:167) note that the Plateau and Baelsa Houses of Assembly authorised a N4 million car loan to each member of the House of Assembly without any agreement or repayment. Similarly, executives would release substantial amounts of money to implement certain projects. According to Adesoji and Rotimi (2008:167) in cases where the projects were executed at all, only a fraction of the money was released and the rest pocketed by legislators for which they were not held accountable.

Like in most countries, the role and functions of the state are performed through regulations and authorisations. With countries in transition, regulations and authorisation are usually under review, an aspect being referred to by Duvenhage (2003) as a period of fluidity. With controls and accountability mechanisms absent and/or not enforced, the stage is set for the exploitation by corruption in the administrative system of which the NRC's bookkeeping system and the government's car loan scheme are cases in point. Weak institutional control also implies that there is no muscle (or the lack of political will) to ensure enforcement and perpetrators run scot-free.

The fluidity in the transformation phase presents the ideal opportunity(ies) for engaging in corrupt activities or enhancing those already in the operational and/or execution phase. It can be argued that corrupt activities tend to gain momentum when the possibility of being caught and prosecuted relates to nothing but “wishful thinking”. The process is even more conducive to corruption when regulations and authorisations are open for various interpretations. According to Obayelu (2007:11), informal rules are found to supersede the formal ones, thus making stringent legal principles and procedures losing their authority. The lack of institutional controls, its ambiguity in interpretation and an unwillingness to enforce it (be it political or others) are major contributing factors in the relationship between transformation and corruption. In fact one could argue that the lack of institutional controls should be regarded as one of the major causes in and of the relationship between transformation and corruption. Baqwa (2001) is of the view that codes of conduct and administrative law mechanisms, monitoring and enforcing are essential components of an ethical environment.

5.3.10. Conclusion on Nigeria

Adegbulu (2010:8) describes corruption as a malignant tumour with which Nigeria was born in the 1950's. This tumour has grown to become a festering cancer capable of terminating the corporate identity of Nigeria. It has been established in this chapter that corruption is deep-rooted in almost all sectors of the Nigerian society.

In Nigeria, political corruption has set the tone as it has been elevated to the level of state policy and has developed into a state craft. Dukor (as cited in Omotola, 2006:225) argues that the problem of corruption in Nigeria is a political one which manifests as a result of the lack of political will and the failure of the state to maintain law and order. Aspects of political corruption and the examples set by leadership are inter-related. Successive military regimes have ransacked Nigerian resources, enriching themselves, their families and cronies. The tumour

has spread to all sectors of society and is particularly rife in the Nigerian Police Service where extortion and brutality are no foreign concepts. Not even the judiciary could resist and escape this societal illness as the cry for more/greed has in many cases outweighed the adherence and application of ethical practices. The absence and lack of institutional controls contributed to an increase in fraudulent activities whilst bribery is well-documented through the Siemens and Halliburton scandals.

By way of summary, Ribadu (2009:4) notes that in the period 1960 – 1999, Nigerian officials had wasted and stolen well in excess of \$440 million. In total, this amount represents six times the sum needed to rebuild a devastated Europe in the aftermath of the Second World War. One can just imagine what the amount could have done to a country (even a continent) riddled with poverty and weak institutions.

It is remarkable how the post-independent era in Nigeria show distinct similarities with the situation in Zimbabwe as it relates to the relationship between political transformation and corruption. Apart from issues such as bureaucratic and judicial corruption, rent-seeking, the unethical and immoral behaviour of leadership can be identified as the most prominent characteristic in the causal relationship between political transformation and corruption. The several regime-changes (effects) were mainly brought about by coup de taitis. These military leaders who were not responsible and accountable to anyone, (cause) ransacked the resources and economy of the country and elevated corruption to a level hardly seen before. The process of political transformation which had to deal with the scourge of corruption unfortunately served as a causal factor for the increase of corrupt activities.

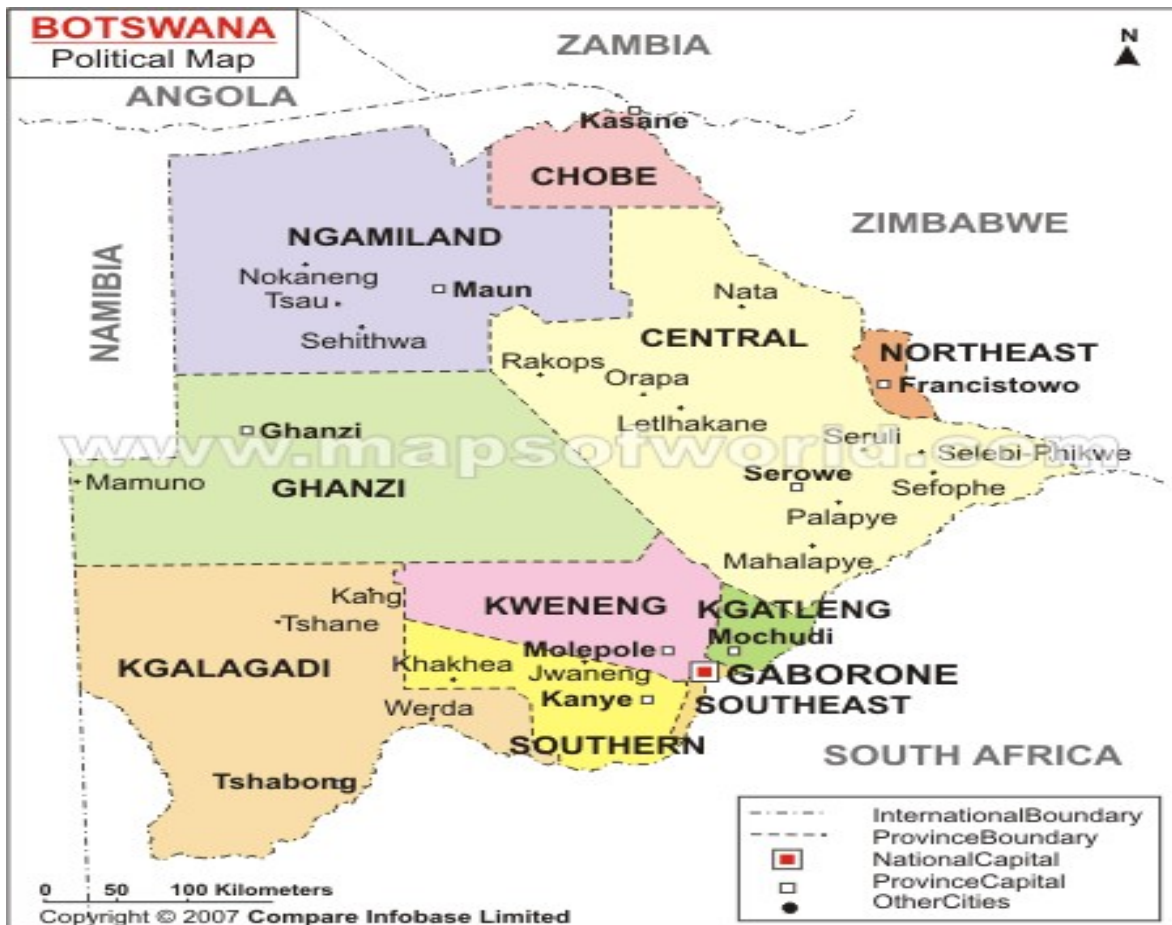
Corruption is not restricted to a nation or continent although its degree and impact might differ from one country and continent to the other. Like Zimbabwe and Nigeria, the Republic of Botswana was also ruled by the British Empire. However, the country has developed into one of the most stable democracies on the African continent. The last section of this chapter will focus on Botswana in its transformation era.

5.4. Botswana – success breeds success

5.4.1. Introduction

Botswana, a landlocked country with a population of 1, 5 million, is surrounded by South Africa to the south, Namibia to the north and west and Zimbabwe to the east. In respect of its geographical characteristics Acemoglu, Johnson and Robinson (2001:9) note that the country comprises 570,000 square kilometres of which 84% per cent is Kalahari sand. 80% of the population lives in the arable area, which is a long strip in the east of the country along a rail line linking South Africa with Zimbabwe. Approximately 4% of the land can be cultivated and the bulk is rangeland only suitable for seasonal grazing.

Figure 10: Political map of Botswana



<http://www.maps of world.com>

Hillbom (2008:191) states that with the independence of Botswana in 1966, the country was poor, underdeveloped and seldom heard of in many parts of the world. Forty years later, it is regarded as a growth miracle, a sign of hope for sub-Saharan Africa and a beacon of success and prosperity. According to Acemoglu *et al.* (2001:19) Botswana's economic performance is spectacular in almost every aspect. Inflation has rarely been above 10%, there has been a significant investment in human capital and investment has been between 20% and 30% of its GDP. Botswana is one of the world's fastest growing economies and during the eighties the country experienced a remarkable GDP per capita increase of 13% per annum.

The country's economic growth cannot be separated from its political stability. Ndung'u (2003: 2) argues that the country has been able to enjoy long periods of relative peace and stability which is a unique achievement by any definition if measured against a Southern African region where violent struggles for political freedom was an outstanding characteristic. It is furthermore argued by Hillbom (2008:192) that the success of Botswana could be ascribed to limited colonial influence, solid political institutions, sound leadership and prudent economic policies. In its 2009 Corruption Perception Index, Transparency International places Botswana as the least corrupt country in Africa and in position 37 out of a total of 180 countries on an international scale.

All the countries in the world experience challenges in one way or another. Botswana's major challenge is the rampant HIV/AIDS endemic. Estimates suggest that approximately 19% of the population is infected with HIV. In a country with such a small population (1, 9 million inhabitants) it definitely points to a serious decline in the social and economic indicators within the next few years. Economic growth and a certain measure of modernisation inevitably brought with it the manifestation of corruption as one of the spin offs. The booming economy provided fertile grounds for corrupt opportunities to emerge in multi-billion pula projects such as development of roads, schools and housing projects. During the early 1990s, the Botswana public service was rocked by a number of major scandals which included illegal land sales and the involvement of several high-profile politicians in corrupt activities. The serious nature of the scandals led to the appointment of three official inquiries. The following section will focus on some of these corruption cases, the measures implemented to address the issue and how corruption is generally approached within manageable proportions.

5.4.2. Political corruption

The systematic political corruption which has plagued most African countries seems to have evaded Botswana for a relatively long period of time. However, it

is to be expected that in a country with such a high level of economic growth and development, corruption would also find a niche in the market. Botswana's unblemished reputation for good governance was severely dented during the early 1990s by a succession of scandals involving powerful political figures which led to the establishment of presidential commissions of inquiry. Mbao and Komboni (2008:62) observe that the real impact of corruption was exposed through Presidential Commissions of Inquiries between 1991 and 1992.

The first Commission of Inquiry established in 1991 dealt with the procurement of school books and material for the 1990 school year. According to Gbadamosi (2006:11) the Commission's findings indicated that the laid down procedures especially as it related to tender and financial regulations, were not followed. In this process, the government lost approximately P27 million which equates to US\$15 million at that time. The Commission furthermore concluded that the tender was fraudulently awarded to an inexperienced company. During the same year, the Kgoba Commission implicated senior cabinet ministers in corrupt land and housing deals. The biggest case of corruption involving politicians, senior civil servants and business executives was the commonly referred to "BHC Scandal".

5.4.3. Inquiry into the Botswana Housing Corporation (BHC)

The BHC was created in 1971 and during the initial years it functioned adequately as it was able to fulfil its statutory functions. However, during the early 1980s, wide allegation of corruption and incompetence started to surface. At the centre of the allegations of corruption was a Gabarone based company registered as Wade Adams (Matlhare, 2006:18).

Following the untimely death of the then General Manager of the BHC in an accident, the public disquiet came to a head when substantial amounts of unaccounted cash were found in his car and office safe. According to

Government Paper Nr 2 of 1992, the government of Botswana decided to appoint a Commission of Inquiry into the activities of the BHC. The four person commission, known as the Christie Commission of Inquiry, was appointed on 17 August 1992. Amongst the findings of the Commission was that:

- Wade Adams' improperly acquired a plot of land to develop a housing estate through which the company improperly benefitted P20 million;
- Wade Adams' Chief Executive bribed the BHC chief executive with P350 000 towards the acquisition of the plot; and
- The company made a donation of approximately P2 million to the Botswana Democratic Party (BDP).

Another act of corruption involved a cabinet minister who was bribed with P500 000 to ensure that a company called Spectra was awarded a tender to build the BHC headquarters. The Commission according to Mathlare (2006:18), determined that the minister was under pressure from a national bank to repay a loan and on learning about the minister's predicament, Spectra undertook to pay the minister a sufficient amount enabling him to discharge his obligations. Mathlare (2006:19) observes that undertaking was done on the condition that the contract for the construction of the headquarters is awarded to Spectra Botswana.

According to Mboa and Komboni (2008:63), the Commissions of Inquiry revealed that grand corruption in Botswana was primarily perpetrated by the elite although levels of petty corruption could be traced within the ranks of junior officials. The views of Mboa and Komboni concur with the theoretical framework on the types of corruption. Matsheza (2007:5) argues that grand corruption generally involves prominent individuals in public and private spheres who exercise influence over large contracts and projects whilst petty corruption relates to tips and commissions demanded by junior officials in their day-to-day actions with the citizenry.

The corruption scandals in Botswana in conjunction with the public outcry, forced the government to investigate and implement countering measures to avoid a catastrophe not unfamiliar to many an African country. It was ultimately decided to establish the Department of Corruption and Economic Crime (DCEC).

5.4.4. The role of the Department of Corruption and Economic Crime (DCEC)

The purpose of this section is not to unpack the DCEC in relation to its mandate, functions and responsibilities. Focus will however, be placed on how the DCEC has succeeded in addressing corruption in Botswana.

According to Drielsma (2000:33), the DCEC is similar in its set up to the Independent Commission against Corruption (ICAC) in Hong Kong. It operates on the basis of a three pronged approach with separate departments that target Operations, Public Education and Corruption Prevention. Drielsma (2000:33) is of the view that the Public Education Department through the utilisation of TV programmes, newspaper advertisements and phone in radio shows has been very successful in informing the public of the cost of corruption. In addition the Public Education program has included the creation of Botswana's first superhero, known as "Mr Honesty". The caricature in the shape of a cow represents wealth and prosperity in relation to local culture. The campaign of the DCEC has provided an opportunity for ordinary citizens to report on what they perceive as corruption.

Heilbrunn (2004:11) highlights that the DCEC is an independent agency which provides community outreach programs to public and private sector role-players/clients on the cost of corruption. Despite DCEC's mandate to investigate corruption amongst others, public information suggests that emphasis is placed on prevention and community outreach. According to Heilbrunn (2004:11), the emphasis of the DCEC has gradually shifted to an investigative approach and

during 2001 there was a 24,8% increase in corruption reports as compared to the previous year which is a clear indication of the new approach. The DCEC reports directly to the President who approves and disseminates the annual reports. Heilbrunn (2004:11) is of the view that such reporting mechanisms is indicative of centralised executive authority (as is the case in Botswana) and it may account for the major success in managing diamond reserves, further outlining the positive role which was played by the DCEC.

The Public Administration Country Profile of Botswana of the United Nations (UN) (2004:12) states that since the inception of the DCEC all major cases of corruption have resulted in conviction. The high success rate can be attributed to the fact that the DCEC is a well-funded organisation which places it in a position to attract the best personnel contributing to their operational effectiveness. Olowu (1998:7) however, expresses the concern that with the exodus of the expatriate personnel, efforts to secure competent local replacements have not been successful and this could have a major negative effect on successful operational sustainability.

The case of the DCEC illustrates that any anti-corruption structure(s) should be sufficiently funded, be regarded as legitimate thus having the support from the broader citizenry and proves its worth by aggressively addressing corruption whether through education or convictions.

In the theoretical framework of this research, it was highlighted that corruption is the result of several causal factors and it is an open debate whether the salary levels of Botswana government functionaries could be regarded as one of those factors.

5.4.5. Levels of remuneration

Olowu (1999:8) argues that economic transition even in the most positive circumstances highlight a number of challenges which make corruption equally important as political and economic issues. According to Olowu (1998:8), Botswana is fortunate in that the civil service is relatively well-paid in relation to international and private sector standards. Although the good salaries of public officials do not totally negate activities of corruption, it minimises the possibility of bribery as there is no real need to secure an additional income in order to supplement meagre incomes. Beaulier and Subrick (2004:16) note that Botswana is no longer dependent on the International Monetary Fund (IMF) and the World Bank and the country has developed into a sponsor nation. With such financial liabilities no longer of any concern, the Botswana government has skilfully and strategically invested in the salaries of public officials to ensure an effective and efficient administration. According to Beaulier and Subrick (2004:16), the average individual in Botswana enjoys an income of approximately four times that of other sub-Saharan African individuals. Competitive salaries certainly contribute to effective and efficient administrative machinery. It is, however, necessary to continue adjusting salaries in line with the general increase in the cost of living. Unfortunately Botswana's economy was severely hit by the global crisis primarily due to a reduced demand for diamonds and other minerals in the European market. The economic setback has led to a situation where the salaries of government employees were not adjusted for a period of three years. The Botswana Federation of Public Sector Unions (BOFEPUSU) started a nationwide strike on April 2011 (Monthly Intelligence Forecast, 2011:1). The union members demanded a salary increase of 16 per cent. According to the Monthly Intelligence Forecast (2011:1) the Botswana government claimed it lacked the funds for the salary increase due to the slow economic recovery and changed their initial 5% offer to a 3% increase. The strike which had been planned only for 10 days saw a renewal in actions when a court order of 27 April 2011 forced essential medical workers back to work. Apart from the Botswana

government who has condemned the strike, the actions of public officials were supported by the Botswana Congress Party (BCP) who held President Seretse Khama responsible and the Confederation of Canadian Unions who has expressed concern about reports of unlawful acts of intimidation on the part of the employer. The strike has caused immense human suffering, wide-scale disruptions and even threatened to delay the process of economic recovery. What preliminary conclusions can be drawn?

- The actions of the public officials speak volumes in support of the notion that no government should regard itself immune to strike actions.
- The manner in which the Botswana government managed the strike also left many questions unanswered particularly when one has to balance sound democratic principles, stability in the growth of the economy versus the undeniable right of workers to earn proper salaries.
- The fact that BOFEPUSU ultimately accepted the salary offer of government is being interpreted as a clear indication that the public service has also positively considered the broader interest of the nation-state. The afore-mentioned sends a message that loyalty and commitment are still prevailing factors in the public service of Botswana which is certainly one of the factors why the country has experienced economic and political stability.

This study has argued that the success of any administration system is amongst others measured by and against the existence and implementation/enforcement of institutional controls.

5.4.6. Institutional controls

Matlhare (2006:16) is of the view that the anchor for good governance is enshrined in the Botswana Constitution of 1966. The constitution defines amongst others certain levels of powers, responsibilities and boundaries of

authority. According to Matlhare (2006:16), almost all countries have a constitution but not all citizens adhere to it in letter and spirit. Botswana's respect and adherence to the constitution sets it apart from other African countries also with regard to the implementation of institutional controls.

The success of the implementation and adherence to institutional control measures, was (and is still) a well-crafted process. Simwanza and Samaratunge (2010:17) explain that Botswana decision-makers consciously prioritise institutional and technical capacity prior to embarking on a structured reform process. In addition, according to Simwaza and Samaratunge (2010:16), the services of qualified expatriates from the colonial era were maintained and the capacity of the civil service was built on their knowledge and experience to empower the indigenous people before expatriates were gradually phased out.

The control system in Botswana is characterised by several in-built checks and balances and it is overseen by officials on a very senior level in government. According to the Country Governance Profile of Botswana (2009:15), the accounting officer in every Ministry is the Permanent Secretary. The Permanent Secretary can only authorise expenditures as contained in the budget and is thus accountable to the Public Accounts Committee of Parliament. The aforementioned implies that not even a particular Minister can sanction unauthorised expenditure and a tight lid is kept on aspects such as extra-budgetary accounts and discretionary decisions as all financial matters are subject to the scrutiny of parliament.

In the process of enhancing institutional controls, Gbadamosi (2006:16) reports that the administrative and operational procedures in Botswana government are assessed on an annual basis. These investigations are aimed at identifying those institutional processes which require procedural restructuring and improvement in performance. Gbadamosi (2006:16) claims that the specific focus is, however, on the removal of opportunities for corruption in the operating system and perceived

corruption enhancing practices. The implementation and adherence to institutional controls, especially during times of transformation, needs commitment of integrity from public officials accompanied by ethical-assertive leadership.

5.4.7. Examples set by leadership

The Botswana Democratic Government (BDP) has in general been accredited with good performance as a result of good governance. The government has transformed Botswana from a poor subsistence economy to an international middle income country and one of the highest in Africa. Gramajo (2006:1) maintains that the rate of economic growth and budget surpluses can largely be ascribed to a stable democracy, and the exemplary leadership of former President Seretse Khama who paved the way for good management and low levels of corruption and "... this culture of frugality has been present in Botswana since independence from Britain 1965, and helps to explain Botswana's economic performance compared with other countries." The obvious question would then be; what did the leadership do differently?

Osei-Hwedie (2001:67) argues that until 1992, the BDP exhibit highly moral political behaviour, they were accountable to the electorate and above all, it was incorruptible. In addition to the afore-mentioned, the BDP displayed a high level of tolerance to the opposition and in that way enhanced democracy and earned the trust of the electorate. According to Osei-Hwedie (2001:68) evidence of the afore-mentioned can be found in aspects such as the reform of the electoral law which includes the reduction of the voting age to 18 years and the absentee ballot system for Botswana residents outside Botswana. These reforms were initiated by the Botswana National Front (BNF) and implemented by the BDF. Such tolerance and accommodating approach is a rarity in African countries which have undergone a process of change, and in particular in Botswana where the ruling party dominate the political arena in every sphere. The approach of the

Botswana leadership is even more significant when viewed against the backdrop of other transitional states where electoral corruption took place in order to retain the monopoly over power. The reforms and policy formulations were shaped and influenced by exemplary leadership.

Leith (2004:16) argues that the shaping of policies took place within the context of interests and institutions that had their origins shaped in traditional society. "The initial leadership of Seretse Khama was profoundly influenced by his own royal background which had instilled in him a sense that privilege entails responsibility, the ethnic diversity of his own tribal authority, and the strong traditional culture of compromise" (Leith 2004:16). In spite of the aforementioned, the BDP leadership responded to the interests of an emerging democratic society. The initial interests were almost purely homogeneous based on cattle through which a broader encompassing interest was created. According to Leith (2004:16) it was thus relatively easy to achieve consensus on matters such as the formulation of policies aimed at promoting growth and to assist in transforming an ethnically diverse society with homogeneous interest into a modern democracy.

5.4.8. The impact of modernisation

Modernisation has generally been understood as a process of renewal and such a process had an altering impact on aspects such as values and beliefs which are core elements of every society. Huntington (1979:142-145) notes that the challenges of modernisation are not only to achieve freedom/liberty but to establish solid and legitimate order in which the redistribution of power is an essential element.

In the case of Botswana which was in essence a strong traditional society, the process of political modernisation culminated in a solid, recognised and legitimate political order. Although power was centralised, the core of the

traditional society was never threatened as the new Constitution recognised amongst others, internal structures through the Chieftainship Act (1970), the Tribunal Land Act (1968) and the Matimela Act of 1977 (Molomo, 2009:57). In line with Apter's (1965:10) view that rationality and debate are core conditions of modernity, Botswana used the kgotla (village assembly) model as a mode of debate and discussion. The strength of this model is that chiefs and subjects share a platform when discussing matters of common interest as it relates to the well-being of Botswana. According to Seidler (2010:9), the kgotla was a framework for commoners to give opinion but the tradition of consensus and consultation went deeper. Such initiatives were central to Tswana rule and decision-making as well as the chief's expression of his responsibility to serve his people. The process of (self) expression is people centred and emancipative in nature thus corresponding with the view of Inglehart and Welzel (2005:2) that modernisation has (should have) the notion of human development at heart.

Molomo (2009:59) notes that "apart from the modernisation theory of social change (Apter 1965; Lerner 1958; Rostow 1971) there was a strong perception that in order for Africa to develop it needed to transcend the parochial traditional institutions and embrace new ones". It is furthermore being contended by Molomo (2009:59) that the dominant paradigm of the modernisation thesis is that traditional institutions should give way to more democratic and progressive institutions as societies modernise. The afore-mentioned argument also finds resonance in the theoretical framework of this research, moving from the premise that culture and tradition is an anathema to democratisation (transformation). In the case of Botswana, the modernisation theory is flawed because it fails to appreciate the positive effects of ethno-nationalism. In fact, the effective management of tradition and culture has enhanced the process of modernisation.

Human (1998) and Duvenhage (2003) argue that the success of transformation depends strongly amongst others, on the management of change in a broader

context and conflict in particular. The entire process is thus delicately balanced on the principle of equilibrium.

5.4.9. Maintaining dynamic equilibrium

Any political system, even those in the process of transformation, is based on a variety of interdependent factors which operate in cohesion with the aim of ensuring that stability is maintained on a continuous basis. Duvenhage (2003:53) contends that achieving and maintaining equilibrium in changing societies, is a key factor in ensuring stability.

Within the context of Botswana, it was of utmost importance that the interest of cattle farmers be effectively managed within the process of transformation, especially as it relates to the ownership of the land and the tax system. The example of cattle farming is being used as it is one of the pillars on which the economy of Botswana is being built.

Gramajo (2006:49) notes that at the time of independence, members of the Botswana dominant class were largely from chiefly families who were amongst the largest traditional cattle owners. According to Samatar (1999: 69), almost two thirds of members of the National Assembly in the early years were large or medium sized cattle owners. This class had the economic power enabling them to dominate public life whilst imposing a capitalist development strategy on society. In emphasising the influential strength of these farmers, Samatar (1999:50) comments that in the management of the economic-powerful Botswana Meat Commission, twenty-five out of the fifty-two commissioners were very large, large or medium cattle owners and six small cattle owners. In the event of over taxation, these farmers have the freedom of movement to migrate and relocate to another geographic area which has a lower fiscal (tax) burden. Gramajo (2006:49) argues that in order to balance the interest of the cattle farmers with national budgeting and economic stability, the tax rates fixed were

relatively lower in Botswana than in other countries. The rate of taxation was set at a level of equilibrium where the local government could reach higher levels of tax revenues as there was little/no opposition to paying the taxes. The efforts in maintaining the dynamic equilibrium (successfully balancing and managing inter-dependent factors) was a major contribution in the macroeconomic success of Botswana. From the afore-mentioned it is clear that those policies which benefit the farmers (representing a big section of political leadership) are favoured by decision-makers. The architects of the policies are the very same people who have property rights in agriculture and they will ultimately reap the benefit of such a policy environment. It was thus a calculated effort to ensure both a political and economic equilibrium!

5.4.10. Conclusion on Botswana

Scholars who have been engaged in research on Botswana generally agree that in terms of political stability and economic growth, it is an exceptional African country. The country was almost an unknown entity but has since independence developed into one of the strongest economies on the African continent.

In almost every aspect, Botswana's leadership plays an influential role in ensuring economic growth and political stability. The leadership created a culture of pride in the constitution, political tolerance and administrative effectiveness. The levels of corruption are insignificant as almost every aspect of public life is being scrutinised by institutional controls. With the strong economic growth and absence of loans, the country can afford to pay officials decent salaries minimising considerations for corruption. In general, the rich culture and traditions of the country enhanced the process of modernisation – indeed success breeds success!

5.5. Reflection on case studies

Against the backdrop of the empirical framework outlined in respect of the three case studies, the following section aims to provide a reflection on identifiable characteristics in general and how the manifestation of corruption relates to the hypothesis of the study in particular.

In the introduction to this chapter, it has been noted that the countries share commonalities on the basis of their colonial history, poverty, lack of development and the manifestation of corruption, more specifically in Zimbabwe and Nigeria. These countries claimed and correctly so, that corruption was prevalent in their former dispensations and one of the main reasons why they have engaged in liberation struggles was to address the scourge of corruption. However, from the evidence, it is clear that corruption has become more rampant and destructive during the phases of transformation, with Botswana the notable exception.

Political theorists have described and defined politics in various ways. It is, however, clear that politics is built on the foundation of power. History has shown to what extent individuals and organisations will go in the quest for attaining and clinging to power. Fraud is but one method to ensure that power is secured. Incidents of vote-rigging, misrepresentation of numbers, illegal buying of opposition support, underage voting and ballot box stuffing represent in general the status of election fraud in the countries under discussion. The incidents of corrupt activities clearly corroborate with the definition/description of fraud (specifically Actual Fraud) as it is actions aimed at intentionally deceiving others to gain an unfair or illegal advantage.

The transformation/transition phases brought with it a period of fluidity in which the lack/absence of institutional controls paved the way for an increase and sophistication of corrupt activities. Duvenhage (2003:51) argues that it is during this phase, that problems are being experienced with practices that are being

associated with good governance and administration, to name but one. In Nigeria, the Vice President diverted millions of dollars from the Petrol Technology fund without being detected whilst cases of financial misappropriation could not be identified. Corrupt Zimbabwean officials abused the lack of institutional controls especially in procurement by using fake receipts, phantom firms and over-invoicing.

One of the outstanding characteristics is vested in the abuse of power as a manifestation of corruption. It seems that such abuse has become a normal activity of government. In Zimbabwe the abuse of power also include illegal land grabs, the deployment of marauding militia as well as election fraud. Ncube (2009:1) argues that the last election in Zimbabwe ranks as the biggest corruption scandal to rock the crisis-riddled country in 2008. In Nigeria, the abuse of power found realisation in another form of corruption known as nepotism/cronyism. Senior government officials have no hesitation and/or regret in appointing relatives and friends in positions for which many did not qualify. The government of Botswana had to play a balancing role in respect of favouritism because of the fact that the ruling party is politically so strong which made the temptation even bigger.

All these countries have in place the regulatory frameworks and enforcement institutions to satisfactorily address corruption. In an effort to address corruption, the Zimbabwean government has established the Independent Anti-Corruption Commission (IACC) whilst the Economic and Financial Crime Commission (EFCC) as well as the Independent Corrupt Practices Commission (ICPC) in Nigeria are being used as anti-corruption structures and enforcement bodies. However, these bodies, except for the DCEC in Botswana, lack autonomy, are underfunded and subjected to interference from the state.

In addition to the afore-mentioned, one of the main challenges is the lack/absence of political will. When you are confronted with evidence that

politicians and bureaucrats are involved in corrupt activities, it is not difficult to understand why there is a lack of political will to address the phenomenon. Many leaders in Zimbabwe and Nigeria have ransacked their countries' natural resources and their actions had an adverse effect on economic stability and development. The activities of the leadership have left many ethical questions unanswered and the integrity of leadership is covered under a cloud of suspicion and mistrust. In general, the leadership in Botswana exhibited highly moral political behaviour. It has shown tolerance to opposition and commitment to the goals of effective and efficient governance. The incidents of corruption in Botswana in the early 1990s, served as a proverbial wake-up call and the government acted decisively, not only in ensuring that that regulatory frameworks and institutional controls are in place, but that they are implemented, monitored and adjusted per identified need.

Let us once again reflect on the theory. Orcutt (1952:309) is of the view that in determining causal relationships aimed at relating actions to their consequences, it is important to be able to either directly or indirectly observe the action that is connected with the association of objective variables under study. The process of political transformation (effect) has intentionally or unintentionally (which was not the objective) contributed or created opportunities for corruption. These actions (causes) manifest in many forms such as fraud, bribery, embezzlement, nepotism and unethical behaviour of which many examples have been cited in the cases studies of Zimbabwe, Nigeria as well as isolated cases in Botswana.

Over the past few years, South Africa has been involved in or connected to the countries under discussion in the case studies, in one way or another. Former President Thabo Mbeki, acted as facilitator in discussions between the ZANU (PF) and the Movement For Democratic (MDC) in Zimbabwe. South Africa also entered into memoranda of understanding and trade agreements with Nigeria and Botswana and all the countries belonging to the African Union (AU). Since its independence in 1994, South Africa was also confronted with the scourge of

corruption. Although the phenomenon was not new in South Africa, it definitely poses a different challenge for the new government. The following chapter will deal with manifestations of corruption in post-apartheid South Africa.

CHAPTER 6

SOUTH AFRICA – CORRUPTION AT ITS COAL FACE

6.1. Introduction

The historical landscape of South Africa can be divided into three distinct phases: the colonial era, the apartheid phase and the transformation era. As an introduction to this chapter, an overview will be given of these phenomena with the aim of setting an overall background perspective.

Nupen (2004:120) reports that South Africa was first colonised by the Dutch East Indi Company in 1652 and with this process brought along the models of slavery and forced labour. In 1795 the British occupied the Cape as a strategic base controlling the sea route to the East. There was however, a brief reversion to the Dutch in the course of the Napoleonic wars but in 1806 South Africa was re-taken by Britain in the post-war settlements of territorial claims. Under the period of colonial rule, several important and influential developments took place especially in the economic and political spheres. Slavery was abolished on 1 December 1838 and the compensation money which the British had to pay, injected unforeseen liquidity in the stagnant local economy. The country experienced extraordinary economic growth which was given additional impetus with the discovery of minerals at the end of the 19th century. These developments and a renewed imperialistic scramble for Africa, also carried with it dissent and strong opposition especially from indigenous South Africans.

As an expression of dissent and disapproval with the political status quo, the Union of South Africa was proclaimed as an independent White Dominion in the British Empire on 31 May 1910. According to Magubane (1994:7) the African people paid a high political price when Britain decided to make South Africa an exclusive “white dominion”. The formation of the African National Congress

(ANC) in 1912 was an African response to "... one of the most unconscionable political betrayal of a people by a colonial power that proved itself as a paragon of virtue and mother of parliamentary democracy" (Magubane, 1994:7).

Following an era of conflict and several wars with the British Empire, the Nationalist Party (NP) assumed power in 1948 and promised to entrench white minority rule. The NP with its ideology of apartheid brought an even more rigorous and authoritarian approach than the segregationist policies of the previous governments. As the apartheid ideology grew in stature, so did the opposition (local and international) towards it. With the failure of dialogue and discussions in resolving the political situation, the ANC opted for an armed struggle in conjunction with international pressure to be exerted on the South African government in their quest for political change. The period between 1948 and 1993 was characterised by international isolation, internal instability and raging military battles between the armed forces of the liberation movements and the South African Defence Force (SADF). The internal and external pressures together with the armed onslaught ultimately led to the disintegration of the seemingly insurmountable apartheid structure. Visser (2004:15) argues that the legal and political demise of apartheid had a remarkable effect on the discourse of South African history.

South Africa was the last African country to gain independence from colonial rule. In an effort to rescue the country from total economic collapse and political decay, principals from a wide spectrum of political backgrounds and persuasions battled through a rocky negotiation process which lasted from 1991 with the signing of the National Peace Accord to the first democratic elections in 1994. This route to transformation was preceded by a forum called the Convention for a Democratic South Africa (CODESA). Mbambi (2011:73) argues that CODESA represented a settlement between minority and majority demands adding that the CODESA process (CODESA 1 and 2) which started in Kempton Park in 1991, ultimately culminated in the Constitution of 1996. Stolten (as cited in Visser,

2004:15) observes that the transfer of power which took place in 1994 has not yet been met by any significant new historiographical development. On 27 April 1994 former President Nelson Mandela was inaugurated as the first democratically elected president of South Africa.

The preceding historical overview is by no means an exhaustive report or an assessment of political developments in South Africa. It only serves as a brief resume leading up to the nation-state in the process of transformation.

South Africa occupies the southern tip of Africa with its coastline stretching more than 2,500 km from the border of Namibia on the Atlantic coast to the border with Mozambique on the Indian Ocean. The country has a population of approximately 49, 5 million people and is the largest economy in Africa. According to the Finmark Trust (2010:49), South Africa is classified by the United Nations (UN) as a middle income country. It is however "...in many respects a high-income and low-income country rolled into one without the benefit of the average" (Finmark Trust, 2010:49). The youngest democracy on the African continent is characterised by a well-developed transportation infrastructure, legislation which is supportive to private investments and a diversified economy. The steady economic growth since its first democratic elections has supported an extensive social security program in particular the provision of social grants as rolled out to children and pensioners. The economic and political stability also had major positive spin-offs in the field of international relations, sports and trade to cite but a few. Within a short period of time, South Africa established itself as an influential role-player in the global world.

Figure 11: Political map of South Africa



www.nationonline.org/oneworld/map/south_africa_map.htm

The dawn of democracy took South Africa out of its then political and economic isolation and placed it on the international stage with all the implications that are accompanied with it. Apart from taking a leadership position in African affairs, the hosting of several international sport events, summits and conferences, the country was confronted with the omni-present and increasing phenomenon of corruption. In chapter 5 focus was placed on corruption in a very broad context.

This chapter, like the previous one, is also based on the case-study approach. However, instead of following a narrative angle, this chapter will highlight particular incidents and then apply the deductive method based on the theoretical framework in addressing the hypothesis. Using this approach, the three critical areas namely political corruption, examples set by leadership and institutional controls will still be the focal point of this chapter. Inevitably the questions will be posed; why these three areas? The afore-mentioned areas address the core and speak to the heart of corruption as it manifests in transformation states and sufficient evidence of this has been found in our focus on the situation in Zimbabwe and Nigeria respectively. These areas are also fundamental in any effort aimed at addressing corruption of which Botswana is a case in point. One could even argue that these phenomena are the pillars on which corruption in government administrations is anchored.

In the first section of the chapter prominent cases are placed under the spotlight whilst the second section is an illustration of how corruption manifests in the Eastern Cape Provincial Government and in particular the Departments of Social Development and Education. It is just natural that one would ask why the researcher selected these Departments. When looking at the Eastern Cape Provincial Government in its entirety, any department could have been chosen for that matter. The Departments which were however selected, have always been highlighted in a variety of sources (e.g. printed/electronic media, Commission of Enquiry, and the Public Service Accountability Monitor (PSAM)) for the prominence and prevalence of corruption in their midst. In addition, these departments are classically referred to as those with a dominant service delivery responsibility.

The researcher is aware that it is almost impossible to make a clear distinction between the areas of focus because of its interwoven relationship. In dealing with these aspects on their own, links will be drawn which will make it easier to

determine the relationship between corruption and transformation on the basis of the theoretical framework.

Prior to dealing with individual and specific cases it would be appropriate to have an insight into the most common forms of corruption in the South African public sector. The latter is being done with the aim of placing the remainder of the section in its proper context. The Public Service Commission (PSC), who has been mandated to manage the National Anti-Corruption Hotline (NACH) with effect from 1 September 2004, noted that it has been inundated with various allegations of fraud and corruption. Based on these allegations, the PSC opted to categorise corruption in eleven categories and the table below reflects information gathered during the period 1 September 2004 to 31 June 2010.

**Table 12: Types of corruption reported for the period 2001 – 2010
as at 31 June 2010**

Categories of corruption	Number of occurrences	Percentages
Fraud and Bribery	1511	19%
Mismanagement of government funds	870	11%
Abuse of government resources	985	13%
Procurement irregularities	720	9%
RDP Housing	450	6%
Appointment irregularities	627	8%
Social Grant Fraud	420	5%
Identity Document Fraud	781	10%
Unethical behaviour	580	8%
Criminal conduct	512	7%
Other	310	4%
Total	7766	100%

Source: Public Service Commission (2011:12)

As indicated in the diagram/table 12, right on top of the list is corruption which manifests in the forms of fraud and bribery. There is a notable consistency in the occurrence of these forms of corruption as would be noticed with the selected cases presented below.

6.2. The parliamentary “Travel gate” scam

It can be justifiably argued that since the dawn of democracy, no allegation of corruption has had a bigger potential to damage the integrity of Parliament as an institution as what generally became known as the “Travel gate” scam. According to Meldrum (2005:2) the “Travel gate” scam was the biggest corruption scandal in the country’s post-apartheid history noting that the forty (40) members of parliament who were charged for fraud, illegally used the parliamentary vouchers to an estimated amount of R15 million. In coming to grips with the seemingly relative ease with which voucher fraud took place, one should have a basic understanding of what purpose the system has to serve.

Travel vouchers, which are issued to MPs in the form of a "cheque book", are to be used as a method of payment for travel between Parliament in Cape Town, their constituencies and their homes. The number of voucher varies only if MPs live within a certain radius of Cape Town in which case fewer vouchers are issued.

The printed media such as The City Press of 8 August 2004 with the heading “*Corruption has no place in South Africa*” as well as an article by Judith February and Perran Hanhndiek of IDASA with the heading “*Travel gate: More questions than answers*”, agree with information that the travel vouchers were, however, used for other purposes than what they were intended for.

The following table provides insight into the corrupt activities which manifested in the “Travel gate” scam. It is by no means an exhaustive reflection of the entire saga as the afore-mentioned was also characterised by secrecy, pervasiveness and a lack of accountability to highlight just a few problem areas. The statistics do, however, provide valuable information on the nature and severity of corrupt-activities

Table 13: Criminal case pertaining to the Travel gate scam

Offence/Crime	Political party and position	Activity	Cash involved
Fraud	Former ANC MP from Pietermaritzburg	Unauthorised hotel bookings and care hire	R254 000. 00
Fraud	ANC member of National Council of Provinces	Rented cars, hired cars for friends, accommodation in five star hotel	R289 000. 00
Fraud	Former MP of DA	Car hire, hotels, luxury cruise to celebrate 30 th wedding anniversary, sponsoring honeymoon of son	R235 000. 00
Theft	ANC MP for Ravensmead	Car hire, hotels, allowing people to fly on his air tickets	R60 000. 00
Theft	Former ANC MP and Stellenbosch Municipal manager	Car hire and accommodation in hotels	R70 000. 00

Source: Boyle and Davids (2006:15) – *Information placed in schematic format by researcher*

The “Travel gate” scam has once again proved the inter-connectivity and spiralling effects of corruption. In analysing the different types of corruption which manifested within the “Travel gate” scam, three major trends have been identified, viz. a conflict of interests, abuse of power and fraud.

Conflict of interest – acting or failing to act on a matter in which government officials have an interest to ensure a benefit is received.

Abuse of power – improper use of trust, confidence and influence placed in an individual and the improper use of authority by a person who holds public office.

Fraud – an economic crime that involves some trickery or deceit.

Very few would disagree that the “Travel gate” scandal is in direct contrast to the ideals of political transformation. Duvenhage (2005) argues that political transformation represents a radical break from the past and it changes (or should change) the core of society. In one of his many works on the South African political situation, Lodge (1998) is very clear on the fact that corruption was rife in the pre-1994 dispensation. If transformation is then successfully implemented as a radical break from the past then surely the post-1994 era should have experienced and bear witness to a less corrupt society. Quite clearly this is not the case. When corruption is spear-headed by parliamentarians, many of who are senior members of the ruling party, it is then clear that the destructive corruption culture of the past was simply transferred to the present negating any doubt about a relationship between corruption and transformation.

Apart from aspects such as unethical behaviour and leadership, corruption in the parliamentary “Travel gate” scam blossomed because of a lack of institutional controls in the administration system. The generally weak institutional control framework of countries in transformation increases the opportunities for high levels of corruption. Governments with poor levels of institutionalisation are not

just weak governments but also bad governments. Weak governments lack authority and fail to perform their functions also in relation to corruption. The lack/poor presence of institutional controls culminated in the inability of the system to initially identify the corrupt activities some of the MPs were involved in. In order for corruption to continue and flourish, the perpetrators of such acts (as was the case with the “Travel gate” scam) prefer to remain in positions of power and authority purposefully ensuring that the relationship between corruption and transformation are kept alive. The afore-mentioned activities correspond with the theoretical framework particularly as it relates to the causal relationship between political transformation and corruption. The weak institutional controls, unethical/fraudulent behaviour of MP’s as well as unprofessional conduct of some travel agencies were some of the major causes of the theft, irregular usage and the abuse of state funds – quite clearly a cause-effect relationship!

Addressing the cause of corruption in Africa, Hope and Chikulo (2000:19) argue that exemplary leadership is seriously lacking which can be attributed to the fact that personal and private interests take precedence over national interest. The view of Hope is arguably also applicable to the “Travel gate” scandal. It is almost impossible to divorce the “Travel gate” scandal from the thorny but challenging issues of leadership and political will and the afore-mentioned will be placed under the spotlight in the next section.

6.3. Leadership and political will

Since the inception of the democratic order, South Africa has been faced with a barrage of corruption scandals implicating leadership/political figures and government officials. In the theoretical framework dealing with the causes of corruption, it was clearly illustrated how corrupt leadership acts as a contributing factor towards this phenomenon. The following table reflects the involvement of high-profiled South African leaders in acts of corruption.

Table 14: Summary of court cases involving South African politicians

CASE NUMBER	CHARGE(ES)	VERDICT	DATE and SENTENCE
105/99 – Former Patron of the United Democratic Front (UDF)	Theft and Fraud	Guilty	13 May 2000. Six years. (reduced by the Court of Appeal to three years)
14/09193/01 – Former Chief Whip of ANC	Defrauding South African Parliament	Guilty (Secondary charges of corruption after entering into plea bargain)	13 February 2003. Four years
Former Deputy Minister of Arts and Culture	Theft and Fraud	Guilty (High Court scrapped conviction of theft but upheld fraud charges)	25 April 2003. Five years (High Court reduced sentence from five years to 3 years and six months and declared it suspended in full)
62/06 – Prominent Durban Businessman	Corruption – Contravention of 1(1) (a) (i) and (ii) of Corruption Act 94 of 1994 Fraud	Guilty	15 Years
25/09 – Former National Commissioner of South African Police Service (SAPS)	Contravening 4(i) of the Prevention and combating of Corrupt Activities Act 12 of 2004 Defeating or obstructing the administration of justice	Guilty Not guilty	15 Years

Source: Judgments from South African High Court: <http://www.saflii.org/za/cases>

The corruption cases referred to in the preceding table have been presented under relevant and applicable Acts. However, when being unpacked within the framework of theoretical propositions, it includes aspects such as the abuse of power, conflict of interest, fraud and bribery. Is it thus possible to identify the relationship between corruption and transformation?

Corruption flourishes in a state/condition of administrative chaos and disarray. Theorists such as Duvenhage (2005) and Huntington (1965 and 1968) refer to the afore-mentioned as a state of dysfunctionality. Within a dysfunctional state there are high levels of corruption with low levels of institutionalism and as an outflow of this situation, power vacuums are created.

The power vacuums in transformation states are being filled by politicians and senior government officials with some enriching themselves through corrupt actions. Many of these politicians and public officials generally referred to as leadership figures; get involved in corrupt activities because of their positions, privileges and access. However, some get involved purely on the conviction of greed and self-enrichment. Furthermore it is possible to continue with these corrupt activities because the low levels of institutionalisation makes it extremely difficult to get apprehended.

Against the background of the theoretical prepositions, the contextual criteria (case studies) together with the empirical data with regard to the South African context, there is enough available evidence to conclude that a relationship exists between corruption and transformation as it relates to the aspects under focus.

In our theory verification on the relationship between corruption and transformation, it is equally important also to consider/integrate non-empiric evidence as it reflects the public's views and perceptions, their confidence in government as well as how the general citizenry perceives government to be legitimate. Therefore the value of media coverage, surveys, interviews and questionnaires cannot be overlooked and/or underestimated.

The following is a summary of corruption and alleged corruption cases over the period 2004 to 2011 as being reflected in some media publications.

Table 15: Topical articles from selected newspapers

Heading	Date	Newspaper	Page
Greedy officials grab grants	23 December 2004	Weekly Mail and Guardian	1
Stopping the rot	31 July 2006	Business Day	10
When it is merciful to act corruptly	22 August 2006	Business Day	13
State bleeds R9 billion	30 March 2008	City Press	1
Corruption at all levels	28 February 2010	Sunday Independent	15
Border littered with "tollgates"	25 October 2009	City Press	6
"It was like climbing a greasy pole"	11 March 2011	Mail and Guardian	12
Law of the belly reigns supreme	9 February 2011	Daily Dispatch	9

With a specific research-focus on corruption as being reported in the print media, Steenkamp (2002) analysed media reports on corruption over the period 1 November 2000 to 31 December 2001. His findings reflect the following:

Table: 16 Types of corruption uncovered in the public sector

Type of corruption	No of cases	% of 239
Bribery	78	32,6%
Corruption in general	71	29,7%
Fraud	29	12%
Mismanagement	20	8,3%
Theft	18	7,5%
Nepotism	11	4,6%
Conflict of interests	11	4,6%
Money laundering	1	0,4%
TOTAL	239	100%

Source: Steenkamp (2002)

Once again these research results from the newspaper analysis confirm that bribery and fraud are the dominant acts of corruption in South Africa. Apart from media coverage, valuable insights were also gained using surveys as an information collection method.

Public perceptions of corruption in surveys conducted by Statistics South Africa (1998) highlighted that the communities surveyed experienced more than one incident of corruption committed by public officials. A study carried out by the UN Inter-regional Crime and Justice Research Institute (UNICRI) in 1993, 1996 and 2000 respectively, showed the rates for corrupt behaviour as: 1993 (6, 7%); 1996 (7, 6%) and 2000 (13, 3%) (as cited in Gauteng Anti- Corruption Framework, 2009). These studies clearly show that the levels of corruption in South Africa increased two-fold during the period 1993-2000.

In researching the perception of corruption levels in South Africa, Higgs (2011) of TNS found that eighty three (83%) of metro adults feel that corruption has become a way of life whilst eighty five (85%) are of the view that corruption is prevalent in senior levels of government. The survey was conducted in late October/early November 2011 and involved 2 000 adults in South Africa's seven major metropolitan areas. The overall findings are reflected in the table below:

Table 17: Corruption perceived by a sample of adults

	Corruption has become a way of life in SA	There is corruption in senior levels of Government
Gauteng	81%	82%
Johannesburg environs.	78%	80%
Johannesburg excl Soweto	81%	89%
East Rand	73%	76%
West Rand	87%	79%
Soweto	84%	92%
Vaal Triangle / South Rand	68%	60%
Pretoria	92%	91%
Cape Town	87%	87%
Durban	88%	94%
Eastern Cape	83%	74%
Port Elizabeth	83%	81%
East London	84%	71%
Bloemfontein	80%	90%

Source: www.tnsresearchsurveys.co.za (The percentage symbol to the figures has been added by the author.)

In an additional survey which was conducted amongst 2 000 adults with the focus on what ordinary people perceive as South Africa's biggest problem, the following findings were made:

Table 18: Findings on perception on South Africa's biggest problem

		%	Blacks	Whites	Coloureds	Indians/Asians
1	South Africa's biggest problems poverty and unemployment	91	93	83	93	95
2	South Africa's biggest problem is crime	99	88	88	87	98
3	South Africa's biggest problem is corruption	85	86	84	81	90
4	South Africa's biggest problem is HIV / AIDS	78	83	57	78	83
5	South Africa' biggest problem is a lack of housing delivery	70	75	48	75	82
6	South Africa' biggest problem is a lack of service delivery	70	73	59	69	83
7	South Africa's biggest problem is climate change	70	42	33	40	48

Source: www.tnsresearchsurveys.co.za

From the survey results it is evident that corruption is being perceived as one of the major problems, ordinary South Africans are being confronted with.

What is even more concerning is the high percentage at which it was scored (81 to 95%) and there are no indications that the phenomenon will decrease – in fact an increase is foreseen!

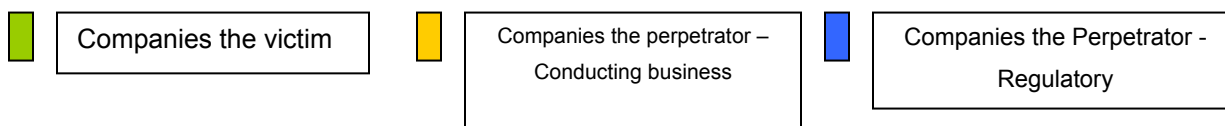
Although this research places a greater focus on corruption in the public sector, one should constantly be reminded of the fact that the private sector plays a significant role on both the supply and demand side of corruption. It is thus important that corruption in the private sector also comes under scrutiny as the organisational and business culture of all role players contributes to the levels of corruption in a country. The afore-mentioned necessitates a holistic approach in determining the relationship between corruption and transformation.

The following section reflects some of the research findings on corruption in the private sector conducted by the Centre for Business and Professional Ethics of the University of Pretoria (UP). The cross sectoral survey represents a sample of 760 interviews conducted in nine (9) provinces which includes different segments of business sectors.

The table below shows interesting findings of corruption/bribery/unethical conduct of which employees were aware at the time of and within a year since the research were conducted:

Table 19: Knowledge by respondents of unethical practices in private sector

	Percentage of sample that said 'Yes'
Theft from company	48%
Competing for quotes and tenders	31%
Favouritism/nepotism	30%
Fraud (excluding banking)	28%
BEE fronting	27%
Awarding quotes/tenders	26%
False qualifications	23%
Theft/abuse of confidential information	20%
Banking fraud	18%
Theft / abuse of confidential information	17%



Source: UP (2007:18)

It is very interesting to note that favouritism / nepotism rates very highly showing that it is not only a public service problem as the perception would dictate. In an equal sense, fraud constitutes an alarmingly high percentage in an environment where one should have expected a much lower rating. The following percentages, reflects somewhat unexpected findings in the demand side of corruption specifically as it relates to the leadership/managerial involvement.

Breakdown of Private Service parties:

Top and Senior management: 7%
 Middle management: 12%

Breakdown of Public Service Sector Parties

Top and Senior management: 9%
Middle management: 11%

Source: UP (2007:14)

It is clear from the percentages that in both the private and public sector, middle management (and a relative high degree of top/senior officials) is most likely to be involved in corruption. These research findings negate to a large extent the popular belief that corruption within leadership is primarily a problem in the public sector. Middle management usually goes with supervisory positions and thus has a profound influence on their subordinates. In a very real sense, the example being set by the top echelon determines staff propensity towards corruption once they start climbing the corporate ladder. The fact that middle and top management rate very highly could be ascribed to the levels of discretionary powers they hold whilst it confirms and corresponds with the theoretical propositions outlined in chapter.

In addition and amongst others, the survey found that:

- the most common form of gratification are monetary bribes, kickbacks and gifts;
- corruption in competing for and awarding of quotes/tenders are at the top of the list;
- companies get involved in corruption to get approvals for which they are not entitled and to bypass difficult / arduous regulatory requirements; and
- the main reasons for not reporting corruption to law-enforcement agencies is because there is a lack of confidence in the police (75,7%) and a lack of confidence in the justice system (74,3%).

With the empirical data now strongly being supported by the non-empirical evidence, one can clearly identify a definite relationship between corruption and transformation. The afore-mentioned is furthermore confirmed by the theory as reference framework. Since the start of the transformation phase, there was a notable, and in some instances an alarming, increase in corrupt activities. These manifestations of corruption were characterised by the involvement of many (respectable) leaders from different spheres of society. In addition, the vacuums that were created by elements of the dysfunctional state created exploitative loopholes in the system which seriously lacked (still lacking) institutional controls.

One of the findings of the UP survey, state that a very high percentage of respondents lack confidence in the South African Police Service (SAPS) and thus do not report incidents of corruption. For the transformation process to be successful, it depends heavily on the effective and efficient functioning of public administration and the organs of state. Let us now shift focus to selective government departments starting with the SAPS.

6.4. Corruption in the South African Police Service – an overview

From the outset it should be clearly stated that investigating and reporting on police corruption is extremely difficult because of its intense secretive nature. Renier (2010:122) observes that the most significant generic characteristic of police culture promotes the code of silence. There is a very strong informal agreement amongst police officers that no fellow colleague will report the misconduct of a fellow officer or cooperate with any investigation. According to Renier (2010:122) this kind of secrecy has developed into protective armour.

When we deal with police corruption it is being done against the backdrop of the generally accepted definition provided in the theoretical framework which states that corruption is the **abuse** of **power** for **gain**. Newham and Faull (2011: 5)

however argue that the police are in a unique position when it comes to committing acts of corruption. Unlike other public officials, the police have a monopoly on the state-sanctioned use of force. In addition the police have the powers that allow them to deny people their freedom, and they (the police) have access to both public and private places as well as information not readily available in the public domain. In drafting a working definition specifically for police corruption, Syed and Bruce (1998) define this phenomenon as “any illegal conduct or misconduct involving the use of occupational power for personal, group or organisational gain”.

In their research using analysed press reports, Syed and Bruce (1998) concluded that corruption in the South African Police Service is fairly extensive and it varies in form and nature. In their response to the afore-mentioned, Newham and Faull (2011:23) report that the common form of corruption in the SAPS falls under the category of petty corruption which largely involves low-ranking police officials. It has also been observed that most of the incidents of petty extortion and in particular bribery reveal the pitilessness and voracious manner in which the police abuse their power. The section below will highlight some of these corruption acts.

Faull (2011:8) reports that Johannesburg police were called to control an employee strike at a diaper and biscuit factory respectively. In the case of the diaper factory, the police met with management, loaded diapers in the van and then proceeded to fire rubber bullets at workers. In the second strike, a worker laid a charge against an abusive manager. After the police had met with the manager, they were seen leaving the premises with boxes of biscuits and the case was never pursued. Research findings also indicate that members of the police assaulted and abused victims who were not able to pay the requested bribes which emphasised the predatory attitude of the police.

It is widely known that foreign nationals and African asylum seekers are preyed upon by members of the police. Landau, Ramjathan-Keogh and Singh (2005:29) report that police arrest the foreign nationals, even those with the necessary documentation, and then elicit bribes in exchange for their freedom. The Forced Migration Studies Programme at the University of the Witwatersrand (as cited in Faull, 2011:14) found that 8,7 % per cent of asylum seekers and one in six detainees at the Lindela Holding and Repatriation Facility paid bribes to the police in one form or another.

Apart from bribery, members of SAPS have been involved in serious types of crimes and corruption. In a document entitled the “Broken Blue Line” which was compiled by Ndebele, Lebone and Cronje, the Unit for Risk Analysis of the South African Institute for Race Relations published several media articles which deal with the involvement of the SAPS in serious and violent crimes. The Pretoria based BuaNews (as cited in Ndebele *et al.*, 2011:30) reported the arrest of two police officers from Kuils River Police Station in Cape Town on charges of kidnapping, extortion and corruption. According to information provided by the police spokesperson, the two officers lured a private vehicle seller into a deal and whilst acting as potential buyers, they planted fake diamonds in the seller’s vehicle. When the seller left his vehicle, he was confronted by the police officers and extorted to pay a substantial amount to avoid prosecution. The victim was taken to a specific location to collect the money which was regarded as kidnapping. The police action corresponds with the definition of extortion provided in the Chapter 5. According to TI (2009:11), extortion can be described as an “act utilising one’s access to a position of power and knowledge, either directly or indirectly, to demand unwarranted cooperation or compensation as a result of coercive threats”.

From the research of Ndebele *et al.* (2011:9) it emerged that allegations of police involvement in perpetrating serious and violent crimes are not simply isolated incidents but fit into a broader national patterns. It was also determined that

criminality involving the police stretches far beyond corruption and allegedly police officers are involved in serious criminal acts such as ATM bombings. The amendment to the South African Police Act in 1998 provides for the establishment of Municipal Police Departments (MPDs). The functions of the MPDs are focused on three areas, viz. traffic policing, the policing of municipal by-laws and regulations and crime prevention. Research by the ISS and Corruption Watch amongst others has shown notable levels of corruption in the MPDs and particular the Johannesburg Metro Police Department (JMPD).

Bruce (2012:38) reports that apart from several cases where members of the JMPD aggressively demand money whilst delaying motorists unnecessarily, there are increasing number of reports where monies is being snatched from people. There is also evidence of complicity between the JMPD and SAPS with clear elements of deception. Members of the SAPS will use the threat of a supposed road-block further down the road in an effort to extract money out of people. According to Bruce (2012:42) the stopping of people who have been drinking and who are over the legal limit is certainly one of the most lucrative pastimes of corrupt officers. Bribes paid to JMPD members range from R2500 to R1500 whilst paying a meagre amount of R100 is not uncommon.

With the information provided in the preceding paragraphs, it is not difficult to accept that corruption also manifests at the highest levels of SAPS. In 2001 the national head of the Organised Crime Unit, was arrested on more than a hundred criminal charges of fraud relating to approximately R400 000 in false travel claims. The Commissioner avoided a trial by pleading guilty. During 2000 the Head of Organised Crime in the KwaZulu-Natal Province was arrested for accepting substantial bribes in exchange for not raiding illegal gambling establishments and protecting drug syndicates. It seems that police commissioners constantly made news headlines although it might be for wrong reasons in some instances.

In what seems to be the abuse of power and lack of institutional controls, the image of the SAPS was further damaged by allegations in August 2010 that a former national police commissioner irregularly interfered to secure a tender for a politically connected businessman. Newham and Faull (2011:24) report that following a five-month investigation by the Public Protector and the SIU into the allegations, it was found that both the Minister of Public Works and the former national police commissioner had acted improperly and illegally by approving funds for the leases of two buildings without following the necessary tender procedures, and that the police deliberately manipulated the needs analysis to align them with the buildings belonging to a close associate of the former national commissioner. Once again the aspects of ethics and leadership are being placed on the agenda. Hanekom *et al.* (1986:152) argue that ethics refers to the basic principles of the right (proper) action and to the rules of conduct. According to the Josephson Institute of Ethics (2002:1), ethics refer to the standards of conduct and that those standards indicate how one should behave based on moral duties and virtues, which are derived from the principles of right and wrong. The afore-mentioned characteristics are interwoven with the aspect of leaders and leadership. Obviously the principles of ethics were not taken into consideration with the management of the tender process and it can even be argued that the political will to distinguish between right and wrong was absent/ignored in the conduct of leadership figures. Similar to the situation in Zimbabwe and Nigeria, corruption in the police thrives during the transformation phase, making the relationship between the phenomena very pertinent.

By way of concluding on this section, let's have a glance at some statistics. Figures revealed by the SAPS National Anti-Corruption Unit (as cited in Newham 2000) reveal that the number of police members under investigation for corruption increased constantly from 2197 during 1996 to 4374 during 1999. The following schedule represents an interesting reflection of corruption related complaints lodged with the Independent Complaints Directorate (ICD) covering a period of nine years:

Table 20: Complaints lodged with the Independent Complaints Directorate (ICD)

Year	Corruption	Abuse of power	Extortion	All complaints	Corruption-related complaints as percentage of all complaints
1997/1998	40	48	2	1,999	4.5%
1999/99	45	44	0	2,873	3,1%
1999/2000	62	42	7	4,380	2,5%
2000/01	36	23	5	5,225	1,2%
2001/02	30	40	3	5,675	1,3%
2002/03	106	70	0	4,443	4,0%
2003/04	126	130	3	5,882	4,4%
2004/05	140	154	7	5,790	5,2%
2005/06	127 (76 of which are serious corruption)	89	5	5,119	4,4

Source: ICD Annual Report 1997/98, 1998/99, 1999/2000, 2000/01, 2001/02, 2002/03, 2003/04, 2004/05, 2005/06 (as cited in Faull 2007:13).

The statistics of the ICD's annual report show that there was a notable increase of corruption during the period 2001/02 to 2005/06. In addition, the cases of abuse of power also show an upward trend. One would have expected that with the entrenching of democracy, initiatives such as the anti-corruption summits, the introduction of new legislation and law enforcement agencies, corruption would have been addressed resulting in a decreasing spiral. Unfortunately it did not happen and research results (Newham 2004, Faull 2007, Bruce, 2010) indicate

an alarming increase in police corruption. The reason(s) for the increase in police corruption are woven into the complexities transformation, highlighting the relation between the phenomena.

The following table indicates the number of police officers arrested in the period 1996 to 2001, and those suspended from 2002 to 2005 due to their involvement in corruption.

Table 21: SAPS corruption data, 1996 to 2005

Year	Number of reports received	Number of arrests/charges	Number of convictions	“Corruption related” suspensions	Corruption related” suspensions without pay
1996	2300	249	30	-	-
1997	3108	429	78	-	-
1998	3779	475	128	-	-
1999	4618	844	147	-	-
2000	6974	1048	193	-	-
2001	4275	1332	138	-	-
2001/02	2370			39	833
2003				37(9)	310 (101)
2004				48(13)	413 (164)
2005				56(13)	473 (220)

Source: Saps Annual Report 2000/1, 2001/02, 2002/3, 2003/4 (as cited in Faull, 2007:9)

Mhlaba (2004:86) notes that the percentage of reported and investigated cases of corruption remain low due to the weaknesses in the internal control systems, poor management, lenient penalties and low conviction rates by the courts. One can conclude that the low number of arrests and charges brought against police

officers weighed against the reported cases, can only be ascribed to weaknesses in the internal control system and that the low conviction rate bears testimony to the lack of political will in dealing with corruption. The rapid increase in statistics furthermore confirms the relationship between corruption and political transformation. Is it thus possible to identify any type of relationship?

Running like a golden thread through his thesis, the cause-effect relationship is prevalent with the manifestation of corruption in SAPS. Card (2006) reminds that a causal relationship is an interacting set of events that produces real and recognisable consequences. The “absence” of command and control whilst offices execute their duties, the disregard for the law which they have to enforce and protect, the involvement of very senior officials in acts of corruption and the failure/unwillingness to take punitive measures against corrupt officials (interactive set of events), are undoubtedly root causes for the cancer of corruption within SAPS (real and recognisable consequences).

Corruption is a significant problem facing the SAPS and it remains a central factor undermining its ability to deliver an effective service. It is however, not only the SAPS who are challenged with the brutal reality of corruption. In fulfilling their operational responsibilities, the SAPS have a close working relationship with the Department of Home Affairs (DHA) on selected areas. The DHA has gained the reputation for being in the top echelons of corrupt government departments in South Africa and in relation to this research it would certainly be appropriate to put this department under the spotlight.

6.5. Corruption in the Department Of Home Affairs (DHA)

The DHA could be regarded as one of the major service-delivery departments. Just prior to taking the oath of office, Barry Gilder, a former Director-General of the DHA noted that “the department is central to government’s service delivery, national security and the prevention and combating of crime. It is also in a sense

a window, for citizens and visitors alike, to government and the SA.” (Mila, 2004:24) It is, however, in these areas outlined above where the DHA has been found wanting which resulted in wide media coverage both in the electronic and the printed format. On several occasions, audiences have viewed with concern the SABC Special Assignment Programmes on corruption in the DHA and the phenomenon with real footage was also aired on news broadcasts such as on the evening news, 3 July 2012 on SABC 3. As corruption in DHA manifests primarily involving refugees and asylum seekers, it is necessary to have a quick glance of statistics reflecting cumulative numbers of refugees and asylum seekers:

Table 22: Cumulative numbers of Refugees and Asylum Seekers

	2001	2002	2003	2004	2005	2006	2007
Refugees	18,605	23,344	26,558	27,683	29,714	35,086	36,736
Asylum Seekers	4,860	52,451	84,085	115,224	140,095	131,107	170,865
Total	23,465	75,797	110,643	142,907	169,809	167,193	207,601

Source: Landau and Segatti, 2009:8

The statistics reflected in the above figure, show an alarming increase in both the categories of refugees and asylum seekers and it is not difficult to understand why these (mostly vulnerable) people present a lucrative market for corruption. With this statistic at the back of our minds, let’s look at a breakdown of this phenomenon per selected countries.

Table 23: Asylum applications from Selected Countries (2007)

Zimbabwe	17, 667
Democratic Republic of the Congo	5,582
Ethiopia	3,413
Malawi	3,341
Somalia	2,041
Bangladesh	1,982
Pakistan	918

Source: Landau and Segatti, 2009:8

With the large number of Zimbabweans as refugees and asylum seekers, it is just natural that these foreigners would be the prime targets of corrupt activities. In a report, compiled by the Lawyers for Human Rights (LHR) for the Minister of Home Affairs on Zimbabwean refugees and asylum seekers in South Africa 2006, the following statistics on corrupt activities involving DHA officials were presented.

Table 24: Types of violations Reported by 84 Respondents

Type of treatment	Respondents Affected	Responsible Authority/ Perpetrator(s) Persons Dealt With
Arrested/detained with valid section 22 permits at time of arrest	10	SA Police, Lindela Officials
Exposed to Extortion (i.e. bribe solicited to stop having permit torn / being deported	59	SA Beitbridge Border Police, Lindela Police, DHA Staff, Johannesburg and Durban SAPS
Bribe solicited and paid	45	DHA staff and SAPS
Threatened that Section 22 will be torn if bribe is not forthcoming	6	SAPS Officials

Moyo, 2006:21.

When analysing the statistics, it is clear that more than 50% of the respondents gave evidence of extortion and bribery executed by officials of the DHA. One should place these statistics in its proper context in relation to the aim of this research.

Corruption lowers economic growth and deters investments which are essential elements in the survival of transformational economies. With little resources available to pay decent salaries, it is not uncommon for officials to supplement their income through acts of corruption. Evidence suggests that a greater

percentage of these officials are ordinary administrative members who deal with the clients daily on a face-to-face basis where ample opportunity is created for both the offering and acceptance bribes. This trend is also in line with the analysis of Newham and Faull (2011:23) who argue that bribery and petty corruption is a common feature amongst low-ranking (usually poor paid) officials. The relatively high percentages of bribery correspond with the statistics provided in Table 12. Trend analysis tends to indicate that this form of corruption is the most prevalent in developmental states and in particular those states in the process of transformation and the situation in the DHA embrace the relationship.

6.5.1. The role of the Status Determination Officer (SDO) and interpreters at DHA

The breakdown of asylum applications as reflected in Table 20 show foreign nationals from almost all over Africa. The different languages and dialects being spoken clearly outline the need for interpreters. The Lawyers for Human Rights (2006:141) note that there are no clear procedures in appointing interpreters at the Braamfontein Office of DHA. The appointment usually depends on the personal relationship between the officials and immigrants and how the appointee will bring bribes from illegal immigrants to the official. It is however important to note that the Status Determination Officer (SDO) plays a decisive role in the appointment of interpreters. The results of the survey show that the interpreters are not occupied with what they are supposed to be doing and during an interview one replied: "My job in this office is to help immigrants especially French speaking immigrants to get their papers. Well, in actual fact we do the direct opposite of what we should do; because we use this opportunity to extort money from asylum seekers which in most case they cannot afford". What gains are to be made through the services of the interpreters? Depending on the financial means which is being determined by how you are dressed or whether you have arrived by car, low and peak payment range between R400, 00 and R1000, 00. For every R1000, 00 collected, the SDO will receive an amount of

R600, 00 with the rest shared amongst officials. From the research material available, it seems as if different rates apply for different foreign nationalities and the next table aims to provide some measure of insight:

Table 25: Bribery tariff per service

Nationality	Type of service: Asylum/Refugee status	Bribery Tariff/Cost
Chinese	Asylum/Refugee status	R1000, 00 – R1500, 00
Zimbabweans	Asylum/Refugee status	R400,00 – R800,00
Nigerians	Asylum/Refugee status	R400, 00 – R500,00
Cameroonians	Asylum/Refugee status	R400, 00 – R500,00

Apart from corruption involving individuals, the DHA has also become the target of crime syndicates both within its ranks and from the outside. The transformation process exposed the country to global trends, economically, politically and socially including syndicate crimes. The following section is a bulleted breakdown of some corrupt activities in which both syndicates and members of DHA were involved:

- In 1995 the police arrested members of an alleged Chinese syndicate providing illegal immigrants with false documentation. The syndicate was suspected of issuing false documents to as many as 4 180 illegal nationals of the Republic of China at a cost of R900, 00 per document.
- During June 1995, the Aliens Investigating Unit (AIU) of the SAPS arrested two Nigerian and a Ghanaian, suspected of being involved in a syndicate, for the possession of South African identity documents collectively worth approximately R1 million. It was determined that the 119 passports were genuinely stolen from the DHA. Other documents in the raid included falsified Swazi, Nigerian, and Ghanaian and Malawian passports.

- Large sums of money (R 5000 for a work permit and up to R20 000 for a permanent residence permit have also been paid by so-called undesirable immigrants from the Republic of China (Taiwan), mainland China and Hong Kong (the latter particularly identified as members of Chinese Triad gangs) to private South African immigration agencies, the latter's contact inside the Department of Home Affairs approving (for a bribe) the applications for permanent residence (Minnaar, 1999:5).

Under the heading *Pakistani "Mafia"* rules, the City Press (2009:6) established that Pakistani syndicates have over the past few years unleashed a wave of terror in South Africa. The investigation revealed that many of these Pakistanis entered the country illegally, obtained false residence permits and bribed home affairs officials. In addition, the investigation found that one Alizari of the Naqvi syndicate acquired several fraudulent passports and ID documents from corrupt home affairs officials and during the arrest of another member of the syndicate several thousands of South African passports were found in his possession.

Let's pause here for a short reflection in an attempt to bring synergy between the information outlined above and the theoretical framework with the aim of confirming the relationship between corruption and transformation.

Mark Shaw (1997) argues that there is a clear and crucial link between South Africa's transition and the growth of crime rates (including corruption) which has accompanied it. Shaw (1997) added that the increases in crime from 1990 are consistent with trends in other countries such as for example Brazil which has undergone transition (in this case transformation) to democracy. As the process of change proceeds, the society in all its spheres is being reshaped. In the context of South Africa, the country was almost immediately challenged with an influx of refugees, asylum-seekers and illegal immigrants, some with a vested criminal agenda. Resulting from the afore-mentioned, new areas for the

establishment and development of crime open up, the latter being bolstered by the legacies of the past.

According to Shaw (1997), organised crime syndicates flourish best in the context of a strong, but partially corrupted state and organised business sector, rather than one which has broken down completely. The presence of a relatively strong, but corruption-penetrated state as is the case with South Africa allows corruption the luxury of abusing state institutions for making large profits, the corruptors remain relatively free from prosecution while they continue to operate in a comparatively stable environment. Transformation states thus provide the ideal corruption-platform as it provides the required conducive environment(s).

Although we have only dealt with selected aspects and components of the broader South African context, evidence already permits a clear answer – the relationship between corruption and transformation is an undeniable reality. The next section will be more province-specific as focus is being placed on trends which have created serious corruption challenges within several departments of the Eastern Cape Provincial Government. This approach is just another method in the process of theory-verification.

6.6. Corruption in the Eastern Cape Provincial Government

The Eastern Cape is the second largest of the nine provinces in South Africa. The province boasts a remarkable natural diversity ranging from the dry desolate Great Karoo to the lush forests of the Wild Coast and the Keiskamma Valley. The province has almost seven million people living on a 169 580 square kilometres of land. The Eastern Cape has the third-largest provincial population in the country and the province has a rich historical and cultural heritage. In sharp contrast with its natural beauty and the treasures hidden in its population diversity, the Eastern Cape has been charged with being the one of the poorest and most corrupt provinces in the country. This may, to a very large extent be

attributed to, amongst others, the legacy of the homeland system that was put in place by the apartheid government (Reddy and Sakomani, 2008:60).

With the dawn of democracy in 1994, the Eastern Cape Government had to incorporate several different administrations with each department being guided by an own set of acts and regulations. Such a system was bound to create administrative problems creating opportunities for corruption. In addition the culture of corruption, maladministration and mismanagement was transferred from one administration to the other creating a tantamount of problems and challenges. Although the province inherited many problems, many of the challenges were created by new corruption initiatives during the transformation phase. However, to put the above into perspective, the following table presents valuable insight as it relates to corruption in the Eastern Cape Government for the calendar period 2003 – 2004.

Table 26: Cases of corruption in the Eastern Cape Provincial Government (2003-2004)

VARIABLE	NO OF CASES	NO RESOLVED	% RESOLVED
CORRUPTION	345	28	8%
MALADMINISTRATION	170	3	2%
MISCONDUCT	179	28	15%
CONFLICT OF INTEREST	6	1	2%

Source: <http://www.case.psam.ru.ac.za/cmwestypes.asp#Corruption>

Examples of cases of corruption outlined in Table 24 include:

- R15 million in pensions paid to 2400 beneficiaries under the age of 60;
- 29 officials implicated in a R2,8 million petrol scam;
- Eastern Cape Safety and Security spokesperson convicted of fraud; and
- Transport official arrested for attempted fraud of R950 000.

It has been eluded in the preceding paragraphs that the Eastern Cape Province has been mirrored in maladministration and corruption for decades and it perpetually increased during the transformation phase. This state of affairs had an extreme negative effect on the Province's administrative and financial management.

Kruise (2010) states that one of the most coherent barometers to assess the health of governance within the public sector, is provided by the Auditor-General (AG) in South Africa. The AG's Report expresses an opinion of the financial statement of the department or entity audited and it ranges from an ***unqualified report*** meaning that financial statements are presented fairly in all respects in accordance to the applicable financial framework to a ***disclaimer*** when the possible effect of the limitation is so material and pervasive that the AG was unable to obtain sufficient appropriate audit evidence to form an opinion and is thus unable to express one. The reports of the Auditor-General as outlined below speak volumes about the financial health of the province. *(The Departments which are the focus areas of this research document are indicated in yellow).*

**Table 27: Audit opinions on the Provincial Departments
for the previous five years**

DEPARTMENT	2007- 08	2006 - 08	2005- 06	2004- 05	2003- 04
Agriculture	Qualified	Financially Unqualified (with other matters)	Qualified	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)
Economic Affairs, Environment and Tourism	Qualified		Disclaimer	Qualified	Qualified
Education	Adverse	Adverse	Disclaimer	Disclaimer	Disclaimer
Health	Adverse	Adverse	Disclaimer	Disclaimer	Disclaimer
Housing, Local Government and Tradition Affairs	Qualified		Disclaimer	Disclaimer	Disclaimer
Public Works	Financially Unqualified (with other matters)	Disclaimer	Qualified	Qualified	
Roads and Transport	Qualified	Qualified	Qualified	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)
Safety and Liaison	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)

Social Development	Qualified	Adverse	Disclaimer	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)
Sports, Recreation, Arts and Culture	Financially Unqualified (with other matters)	Qualified	Qualified	Qualified	Financially Unqualified (with other matters)
Office of the Premier	Financially Unqualified (with other matters)	Qualified	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)	Financially Unqualified (with other matters)
Provincial Legislature	Financially Unqualified (with other matters)	Qualified	Financially Unqualified (with other matters)	Qualified	Qualified
Provincial Treasury	Financially Unqualified (with other matters)	Qualified	Qualified	Qualified	Financially Unqualified (with other matters)

Source: Report of the Auditor-General: Eastern Cape Provincial Government Departments, Public Entities and other Entities: 2007 /08.

The information outlined in Table 26, depicts a dismal picture of the financial performance of the provincial government. In addition, the fact that corruption marches on unabated even within the era of transformation, is an area of serious concern which inevitably places the mode of change under scrutiny. It is thus necessary to take a step back to the theory specifically as it relates to the definition of transformation.

Transformation is but one pattern/process of change. According to Duvenhage (2004:4), it fundamentally changes the status quo and it brings about revolutionary changes through evolutionary strategies over a relatively shorter period of time. Transformation does not only change the outward appearance but the entire society including the value-system. Because transformation is a pattern of change, the process should ultimately culminate in a different state, system or condition. Webster (2003:15) describes transformation as “an act, process, or instance of change in structure, appearance or character. A conversion, revolution, makeover, alteration or renovation”. Human (1998:13) shares the same sentiments of Duvenhage and Webster as it relates to transformation by noting that it is the displacement of the old (state, condition, circumstances, process) by a/the new condition.

On the basis of the inputs by the above-named theorists and others such as Magee (2003) and Van Coller (2008), it is evident that change lies at the heart of any transformation process. With specific reference to political change, Palmer (1997:7) argues that such a process ultimately (or should) results in a notable alteration to the present political relationships, processes and institutions. Although change is generally associated with and aimed towards a positive outcome, the results do not always correspond with what has been originally planned and finally been reached, achieved and desired – change can thus also be negative. Against the backdrop of the theoretical reflection of transformation, the next section will deal with corruption in the Department of Social Development of the Eastern Cape Provincial Government.

6.7. The fraudulent landscape of the Department of Social Development

The Department of Health, Welfare and Pensions was established in 1994. In 1997, the department was de-established and two separate departments were created: the Department of Welfare and Population Development and the

Department of Health (IMT, 2004:115). However in line with the national policy, the department changed its name to the Department of Social Development during 2002.

In respect of its mandate, the Department of Social Development in the Eastern Cape Provincial Government has the responsibility to deliver services that improve and empower the poor and vulnerable. Tetyana (2004:2) reports that the Department has been mandated with this task through the provision of social security, caring for the aged and disabled youth and encouraging self-reliance in communities through the funding of social development programmes. For the purpose of realizing its mandate, the Department has several support functions which include financial planning and management, policy development and research, communication and marketing and special administrative programmes such as mainstreaming gender, disability and youth issues. The main budget items of the Department are its Administration, Social Assistance Grants, Social Welfare Service, Developmental Services and the Development of Social Development Services.

The Department has been riddled with irregularities, litigation cases and fraud. Corruption has vested itself in the Department and particularly in the Social Grant Payment System. One has to be reminded that the Social Grant System is the only lifeline for most of the poor and corruption in this particular area has a severe impact on the most vulnerable in society. In an effort to get a real appreciation of the impact of corruption in the Department of Social Development, a broader scope as it relates to social grants, will be placed under the microscope as it represents a true reflection of the department in its entirety.

6.7.1. The Social Grant Payment System

Grant payment transfers constitute more than 85% of the Department's budget and more than 1,4 million people out of a 6,4 million benefit directly from social

security grants through the Department. The efficient processing and payment is thus a pivotal function of the Department in its provision of services.

In an analysis of the resources and expenditure pattern of the Department, it was established that the Social Security Program over-spent its budget continuously over consecutive financial years which could be ascribed to many factors. During an investigation conducted by Gobodo Forensic and Investigative Accounting for the Auditor-General, the following shocking levels of fraud were revealed (“Probe reveals”, 2003:5):

- During March 2000, the Department paid old age grants totalling R2, 2 million to 3 770 recipients all of whom were identified by the data interrogation process as being under the prescribed age.
- A total of 7493 Social Grant payments (to 768 001 beneficiaries) were paid into 2985 bank accounts every month and in the process multiple payments were made into the same account.
- A comparison of the pension national beneficiary database (SCORPEN) and the personnel salary database, showed a total of R17, 7 million was paid to government employees as social grants.
- Another comparison of the SCORPEN and government pension fund showed that 8014 beneficiaries in the Eastern Cape received a government pension simultaneously with a social grant.
- During the period August and September 2001 as well as March to September 2002 the Department has paid R3, 8 million to deceased beneficiaries.

Although not part of the preceding analysis, the following case clearly underscores the persistence of a vested trend and it highlights the serious nature of corruption. In addition to the above, the following table confirms the culture of corruption in the Department. It also reflects a breakdown of former officials and their jail sentences on corruption and fraud charges to the approximate value R3

800 000. According to Hollands (2007:A1.6), two of the officials were employed as paymasters, while the others (except for one who was a driver) were clerks responsible for drawing (pulling) the vouchers and checking beneficiary identities. Instead of the vouchers having the fingerprints of the legitimate pensioner fingerprints, it bore the fingerprints of the accused. All these officials were employed in the pensions section of the Department and they were based at Mdantsane Township near East London.

Table 28: Cash voucher theft /fraud (all employees dismissed)

Name	Amount	Sentence (years)
-	688, 9500	13
-	9,360	5
-	311,500	12
-	1,027, 180	13
-	30, 000	8
-	266, 520	12
-	485, 880	12
-	485, 880	10
-	106, 360	12
-	376, 5000	12

Source: Hollands, 2007:A1.6 (*Names of officials have been omitted*)

Corruption has spread to almost all operational areas of the Department and it ranges from child support grants, old age grants to the medical system. In an effort to get a true reflection of corruption (and without real access to information) the media has reported widely on the phenomenon of which some is being presented in the figure below. There is appreciation for the fact that because of the secret and nefarious nature of corruption, in-depth investigations are almost impossible.

Table 29: Overview of applicable newspaper articles

Party (ies) involved	Mode of corruption	Amount(s) involved	Source of report
Public officials	Unlawful recipients Child support, old age and disability grants	R10 million over a period of two years	Daily Dispatch. 26 July 2006, page 1.
Public officials	Fraud (used toe-print as form of identification)	R62 000 over a period of five years	Beeld. 27 July 2002, page 2.
Public officials	Fraud. Payment to ghost officials	R5,8 million	The Herald (EP Herald). 9 June 2003, page 1.
Public officials	Fraud (used toe-prints to claim for deceased pensioners)	R120 000 per month	
Public officials	Fraud with Child Support Grant	R32 million per month	Weekend Post. 24 July 2004. page 1
Medical doctor	Fraud: Signing of bogus disability grant forms Fraud: Consultation for disability grant seekers at cost of R250, 00 as opposed to the R150, 00 per prescribed rate.	R23 000 per day R23 750, 00 per day	Daily Dispatch. 23 February 2003, page 1.
Medical doctors and professional nurses	Alleged fraud: Selling of falsified disability grant assessments and reviews.		Daily Dispatch. 30 January 2003.

What is quite alarming with the statistics provided in Tables 26 and 27 are the amounts involved per corrupt activity. One can thus partially understand why the department is really struggling to fulfil its mandate.

The merger of the different administrations in the Eastern Cape necessitated the introduction of structural changes and a new identification system for beneficiaries was introduced in an effort to minimise the possibility of corruption. The Department decided to adopt the finger-print identification system to replace the old identity card system. However, soon after its implementation, officials discovered that the system could be manipulated through several creative means as indicated below.

With the vulnerabilities of the system exposed, it was decided to launch a fully-fledged investigation with the objective of identifying and eliminating the methods of manipulation and exploitation. In the process of examining the fingerprints of a particular official, a fingerprint expert found that various prints, including eight different fingers had appeared on 4,191 pay vouchers with a total monetary value of R4,201,767 (Hollands, 2007:A1.7). It was furthermore established that all these vouchers had emanated from one district and that a toe print was used to subvert the system. In addition the finger print expert also traced evidence that the fingerprints of latex gloves were also used to divert the system. (Hollands, 2007:A.7).

The overview of corruption and fraud in the Department provides a dismal picture of the institutional dysfunctionality within such an important section of governance. The evidence provided in the case study should negate any doubt that ineffective institutions of accountability and lack of controls do contribute to the manifestation of corruption. What then lies at the core of the problem as it specifically relates to the relationship between corruption and transformation?

According to an in-depth study of six countries undertaken by Shah and Schacter (2004) the following factors were found to be key drivers of corruption:

- Contested legitimacy of the state as the guardian of public interest;
- Weakly embedded rule of law;
- Ineffective institutions of accountability; and
- Weak commitment of leaders to combating corruption.

One of the pertinent problems and causes of corruption in the Department is without doubt the existence of weak institutional capacity and controls. In addition, ignorance and blatant unwillingness to implement control measures where they exist compounded the problem as is being outlined in the section below.

The monitoring briefs of the Public Service Accountability Monitor (PSAM) for the period 2001 to 2005 show that the Department was beset with issues of internal control which resulted in an unqualified audit opinion for the financial year 2003/04 as well as for 2004/05. Reddy and Sokomani (2008:61) comment that a report released by the provincial Auditor-General in 2006, gave the Department a “disclaimer” – it’s most serious audit opinion. The Provincial Auditor-General stated that the Department was faced with severe problems of internal controls adding that “...activities were not adequately monitored; supervised and authorised so it impacted on the Department” (Reddy and Sokomani, 2008:61).

In the report of the Auditor-General of 2007-08 on the Eastern Cape Provincial Departments (2008:7), the following were some of the aspects highlighted in respect of institutional controls of the Department of Social Development:

- Lack of documentation to support amounts disclosed in respect of provisions, contingent liabilities and guarantees;

- Inability to obtain sufficient documentation for the addition's to capital asset;
- Material amounts could not be verified; and
- Inability to obtain sufficient evidence to verify the commitments disclosed in the financial statements.

The Auditor-General's report of 2008-09 also reported the lack of key controls as one of the major challenges of the Department, highlighting the following issues:

- The Department incurred irregular expenditure to an amount of R8, 340 million because it had disregarded financial delegations;
- Monitoring controls were not in place to ensure that all information disclosed in the financial statements was accurate and complete, as adjustments had to be effected after submission of the financial statements of the financial statements for auditing; and
- The Department did not have a specific and appropriate information system that generated the required performance information without any key controls to monitor the accuracy, completeness and validity of the information.

Amidst all the information and concrete evidence, it is now opportune to reflect, analyse and arrive at theory confirmation inputs.

In our theoretical proposition, it has been argued that weak states are usually characterised by the absence, poor and/or the lack of institutional controls. Another characteristic of a weak state is a total disregard for institutional controls and the implementation thereof. Sulluivan and Shkolnikov (as cited in Njunwa 2009:6) are of the view that corruption is an institutional problem. They argue that corruption flourishes in countries with weak (legal) systems. Huntington (1968:12) argues that government (departments) with strong institutions usually experience stability during a process of change. In addition to the afore-

mentioned, Wyler (2008:5) provides an over-arching emphasis especially in relation to the section under discussion. According to Wyler (2008:5), several analysts describe state weakness as the erosion of state capacity "...a condition characterised by gradations of a regime's ability to govern effectively, which in its most extreme form, results in the collapse of state power and function". Most countries in the developing world (particularly transformation states) fall within in this spectrum, exhibiting at least some of these weaknesses. Wyler (2008:5) added that in some instances the state is characterised by gradual, yet persistent institutional decay and political instability. Weak states tend to be the least developed and most underperforming states in the world. According to the IRIS Centre of the University of Maryland at College Park (as cited in Wyler, 2008:5) weak states are hampered by poor governance, corruption and the provision for fundamental public service to their citizens.

In his research on corruption in the transition economy of Russia, Krylova (2011:79) argues that transitional economies are particularly vulnerable to corruption. Krylova (2008:79) is of the view that the afore-mentioned is facilitated by weak governments which are unable to provide stability and the rule of law in transitional societies. Addressing the relationship between corruption and transformation, Krylova (2011:79) notes that the early stages of the transition period are characterised by the conflict of interests in which different groups of society are attempting to navigate between the old institutions and new norms and processes. These conflicts provoke the escalation in corruption and rent seeking. This phenomenon can be ascribed to many factors which include the contradictions between the remaining formal norms and old institutional environment and problems with the interpretations of the new formal norms as and lack of compliance with them – a situation familiar to the Eastern Cape Province in general.

In what is being described as "rotten door transition", Levitsky and Way (2010) note that new governments are often comprised of elites from the old regime and

they inherit many of the politicised and institutions of the previous dispensation. Thus there exist very few institutional checks on government abuse and corruption. In fact, corrupt practices remain safely intact and even flourish.

The disequilibrium which is caused by navigating the contradictions between new/existing formal norms and the old institutional environment has led to an increase of corruption during the transformation era emphasising a tangible relationship between the phenomena. Corruption blooms in a season of uncertainty, chaos and institutional weaknesses and these factors individually or as a combination is reminiscent of transformation states. The afore-mentioned is furthermore given impetus by the fact that despite the change in government, many elite guards of the former regime are still active role-players thus only transferring corruption from the one era to the next.

Institutional controls can only be effective if they are vigorously implemented and properly managed. In this regard, leadership and political will are major drivers of the process. Van Vuuren (2002:20) is of the opinion that the core of the problem lies at the implementation of institutional controls which ultimately relies on political will. In their comments on the aspect of weak institutional controls, Reddy and Sokomani ((2008:61) highlight the following: "In fact, a deeper revelation is that many of the current challenges emanate from the lack of leadership and direction in the department. This relates back to the central issue of corruption and the fact that all top people of the Department were suspended on corruption and fraud charges". When those individuals who are responsible to ensure (enforce) the implementation of institutional controls, are themselves involved in corrupt activities, it is easy to understand why little/nothing is being done to address weak/lack of institutional control as one of the key causes of corruption. Wyler (2008:4) remarks with reference to North Korea and Zimbabwe, that poor governance and corruption occur because leaders may have little interest or a lack of political will to ensure service delivery. The disturbing unwillingness of some leaders to address corruption, their witting and selective

involvement in acts of corruption together with the lack of commitment and political will, for a variety of dubious reasons, have greatly consolidated the relationship between corruption and transformation.

Against the dismal picture presented above, it is clear that corruption has immersed the Department of Social Development into a much greater challenge than service delivery only. The latest intervention initiated by the National Government serves as evidence of the woes in which the Department finds itself. Sadly this state of affairs is not limited to this Department only. Since the new political dispensation, the Department of Education has also been gear-locked in an ever tightening grip of corruption which is mainly perpetrated from within. The following section aims to provide a broad overview of corruption in general with emphasis on the School Nutrition Programme (SNP), commonly known as the feeding scheme, in particular.

6.8. The Provincial Department of Education – under siege?

In comparison to other departments, the Department of Education in the Eastern is a very big department. It has a staff compliment of approximately 68 000 and the highest budget allocation in the province. The Eastern Cape Department of Education is mandated to provide lifelong, quality education and training opportunities to the population of the Eastern Cape.

The Department of Education has continuously been placed under the radar of corruption as this phenomenon has a serious adverse aspect in the department's ability to deliver on its mandate. Basopu (2010:86) remarks that corruption is a symptom of deep-seated and fundamental economic, political and institutional weaknesses and shortcoming in the country. The Department of Education as a reflection of the afore-mentioned is characterised by systematic forms of corruption and it is challenged by weak and ineffective systems of accountability

and controls. Modes of corruption such as bribery, fraud and nepotism are not foreign concepts in relation to the Department of Education.

In assessing the nature of corruption in the Department, this section will focus in particular on the reports of the AG covering the financial reporting years 2005/6 to 2007/8. The researcher is of the view that this sample is representative of the overall status of the department and that the status quo has not drastically changed. The afore-mentioned is supported by the fact that the National Government had to intervene once more rescuing the Department (and others) from total collapse. Like with the case of the preceding section, reports of the media and research/monitoring will be integrated.

6.8.1. Auditor-General's Office Report 2005/06

- In terms of procurement it was established that the Supply Chain Management (SCM) processes were not followed and payments made to an amount of R28397 million appeared to be contrary to the SCM requirements.
- As a result of non-adherence to pay-point verification policy, the existence to 46 employees could not be verified costing the department R3, 93 million.

6.8.2. Auditor-General's Office Report of 2006/07

- In what is being described as personal gain from public business, the AG found that an amount of R541 000 were made to suppliers who were also employees of the department. These employees did not disclose personal involvement in remunerated work outside the public service neither did they have approval to conduct business with the department.
- With regard to expenditure, findings included the following:
 - Payments vouchers and supporting documentation could not be provided for payments totalling R7.8 million.

- Contracts and service level agreements could not be provided for tenders totalling R49.3 million.
- Ex post facto approval was granted for contracts of R2, 4 million as these were considered emergency case although it did not meet the definition of an emergency case.
- A payment was made in terms of a lease agreement, which was due for payment eight years earlier.

6.8.3. Auditor-General's Office Report 2007/2008

- Payments and expenditure incurred totalled R105.9 million was paid without the necessary approval by a delegated official.
- Expenditure of R17.9 million was incurred without the correct procurement procedures applied.
- No sufficient and appropriate audit evidence could be provided for an amount of R11.7 billion disclosed as compensation of employees.
- With regard to goods and services no sufficient evidence could be provided for payment vouchers amounting to R10.1 million.
- Payments of R8.8 million, which were made into the bank account numbers other than those on the supplier application forms or those stated on the suppliers' invoices was not submitted.

When one has to analyse the findings of the AG as reflected above, the following stands out clearly:

- Glaring non-compliance with applicable legislation;
- Major deficiencies in the design and implementation of internal control in respect of financial and risk management; and
- A lack of political will to address the challenges.

The Department of Education is a key component in the service-delivery chain of the Eastern Cape Provincial Government and its performance is, in ways more than others, open and exposed to public scrutiny. Apart from findings of the AG, especially the printed media continuously spread its investigation wing over the department highlighting acts of corruption. Apart from reporting only, these articles portray and represent the public's views/perceptions. The next section provides a diagrammatic schedule of selected newspaper articles.

Table 30: Selected topical newspaper articles

Heading	Date	Newspaper	Page
Bribery scandal rocks East Cape department	18 July 1997	The Eastern Province Herald	2
Teachers in Eastern Cape draw double pay in training scam	01 February 2002	The Herald (EP Herald)	2
Missing records nightmare	16 March 2006	Daily Dispatch	4
Still no 'Mandela sandwich' for pupils	18 August 2006	The Sowetan	6
Corruption betrays the constitution and the poor	22 December 2006	The Eastern Province Herald	6
Education officials stripped of powers	08 December 2006	Daily Dispatch Times	3
Scorpions probe feeding scheme	1 October 2007	Business Day	4
High ranking Education officials suspended	11 June 2010	Grocott's Mail (ONLINE)	1

6.9. The leadership dilemma

The lack/absence of instructional controls, and the implementation thereof where it does exist, is without doubt a leadership and managerial responsibility. Why is this not happening in the Department of Education? Professor Nengwekhulu in an interview with Basopu (2010:84) explained that the Department is overrun by corrupt managers who have aligned themselves with political figures with one goal in mind – to grab top jobs and manipulate the system. It is just common sense that the corrupt leaders will keep the status quo unchanged and unchallenged so that their illegal activities can continue unabated. It is furthermore an indication that there is little political will to address corruption. In addition, the Department is also plagued by the continuous turnover of senior managers who left or are being replaced for an array of reasons. What turned out to be a high media-profile incident, Esbend (2001:11) reported that a former Superintendent General of the Department quit his job after just four months following several death threats and being tailed by cars wherever he went. Levin (2002:82) argues that the national liberation has been accompanied by a decreasing concern for the collective good in exchange for an obsession with personal advancement and enrichment which find manifestations in actions like the abuse of power for personal gain.

The section above serves to provide a broad framework of corruption in the Department. As with the case study of the Department of Social Development, the researcher is of the view that one specific aspect (program) should be highlighted which is aligned with the proverbial saying that “the devil lies in the detail”. One of the major programs of the Department was the SNP, commonly referred to as the feedings scheme. It was however this program which became notorious for corruption activities to such an extent that its activities were suspended.

6.10. The School Nutrition Program (SNP)

In 1994, President Nelson Mandela launched a SNP in South Africa. This program was initially designated to ensure that needy children in public schools throughout the country received one nutritious meal per day. Overy (2010:2) comments that the SNP had a number of aims:

- To improve education outcomes by enhancing active learning capacity, school attendance and capacity;
- To provide primary school children with a “snack” meeting not less than 25% of the recommended dietary allowance of 7 – 10 year olds;
- To improve health through micronutrient supplementation, parasite control/eradication and by providing education on health and nutrition; and
- To enhance broader poverty alleviation initiatives.

However, since its inception in 2006, the SNP in the Eastern Cape has been plagued with service delivery problems. These problems have ranged from gross mismanagement to corruption which resulted in the total collapse of the program of R230 million in 2006. After a period of intense pressure both from within the education circles as well as from outside, the Executive Council decided that former Premier Ms N Balindlela, should appoint an independent forensic investigation into alleged fraud and irregularities in the SNP. According to George (2006:1) the Premier appointed a Kwazulu-Natal auditing firm Ngubane and Company which was assisted by a task team consisting of senior officials within the provincial legislature. The investigation team presented many findings (“Damning report”, 2006:1) which were placed within several categories. The researcher will only highlight some of these findings as it is certainly sufficient evidence to gain a clear picture of corruption in relation to the SNP.

SMMEs:

- The procurement processes in the appointment of the SMMEs was irregular;
- A large number of SMMEs which were awarded contracts do not exist;
- Suppliers that do not exist were awarded contracts and payments made into their bank accounts;
- Officials approved and authorised payments that were not awarded to them;
- SMMEs were paid in excess of the contracts amounts awarded to them; and
- SMMEs were awarded contracts without their knowledge.

Co-operatives:

- The appointment of the Secondary Co-operative was irregular;
- A member of the task team that conducted functionality studies for the SNP is also chairperson of the Secondary Co-operatives that was awarded a contract;
- Secondary Co-operatives have been paid in excess of the amounts approved in their contracts; and
- Secondary Co-operatives displayed registration number information that does not belong to the entity awarded to the contract.

Administration:

- Payments to false bank accounts;
- Allowing duplication of session agreements;
- Officials manipulated the outcome of tender processes in favour of certain suppliers;
- Officials changed bank account details of suppliers without proper consent; and

- Officials made decisions such as appointments and entering into contracts on behalf of the HID.

Several of the findings of the forensic team were confirmed by Blaine (2007:4) and Kruuse (2010:9) of the PSAM.

With all the statistics, assessments and findings at hand, the inter-connectivity between transformation and corruption is quite obvious. It is thus opportune to focus now on the theory verification which is presented in the section below.

Following his research on corruption in the Department of Education, Basopu concludes that the Department is a classic example of an institution being caught in the web of systematic corruption. It would be appropriate to have a glance on the concept of systematic corruption specifically as it relates to the relationship between corruption and transformation. According to Stefes (2008:75) under conditions of systematic corruption, corruption activities are the norm rather than the exception. From bottom to the top of the state apparatus, officials are routinely involved in corruption and citizens are aware that bribes are crucial for receiving extra favours or those services they are legally entitled to. Stefes (2008:75) furthermore argues that the rules of the game are usually known in advance and regularly followed by all sides. Keith Darden (as cited in Stefes, (2008:75) shows through research that systematic corruption can reinforce official hierarchies and/or substitute weak official rules and norms which fail to constrain the behaviour of public officials.

In the Department of Education everybody knows somebody and any application of punitive measure remains elusive. The noble intent by the transformation phase to address issues of corruption just had the opposite effect such as cases where employees won tenders and sub-contract those to fellow colleagues! Prof Nengwekhulu (as cited in Basupo, 2010:84) notes that almost 90% of senior official were tendering with the Department – and in one case an employee with

17 registered companies, was doing business with the Department. It would thus not be far-fetched to argue that the transformation process facilitated corruption.

Moran explicitly looks at the way in which the transition to democracy creates new forms of corruption. Apart from several other factors, Moran (2001:6) found that democratic weak states offer new opportunities for corruption such as the formation of new groupings e.g. criminals, military groupings and bureaucrats which split the state amongst different interest groups. In the case of the Department of Education such a new grouping had been established along ethnic lines. Almost 90% of the employees are Xhosa-speaking and the acts of corruption find justification and resonance in the concept of their approach to “Imali yethu” (it is our money).

With reference to the leadership dilemma and the chaotic status of the SNP, it is important that we once again take a glance at the theoretical aspect of transformation. Human (1998) and Duvenhage (1995) argue that transformation is of no value unless it involves the transformation of the mind. In addition transformation should have a changing influence on human values and behaviour. Within the Department of Education, especially the SNP, the transformation process was used to consolidate corruption as the status quo was just being refined and new opportunities exploited. One might then argue that there was no transformation of the mind whilst values and behaviour were merely adjusted to reinforce the causal relationship between political transformation and corruption.

According to Moran (2001:6) aspects such as the loss of the coercive nature of the state, a relaxation in border controls and the bill of rights there has been a remarked increase in crimes in countries like South Africa, Jamaica and Russia together with a huge growth in organised crime on a global level. International factors can also lead to new forms of corruption. The processes of democratisation have been awarded with more aids for both civil and non-civil

society and many unscrupulous types have taken advantage of this. In the case of the Eastern Cape Provincial Government, the Micro Project Trust is a typical example of the afore-mentioned. The Micro Project Trust was set up to distribute funds from the European Union (EU) to develop schools and clinics in the poor areas of the Eastern Cape. Salayedwa (2002:1) reports that the activities of the Trust were suspended following an investigation by a well-known auditing firm which showed abnormal financial expenditure in the local (Port Elizabeth) offices and the Umtata office. The investigation found amongst others that employees were allegedly colluding with certain builders and that kickbacks were being offered. Harri-White and White (as cited in Marquette, 2004:424) contend that far from improving things in the short and medium term, democratisation may actually increase the sources and scale of corruption without strengthening the countervailing political or institutional capacity.

In what is an appropriate summary of the case studies presented in this research document, the following serves as solemn reminder of evidence and verification of the relationship between corruption and transformation: “The context, process and variables involved in democratisation are complex to say the least, and the relationship between democratisation and corruption rests on a series of variables which cannot themselves be reduced to the institution of formal democracy ... Democratisation leads to the construction or expansion of political machines by elite seeking to control the transition of other groups seeking power. The rapid nature of democratic transitions can lead to money politics as groups seek to amass resources quickly. This seems to be the case following democratic transitions, whatever the previous regime” (Moran 2001:389).

6.11. Conclusion

One of the primary objectives of transformation is to radically change the core of society in order to bring about a new and by implication a better dispensation. This process is brought about by an initial process of fundamental change e.g.

political appointments which is accompanied by a gradual phased-in process in which laws, regulations and policies are brought in line with transformational agenda.

It is however, during this phase of fluidity and disequilibrium that corruption tends to flourish. Political leaders abuse their positions of discretionary power, access and control to give impetus to corrupt activities in direct contrast to what should have been the desired objective. In this process, wittingly and/or unwittingly, the relationship between corruption and transformation is embraced. Closely related hitherto are aspects of leadership and political will. Experience and evidence has underlined the fact that ethical leadership and political will are being brushed aside when it is weighed against the advantages and gains of corrupt activities.

Many of the instruments for corruption measurements focus on the private sector's perception of corruption in the public sector. At times there is a negligence to recognise that the private sector plays a significant role in the supply side of corruption and that corruption also seriously manifests in the private sector itself which cannot be divorced from the relationship between transformation and corruption. This study however, only highlighted the latter without an in-depth analysis as it was not part of the ultimate objective of the research.

At the core of corruption within the South African context, is most definitely the lack/absence of lack of institutional controls and/or the implementation thereof. Closely linked to this aspect is an absence of ethical leadership and a gross ignorance to political will. Huntington's (1965 and 1968) contribution, derived from his political theories of decay, is that a state with low levels of institutionalisation is characterised by amongst others an inability to maintain (administrative) order, stability and good governance (the responsibility by leadership). Although Huntington's theory provide a broad perspective for

political decay, it should emphasised that it should not and cannot be made applicable (as yet) to the entire corruption landscape of South Africa.

The case studies emphatically confirm a concrete and definite relationship between corruption and transformation. Krylova (2010:90) explicitly confirms the afore-mentioned by stating that; “Corruption is a major problem for transition economies. In the early stages of the transition period corruption tends to escalate enormously. This phenomenon can be explained by several factors. They include low levels of legitimacy of newly emerging structures, high levels of uncertainty, constantly changeable laws, weak enforcement, extreme economic constraints, unclear formal regulatory norms, and criminogenic tendencies which are typical of transition economies. What is even worse is the fact that the inefficient informal norms tend to remain even when the new institutional system has been implemented”.

When reference is being made to a relationship, it is equally important to indicate whether we are dealing with a causal or covariational relationship. The empirical evidence presented in all the cases such as weak institutional controls, unethical leadership, lack of political will, low levels of legitimacy etc. which individually or as a collective serve as causes for the manifestation and increase in corruption, undoubtedly emphasis a causal (cause-effect) relationship.

The departments which were discussed in the case studies carried with them the legacy of an apartheid-administration which, apart from many others, provided additional challenges to the process of change. The afore-mentioned is a reality of the broader South African political history and the transformation process has been chosen to precisely address the ills of the past. There is, however, evidence that in relation to the departments under focus, little progress has been made on the route to transformation. In fact, clear traces of political decay are visible. It has already been alluded to the fact that the provincial departments discussed in the case studies, are service delivery entities as per their respective

mandates. Furthermore, one would expect that these departments would improve in their performance records, albeit it gradually, from one financial year to the other. However, the afore-mentioned is clearly not the case and one has to identify the underlying reasons for this state of affairs. The problems/challenges are not unique to one specific department and it has generic tendencies which manifest inter-alia in the in following:

- Non-compliance to policy and regulatory frameworks (institutional controls);
- Lack of effective monitoring and control (lack of accountability);
- Inadequate commitment from managers and senior personnel (lack of will); and
- Reluctance of managers to take disciplinary actions and failure to display leadership (ethics and leadership).

The challenge has now been clearly identified – and it should be addressed before elements of a weak state escalate into the environment of a failing state. The last chapter will firstly provide a summary of the research and in the second place will also present recommendations on how the scourge of corruption should be addressed, managed and kept under control.

CHAPTER 7

SUMMARY, RECOMMENDATIONS AND CONCLUSION

7.1. Summary

Corruption has been with us throughout the ages. Evans (1999:2) noted that until recently corruption was acknowledged as a fact of life, although it was little talked about. Some responded to the problem with pragmatic acceptance whilst others were complacent. There is little doubt that corruption has become part of almost every sphere of public and private life. The phenomenon features daily in the print and electronic media and governments all over the world are addressing the scourge particularly with regards to its characteristics of destruction.

The Institute for Security Studies (ISS) has noted that corruption exists in both democratic and non-democratic states but that it develops into an automatic by-product of the latter (ISS Monograph, 2001:3). It is however, in the developing states in general and countries in the process of transformation in particular where corruption has its most severe impact. Critical areas such as sustainable development, economic growth and good governance are continuously under threat.

Apart from its impact on various terrains, corruption arguably has the most devastating impact on good governance. It undermines the rule of law and distorts government's role in resource allocation. According to Heymans and Lipeitz (as cited in Pillay, 2004:586), corruption fundamentally runs contrary to the rule of law and because it undermines governance, diminishes public trust in the credibility of the state and threatens the ethics of government and society. Furthermore, one can argue that corruption is the consequence of a collapse of governance and is a cause of its continued failure.

The aim of this study was to confirm the relationship between corruption and transformation. From studying the reference and research material, it became very obvious that the phenomena of corruption and transformation were extensively covered from different angles, perspectives and persuasions. It, however, should be noted that the research on corruption followed specific and particular agendas in which the divide between the developed and the developing world had an influential role in the objectives. Some of the research only inferred to a relationship between corruption and poverty but very limited literature could be found which specifically unearthed the relationship between transformation and corruption. The following section provides a compact account of the individual chapters.

The purpose of **Chapter One** was to provide the proverbial foundation and pillars of the research study. The chapter outlined the hypothesis and objective of the study; it provided a description of data collection techniques and also dealt with the research design and research methodology. If one should use the analogy of an airplane, this chapter is nothing more than a GPS of the research direction. It ensures that the research remains on track and does not deviate from reaching its objectives whilst it negotiates on-board emergencies, bad weather conditions and turbulence.

It was imperative that the study provided as a preparatory phase, a theoretical basis of those concepts which form the primary focal areas of the research. The afore-mentioned became even more important if there were different and independent categories of a construct which deals with the same phenomenon.

Chapter Two specifically discussed definitional aspects and theoretical propositions as it relates to political transformation as a mode of political change. Without adopting a comparative-analysis approach, an in-depth discussion of political transformation was presented in relation to other modes such as revolution, evolution, adaptation and development.

In connecting with political development, a substantial part of the chapter dealt with the aspect of modernisation as the researcher is of the view that almost all modes of political change can be traced back and associated with modernisation. The afore-mentioned is echoed by Apter (1984), Harrison (1998) as well as Inglehart and Welzel (2005) noting that change lies at the heart of the modernisation process.

In essence, **Chapter Three** adopted and applied the same line of approach as Chapter Two. Chapter Three explored the definition and explanations of corruption by firstly providing a comprehensive theoretical framework. Against the backdrop and within the framework of the latter, the chapter outlined and analysed the causes as well as consequences of corruption.

This chapter broadened the scope for understanding the underlying causes and consequences of corruption. It provided insight into the dynamics, intricacies and complex nature of corruption on the one hand while the chapter also attempted to address the consequences of corruption as an outflow of the different types, models and manifestation of the phenomenon. Apart from only stating the different types of corruption, the chapter also cited examples of how and where these corrupt activities manifested. The evidence proved amongst others, that corruption is a global phenomenon but that its negative effects are mostly experienced by the developing world and countries in transition.

It was important to lay a solid theoretical base in preparation for the several cases studies dealt with in the research. The theoretical framework was continuously used as a cross-reference on which the case studies relied as theory confirmation. Corruption is a manifestation of human behaviour – it is conceived, planned and executed by individuals and/or groups. Whenever human behaviour comes into play, the aspects of ethics/morality are just natural considerations.

In **Chapter Four**, the study examined ethics and morality within its contextual relevance of corruption and its relationship with transformation. The chapter postulates that the concept of ethics has broadened to include both the characteristics of the good person but also best practice. Ethics in modern times refers to a moral set of values in which the behaviour of people is being judged as good or bad, acceptable or unacceptable. In addition ethics is the discipline dealing with what is good or bad. Moreover, ethics concerns itself with a deliberate act(s) as it makes decisions between what is right and what is wrong, what is good and what is bad and it is thus normative in nature. The chapter also dealt with the aspect of leadership and political will. It is concluded that the core of the problem is neither an anti-corruption strategy, new laws, treaties nor institutional but primarily the lack of political will.

The study followed both a deductive and inductive approach. With the deductive approach a theoretical framework was done based on conceptual frameworks namely those of amongst others Duvenhage (2003 and 2005), Huntington (1965 and 1968), Cilliers (1984), Apter 1965, Inglehart and Welzel (2005) and Hagopian (2005). With the inductive process, the theoretical framework was verified by applying it to selected cases studies.

In **Chapter Five**, the case studies within the African context focused on the nation states of Zimbabwe, Nigeria and Botswana. Selecting these countries was based on the fact that they have a colonial history and would have faced the same type of governance and challenges in respect of gaining independence. The researcher focused on similar issues (e.g. political corruption, lack of institutional controls, favouritism, fraud and bribery) in the three countries with an emphasis on why the transformation process in Zimbabwe and Nigeria failed as opposed to its successful outcome in Botswana.

In respect of South Africa, **Chapter Six** started by highlighting corruption in Parliament primarily to a scam commonly referred to as the “Travel gate” scam.

The decision to start with the “Travel gate” scam was twofold. Firstly, it was used to illustrate that when corruption besieges the corridors of Parliament it conveys a strong message that the phenomenon has taken uncontrollable proportions. In the second place, it wanted to link with the crucial aspect of leadership. The chapter provided statistics on high profile court cases dealing with prominent leadership (also political) figures. The rationale behind this was to indicate how examples set by leadership contribute towards creating a culture of corruption.

In order to provide a balanced perspective, the chapter adopted a shift from the individual to organisational aspects. To this effect, the South African Police Service (SAPS), the Department of Home Affairs (DHA) as well as the Departments of Social Development and Education of the Eastern Cape Provincial Government, came under scrutiny as selected case studies. The historiography of the Eastern Cape Province serves as an access point in understanding the nature of the problem and with the unpacking of other factors, an effort was made to provide a holistic picture of the phenomenon. In an overwhelming sense, the case studies showed correlation with the theoretical and analytical framework.

Corruption is a phenomenon which manifests in **ALL** sectors of society. The process of verifying a possible relationship between corruption and transformation necessitates that focus should transcend beyond the boundaries of the public sector. The afore-mentioned clearly implies that corruption is also a problem in the private sector.

What then is the value of this research? It is hoped that the study will have presented new insights into the relationship between transformation and corruption. The study is of significance in particular on how corruption in transformation states has a devastating effect on the poor. Duvenhage (2005) and Palmer (1989) argue that the objective of change is to change/alter the current status and ultimately bring about an alternative; which by implications

means a condition better than the former. The afore-mentioned is clearly illustrated in the following: “Our program for social transformation must therefore ensure that it build a better life by providing land and houses, comprehensive health and social security, basic resources which include water and sanitation, human resource and capacity building, clean and safe environment, food security and an improvement in the health profile, including dealing with communicable and non-communicable diseases, causes of mortality, sports and recreation” (ANC 2002:1).

However, change does not always have a positive outcome – in fact, it can result in decay (Zartman 1995 and Geldenhuys 1999) and the study places emphasis on this factor as well. In a very practical sense, this study highlights the negative aspects of the relationship between corruption and transformation but also offers ways of managing it with the view of preventing a complete state of political decay.

Like with any other study, this research also has its limitations. Without any doubt, the main limitation of the study was the sensitive nature of the topic. Although corruption is being reported in a broad and general sense, there is an uncomfortable hesitance to provide details and particulars. Whether the afore-mentioned can be ascribed to the secretive nature of corruption or whether it is just a case of fear for exposing the truth, remains an open debate. Overall there is still a prevailing sense of “not wanting to get involved” and a propensity for protecting influential role-players.

As an outflow of the sensitivity of the matter, very little of the “real” corruption-related information is documented by public sector departments. In almost all the reports, reference is being made to corruption with emphasis on how it is being addressed without providing the real essence of the matter such as reliable data and statistics. For any kind of research, it is necessary to obtain reliable and substantial data about the research topic. In respect of the afore-mentioned, the

research certainly suffers from limitations due to Departments' administrative management systems relating to corruption. Maybe it is the case of not wanting to wash dirty linen in public! The researcher thus had to rely heavily but not exclusively on information of Departments which was compiled by sources located outside of the Departments which in itself presents an authenticity challenge. However, the greatest care was taken to maintain objectivity in the study within the permissible limits.

7.2. Relationship between corruption and transformation

In an effort to determine whether a relationship exists between transformation and corruption, one has to theoretically unpack the phenomenon of change on the basis that transformation falls within this broad category. The aforementioned is focused on in chapter 2. Human (1998:10) is of the notion that this is not a process of uniform and constant development. Addressing the complex concept of change, Palmer (1989:7) is of the view that change in itself is neither good nor bad adding that it is the observed difference between a previous and the current system(s). Palmer argues further that political change is the notable alteration to the present (existing) political relationships, processes and institutions. Within the South African situation it could thus be argued that political change is the alteration from the past system of authoritarianism to the present state of democracy.

According to Duvenhage (2004:3), it is possible to classify patterns of political change by placing the focus on a series of variables. Political change may lead to a process of complete decay or it could initiate sustainable development, which might include and/or influence part or the entire system. Such developments are referred to as the *extent* of political change. The *direction* of political change may either be progressive (moving towards a favourable position) or regressive (detour to a previous system). Another pattern of change according to Duvenhage (2003:3) is the *tempo* at which it occurs, meaning the frequency of

change within a particular time frame whilst the *manner of affecting* political change concerns the totality of violence/conflict taking place during times of change. The *nature* of political change emphasises the character of the process and any form of political change has certain *implications* for the state. Apart from the conceptual and typification background on change and political transformation it is necessary to identify the meaning of political transformation as a pattern of political change for the purposes of addressing the focus area.

Duvenhage (2004:4) notes that the outcome of political change could be derived from a specific political practice and is often normatively qualified. This outcome is connected to a political value system which on its part, is related to political freedom (democracy), political well-being (welfare of the state), political institutionalisation and political independence in its various forms. Political transformation, similar to a revolution, is associated with the violent overthrow of a political order and replacing it with a new system. However, where the revolution could be rapid, transformation manifests over a longer period of time in which conflict and change management replace violent aspects (Duvenhage, 2004:4). Political transformation is progressive in nature and has the fundamental change of the political order at heart. It is a process in which more drastic changes find realisation over a shorter period of time. Transformation requires extraordinary insight and effort. It is unnatural and goes against the grain of our psychological and social constitution as creatures of habit (Human, 1998:23).

The focus on political transformation as a pattern of political change, which was comprehensively discussed in chapter 2, did not comparatively analyse this phenomenon in respect of other patterns. It is, however, necessary to determine what lies at the core of political transformation. Duvenhage (2004:5) has identified several dimensions, which would be outlined and reflected upon by means of a summary. Reactive change is being motivated against the backdrop of an unacceptable political past whilst progressive change aims at ensuring a political dispensation that is in essence better than the previous one. Change is

fundamental and influences almost every sphere of society. Political transformation is a planned process of social and political engineering and although revolutionary results should be the outcome, this objective has to be achieved through evolutionary means. The successful implementation of political transformation depends largely on effective political management and equally so on conflict management. It becomes even more complex on the basis that transformation takes the form of phasing out the old system and phasing in the new without losing continuity.

Flowing from the theoretical framework, it could then be concluded that change leads to something different whether it is a system, state or condition. Political change can be interpreted as political adjustment to an existing system and is unique in respect of its peculiarities. It is clear that political transformation as a pattern of political change has as its objective a well-planned and managed, rapid, progressive and fundamental political change of society. History has shown that with almost every period of fundamental change, the political situation has made way for a greater degree of fluidity where rules have lost its grip and impact as a result of the dynamics of the situation.

Any political system is based (or should be based) on a variety of interdependent factors, which operate in equilibrium or have the capacity to ensure that stability is maintained on a continuous basis. Huntington refers to this process as institutionalisation and claims that strong systems of institutionalisation literally ensure stability during a process of change. Institutionalisation is the process by which organisations and systems acquire value and stability (Huntington, 1968:12). According to Huntington (1968:12), the level of institutionalisation of a political system can be defined and measured by its adaptability, complexity, autonomy and coherence. However, the process of change is usually accompanied by a phase of fluidity and many states thus experience problems such as proper control over the assets of states, practices of good governance and administration as well as service delivery. The afore-mentioned are reflected

in the case studies presented in chapter 5 with the notable exception of Botswana. The lack of strong institutions also finds resonance in some provincial government contexts, specifically the Eastern Cape government (see chapter 6).

Against the backdrop of strong institutions (institutionalisation) Zuzile (2003:3) pointed out that the provincial Auditor-General of the Eastern Cape has identified serious deficiencies in the internal checking and control measures of the Department of Social Development in the Bisho Legislature. It was also discovered that there were significant shortcomings relating to proof of the existence of beneficiaries and that the database of the department was unreliable and inaccurate. The true reflection of weak institutionalisation has presented itself for many years in the Department of Education in the Eastern Cape Provincial Government. Peer (2002:4) reported discrepancies between the salary advice notices of teachers and the actual deposits into their bank accounts. The lack/poor presence of institutionalisation culminated in the inability of systems in the Education Department to pick up false financial claims for overtime, invalid housing allowances and unprocedural salary increases costing the department R250 million since 1999. Several public officials quickly identified the opportunities for corruption as a result of poor institutionalisation and enriched themselves through one or another corrupt practise of which some have been mentioned.

The process of system-stress is not only an outflow of but also finds manifestation during this period of fluidity. According to Duvenhage (2003:52), this phase is characterised by a political system that is in place but essential components such as operational outputs, production and service delivery are seriously lacking or ineffective. The phenomenon of system stress is gaining impetus through actions such as corruption and financial mismanagement and Duvenhage (2003:52) noted that corruption in particular is a by-product of system-stress. The culture of non-payment for services coupled with gross

financial mismanagement led to a situation where approximately 89% of municipalities in the Eastern Cape find themselves on the border of bankruptcy.

An integral part of the transformation process in South Africa was the process of decentralization in which nine provincial governments have been formed. This in essence meant the delegation downwards of certain areas of budgetary authority which has certainly interfered with previous controls albeit it may have compensated for the dissolution of the endemic corrupt homelands administrations (Lodge, 1998:162). However, the incorporation into the provincial administrations of homeland services has in general transferred the bureaucratic location of corrupt behaviour making regional governments an extension to patrimonial politics which were a characteristic of Bantustan administrations. It meant that the existing system of poor institutionalisation just became weaker as a result of this additional burden, thus placing it under stress.

Lodge (1998:162) argues that a significant number of senior officials have been replaced and many of the “fresh recruits” were political appointees. Unfortunately the new management cadre did not have the capacity to constructively deal with the new challenges. Apart from the lack of political will, some of the functionaries had fallen prey to the disease they had to cure, indicating the relationship between transformation and corruption. Many officials quickly identify the gaps and loopholes in the transitory administrative system. Rademeyer (2002:13) reported that the Eastern Cape’s Provincial Department of Education had to suspend six officials for allegations of fraud. These officials - one employed at middle management level - allegedly submitted false claims and illegally transferred money via computer into several bank accounts they had established. Such actions and many others play a meaningful role in the erosion of professional ethics and seriously put the credibility of governance under question.

The factors/criteria associated with a situation of political fluidity and system-stress would not threaten the broader South African equilibrium over a short period of time. However, if it is not timeously and effectively managed, the state could soon suffer from the weak-state syndrome. Weak governments lack authority and fail to perform its functions, also in relation to addressing corruption. Such characteristics are prevalent in the Bisho Administration where the cancer of corruption has seemingly become the norm in several structures of governance.

The concept political transformation refers to a process of political change. It fundamentally changes the status quo, is reactive and proactive in nature and aims at bringing revolutionary changes through evolutionary strategies over a relatively short period of time. Like with other forms of political change such as revolution and adaptation, the process of transformation also has implications for the state. In respect of the South African situation, the political transformation process was a compromise between the revolutionary strategies of the liberation movements, in particular the ANC, and the evolutionary approach of the previous government. The process of political fluidity during which the government lost its grip and a measure of control leading to a situation of system-stress, has undoubtedly contributed to corruption by creating opportunities which were soon identified whilst the existing corrupt operations gained momentum and even become more sophisticated. Sufficient evidence of the afore-mentioned bears testimony in the case studies presented in chapter 6. It could then be argued that political transformation is related to corruption in one form or the other despite the noble intentions of such pattern of change.

The reputation and success of a government largely depends on the conduct of public functionaries and what the public believes about the conduct of public functionaries in the quest and expectation of good governance. Whenever one deals with human conduct, you are inevitable challenged with the aspects of ethics and morals. In the relationship between corruption (as an outflow of

unethical conduct, and transformation (the quest for good governance) one should be constantly reminded of the what pivotal role ethical/moral practise together with values, and in particular the lack thereof, might be playing. In fact, it is not as complicated as it seems – unethical practices could/might and certainly does lead to the manifestation of corruption. Apart from dealing with ethics/morals and values, chapter 4 also addresses the role of leadership and/or the lack thereof in the relationship between corruption and transformation. In addition to the conduct of officials, any administration needs strong institutional capacities to operate efficient and effectively. According to Huntington, the absence of strong institutions is a major factor in the transformation of strong states into weak ones. It is thus even more important for states in transition to ensure that the principles of strong states are adhered to as the cancer of corruption will detect and exploit weaknesses in the institution. Transitional states need to adopt a very firm approach in dealing with corruption and the following recommendations are presented for consideration.

7.3. Recommendations

Against the backdrop of the research findings and some critical aspects highlighted in this study, it is now possible to suggest some remedial steps. The researcher will limit the recommendations to four key areas which are being regarded as crucial and over-arching in any quest for addressing the scourge of corruption. It is important that the four key areas should not be regarded as distinct categories because corruption is an interconnected and multidimensional phenomenon.

7.3.1. The establishment of a single, independent law-enforcement agency

The process of addressing corruption in South Africa has been earmarked by a fragmented and uncoordinated approach. There are several law-enforcement agencies; each dealing with a specific angle towards corruption and this in itself

requires effective cooperation and co-ordination. According to Madonsela (2010:8) the following list represents some anti-corruption agencies and/or bodies that exist:

The Public Protector

The Public Protector is an Ombudsman Office which was created in terms of Chapter 9 of the South African Constitution. The Public Protector's anti-corruption mandate is derived as per section 182 of the Constitution and the Public Protector Act of 1994.

The South African Police Service (SAPS)

Apart from its criminal investigative role, the SAPS has a separate division, the Directorate for Priority Crime Investigation which was created in terms of the South African Police Service Amendment Act, 57 of 2008.

National Prosecuting Authority (NPA) - Asset Forfeiture Unit

This Unit is responsible for the confiscation and restraint orders in terms of the Prevention of Organised Crime Act

The Auditor General (AG)

As the supreme audit institution for South Africa, the office of the Auditor General enables oversight, accountability and good governance in the public sector. The AG has the power to conduct special audits whenever it considers it to be in the public interest or upon a receipt of a complaint or a request.

Currently there is an overlap between the agencies specifically as it relates to investigations, a situation which is not entirely unexpected. In an environment where there is no clear segregation of functions with mandates blurred, a fertile ground is prepared for a situation of confusion. Madonsela (2010:15) agrees that the multipronged approach to anticorruption presents its own challenges.

The researcher is of the view that most if not all of the challenges, can be sufficiently addressed through the services of a single agency.

The African Capacity Building Foundation (ACBF) argues that independent anticorruption agencies are usually established in situations where corruption has assumed a systematic character involving most government institutions. These institutions use different anticorruption methods to those operationalised by the state. According to the ACBF (2007:21) the idea of establishing independent anticorruption agencies is gaining more interest and attention all over the world.

According to Pilliay (2004:593), the process of combating corruption requires a dynamic and multi-faceted strategy that uses scarce resources effectively and on a constructive basis. Currently the afore-mentioned is non-existent. There are discrepancies between the budgets and resources of different agencies; there is no formal agreement between agencies with regard to the coordination of information; and there is an overlap between the functions of certain anti-corruption agencies. Inadvertently, the lack of coordination, discrepancies in resource allocation and the absence of cooperation agreements/legislation leads to the wastage of resources and investigative ineffectiveness.

The establishment of a single, independent enforcement agency will have the following advantages:

- Proper supervision of law-enforcement and judicial bodies;
- Informed and collective decision-making right from the initial stages;
- Determining clear roles and lines of responsibility; and
- Effective and efficient utilization of resources.

Because corruption is a complex and secretive issue, it should be realised that there is no single solution to the problem. Kwok Man-wai (2009:134) emphasised the need for a comprehensive approach.

According to the Kwok Man-wai (2009:134), the success of the fight against corruption in Hong Kong could be ascribed to a three pronged approach: enforcement, prevention and education.

The success of the Directorate of Corruption and Economic Crime (DCEC) in Botswana has also proven the effectiveness of the institutional approach. Interestingly, the modus operandi and approach of the DCEC in Botswana is strongly based on the Hong Kong model which is widely accepted internationally. The DCEC consists of three departments, namely Operations, Public Education and Corruption Prevention. Olowu (1999:15) contends that a corruption investigative agency should be regarded as an independent organ by all sectors of society in order for it to be effective. The establishment of a single, independent law enforcement agency goes hand-in-hand with political will and leadership.

7.3.2. Political will and leadership

The aspect of political will in addressing corruption has been widely discussed following different angles of approach. In this process, several theorists such as Brinkerhoff (2000), Van Vuuren (2002), Tsedu (2003) and Godi (2007) agree that in order to combat corruption effectively, the presence of political will is essential with impetus given from the highest level. It would be fruitless and even counter-productive to establish a single enforcement agency if it is not supported by political will. In respect of the afore-mentioned, the following is presented for consideration:

- Sufficient budget allocation. Any government that is serious about countering corruption would ensure that sufficient financial resources are available.

- The budget allocation should be accompanied and supported by sound and adequate legal support. The unique characteristics of corruption necessitate a water-proof legal framework.
- The investigative agency should be allowed to carry out its work independently without political interference. The afore-mentioned implies that prosecutions will not be influenced by status, rank and political affiliation.
- Government should adopt a policy of zero tolerance to corruption. Corruption cannot be successfully countered if double standards are applied. Consistency in taking actions against acts of petty corruption as well as grand corruption, in the public and in the private sector should be a non-negotiable principle.

In explaining why many anti-corruption efforts fail, Kwok Man-wai (2009:137) enlisted several factors which include lack of resources, lack of independence and lack of credibility. According to Kwok Man-wai (2009:137) “the overriding factor for failure is the lack of political will. If there is strong political will and determination, most of the above problems can be resolved”. The establishment of a single agency together with political will can only be successful within an environment of solid institutional controls.

7.3.3. Institutional controls and accountability

There is general agreement that institutional controls and accountability lie at the heart of good governance. Good governance is a fundamental right of a citizen in a democracy and is underpinned by factors such as transparency and accountability. Johnston (2002:1) argues that good governance involves far more than the power of the state or the strength of political will. “The rule of law, transparency, and accountability are not merely technical questions or administrative procedure in institutional design. They are *outcomes* of democratizing processes driven not only by committed leadership, but also by

the participation of, and contention among groups, and interest in society – processes that are most effective when sustained and restrained by legitimate , effective institutions” (Johnston, 2002:1.) Corruption is generally an outcome and symptom of poor governance. The case studies have shown beyond doubt that South Africa faces major challenges in areas such as financial management, procurement (including the tendering processes), and compliance.

7.3.3.1 Financial management

Sound financial management is an essential tool for good governance thus ensuring control and accountability. It is thus necessary to ensure:

- timely compliance with auditing requirements to ensure legitimacy of public expenditures. In cases where audits show inefficiencies or are themselves unsatisfactory, prompt and decisive remedial action should be taken. Clearly a situation cannot be tolerated where the same audit result is obtained year after year and in some cases it has progressively regressed.
- Clear procedures and criteria should be applied to public investments programmes and projects. The afore-mentioned should be guided by rigorous accounting, financial and auditing systems.
- Regulations for the financial sector should be geared at reducing opportunities for corruption.
- A knowledgeable and ethical supervisory structure with sufficient authority and autonomy.

7.3.3.2 Procurement

Procurement has proven to be an area where corruption is widespread both in the process of awarding as well as during the implementation phases. The procurement process is commonly referred to tenderpreneurship or “speed

corruption”. With reference to the challenges presented by corruption in procurement, Senta (2008:44) remarks that “the field of public procurement has been the battleground for corruption fighters. It is in public procurement that most of the 'grand corruption' occurs with much of the damage visibly inflicted upon the development process in poorer countries and countries in transition”. And our experience also shows that this evil practice is rampant in developed countries as well. South Africa has also experienced several cases of corruption with regards to the procurement processes and reference was made to these in some of the case studies. In an effort to address these serious aspects, the following is recommended:

- A clear, unambiguous and comprehensive regulatory framework is a fundamental pre-requisite for curbing corruption in procurement. In the absence of such a sound regulatory framework, corruption and manipulation are likely to occur and remedies for these would be difficult to implement. Nil (2008:59) contends that in order to strengthen trust and fairness of public procurement, the regulatory framework should be reliable over time and core regulations should be passed as parliamentary laws. It is strongly recommended that in cases where such a regulatory framework is in place, the proper implementation should be regarded as priority.
- In an effort to foster the development of uniform procurement practices and policies, it is strongly recommended that one central procurement authority is being established. Such an office could be called the Procurement Oversight Board (POB) and its functions should include the monitoring of compliance with the regulatory framework, streamlining of policies and recommendations of reform.
- Thoroughly investigate and/or enhance the enactment of whistle blower protection system which would facilitate the detection of corruption in procurement management.

- Provision being made for the blacklisting of corrupt service providers which would prohibit them from bidding of all government project during time of blacklisting or until they are delisted.
- Because procurement is generally being perceived as a closed and behind close door process, it has become critical to enhancing / enforcing transparency and accountability. Transparency and accountability are integral elements of good governance as it helps to ensure integrity, efficiency and fairness. Such a system creates a better awareness of the proper use of public funds especially where discretionary decisions have to be taken and it underscores the right and ability of all participants to know and understand the processes and its managerial mechanisms.

This research has again re-affirmed that corruption is a product of human behaviour. Human behaviour is closely connected with aspects such as morals, values and ethics. Theorists from almost every persuasion are in agreement that the afore-mentioned aspects of humanity are not only under attack but also gradually eroded. With corruption arguably growing out of control, any effort should be made which would prevent the cancer from spreading. Despite the divergent views, the researcher is convinced that ethical training can play a significant role in addressing the scourge of corruption.

7.3.4. Ethical training

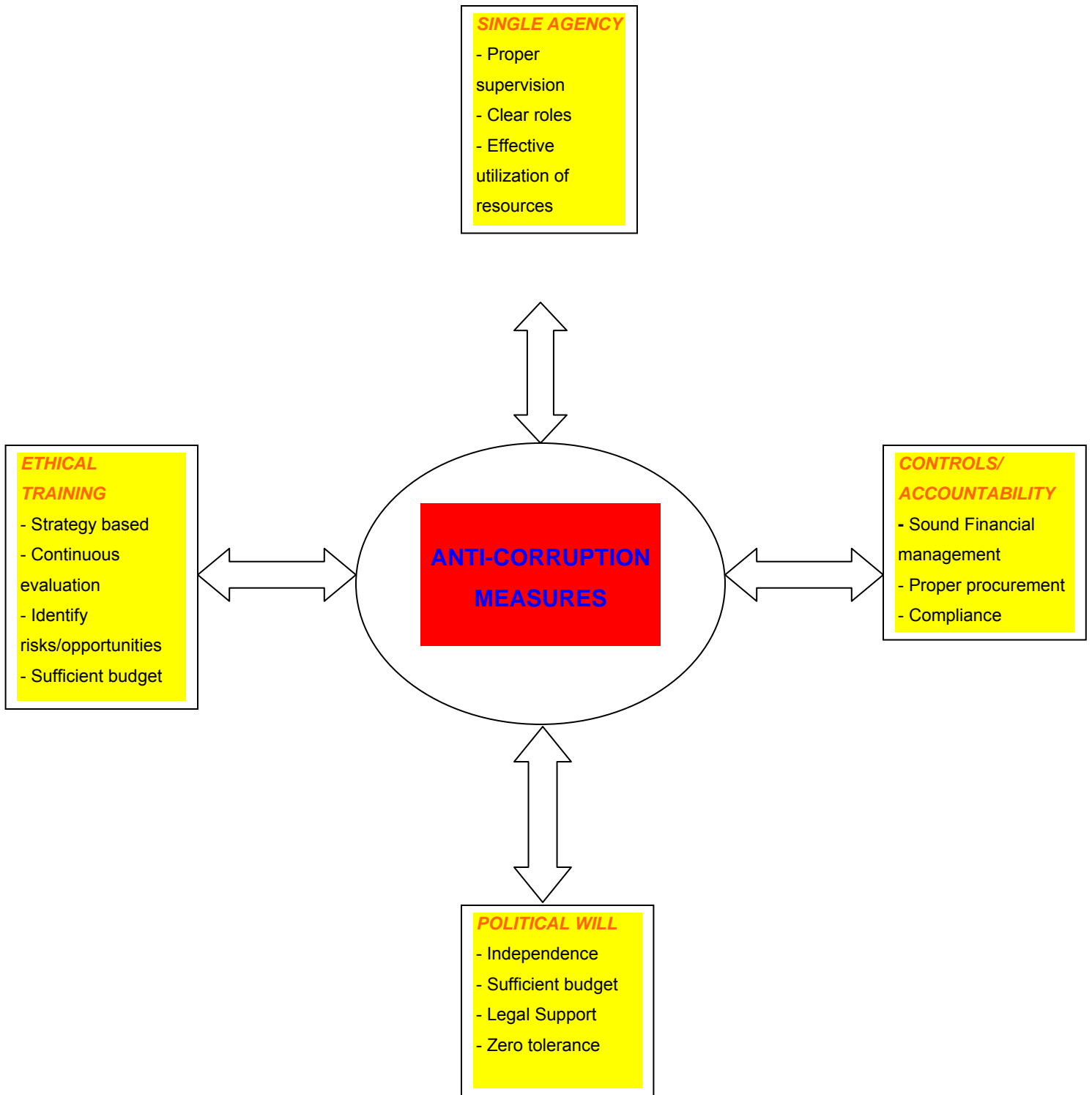
More than a decade ago, Knouse and Giacalone (1997:10) summarised ethical training with the following expression: “Going beyond merely doing the right thing”. Prior to presenting specific indicators for ethical training, it would be appropriate to indicate why ethical training should take place. Very simplistically, ethical training assists the employee to make the right decisions from a stance that is morally comfortable for both the employee and the employer. According to Sekerka (2009:78), increasing global competition and economic demands place employees under additional pressure to achieve performance goals whilst also

addressing more complex ethical issues. On the basis of the afore-mentioned it is thus important that training should ensure that employees understand the rules and apply ethical practices. In addition to the above, the following recommendations could also be considered:

- Training being provided per approved strategy to achieve set objectives e.g. to build and inculcate a culture against corruption;
- Continuous evaluation on the impact of training which can be done during staff meetings, workshops and individual sessions with members;
- Identification of opportunities as well as risk (potential risk) areas for training; and
- Ensure sufficient budgetary provision.

It has always been of great value to support the theoretical section with an applicable diagram. The diagram below represents a schematic presentation of the recommendations aimed at addressing corruption.

Figure 31: Schematic summary of recommendations



7.4. Conclusion

Corruption is not a new phenomenon. Literature shows that corruption is an age-old practice dating back to pre-biblical times where it introduced itself to the ancient civilizations of Greece, India and Rome. However, corruption is not a historical artefact and it has aggressively progressed with major developments all over the world. In fact, corruption has placed itself in the centre of the socio, political and economic spheres constantly trying to gain the economic and technological edge. Corruption spans across creed, culture, religion and ethnicity. It is present in all kinds of government ranging from the autocratic to the most democratic whilst every economic model has become its target.

In recent decades the issue of corruption, generally defined as the **abuse** of **power** for **gain**, has attracted renewed interest amongst academia, politicians, business executives and non-governmental organisations but also and very importantly, the general public. This new focus could most certainly be ascribed to the devastating consequences of corruption particularly amongst the poor. Poverty can be found all over the world but it is particularly endemic in African countries. Gyimah-Brempong (2002:183) argues that Africa has made the least progress in improving living standards among the developing regions in the world. It is further being postulated that in coexistence with poor economic performance, is widespread corruption. With reference to the afore-mentioned, Kroukamp (2006:206) notes that corruption in developing countries was thus assumed to be an integral part of the natural maturation process.

For many years, Africa was also confronted with colonialism and the debate whether colonialism has contributed towards underdevelopment, slow economic growth and poverty, is still raging. Following independence from colonialism, several countries opted for a specific mode of political change and in the case of South Africa, the transformation route has been chosen. The new political dispensation brought about significant new positive developments. Unfortunately

it also carried with it an alarming increase and manifestation of corruption of which bribery and fraud excelled as the most common forms.

Throughout the South African case studies, it became evident that there was a strong relationship between transformation and corruption in more than one sense. The relationship has been facilitated by aspects such as:

- the lack/absence of institutional controls;
- questionable political will and ethical leadership; and
- fragmented and under-resourced investigative agencies.

It might have become obvious through this research that fighting and controlling corruption requires a dedicated, comprehensive and long-term approach which is solidly vested in a strong political commitment serving public interest only. “There is no universal blueprint for fighting corruption: each country’s unique experience will affect the policy options that can be employed to address it. As we have seen, corruption manifests itself in different ways and intensities; it requires differentiated responses ...” (Camerer, 2008:353).

Currently corruption is not being regarded as a national priority. It remains one of those factors which have the potential to seriously undermine all the issues registered as national priorities and governments plan which is entitled “National Development Plan: Vision for 2030” could become only a dream perfectly articulated on paper. Corruption should be regarded as a national concern aimed at protecting national interests and identity.

BIBLIOGRAPHY

Abed, T. and Gupta, S. 2002. *Governance, Corruption and Economic Performance*. Washington D.C.: International Monetary Fund Publication Services.

Acemoglu, D., Johnson, S. and Robinson, J.A. 2001. *An African Success Story: Botswana*. lsb.scu.edu/~mkvane/Botswanafinal.pdf.

Adebayo, P.F. and Ojo, O.E. 2009. The challenges of effective policing as measure of controlling the phenomenon of police corruption in Nigeria today. *International NGO Journal* 4(3): 70-75.

Adegbulu, F. 2010. Nigeria's (Unholy) Wedlock with Corruption: Can Death Put Them Asunder. *The Journal of International Social Research* 3(12): 9-25.

Adesoji, A. and Rotimi, A. 2008. Nigeria and its Anti-Corruption War. *Africa Insight* 38 (1):159-172.

African National Congress (ANC). 1997. *Draft strategy and tactics of the African National Congress*. <http://www.anc.org.za/ancdocs/discussion/strat97.html>.

Agbu, O. 2004. *Nigeria – A Case Study*. Excerpts from a case study prepared for the New Anti-Corruption Government meeting to be held in October 2004 co-organised by the government of Kenya. TI Kenya and TI Secretariat. Nairobi: Kenya.

Ahrens, J. 2006. *Governance in the process of economic transformation* (draft version). Germany: Private University of Applied Sciences Goetingen.

Allan, G. 2003. Nixing corruption in South Africa needs practise and leadership. *Weekly Mail and Guardian* 31 Dec: 46.

.Apter, D.E. 1965. The politics of modernisation (In Faure, A.M. and Kriek, D.J. 1984. *Die Moderne Politieke Teorië*. Butterworth: Durban).

Apter, D.E. 1977. *Introduction to political analysis*. Cambridge Mass: Wirthrop.

Arora, D. 1993. Conceptualising the Context and Contextualising the Concept: Corruption Reconsidered. *Indian Journal of Public Administration (IJPA)* 39 (1):1-19.

Arowolo, D. 2010. The State, Bureaucracy and Corruption in Nigeria. Academic Leadership. *The Online Journal* 8(3).

Anon. 2009. Pakistani "Mafia" rules. *City Press* 25 Oct.

Ashforth, B.E. Gioia, D.A., Robinson, S.L. and Treviño, L.K. 2008. Introduction to Special Topic forum: Re-viewing organisational corruption. *Academy of Management Review* 33:670-684.

Auditor-General of South Africa. 2008. *Provincial general report of the Auditor-General on the Audit Outcomes of the Eastern Cape Provincial Departments, Public Entities and Other Entities for the Financial Year 2007 – 08*.

Auditor-General of South Africa. 2008. *Provincial general report of the Auditor-General on the Audit Outcomes of the Eastern Cape Provincial Departments, Public Entities and Other Entities for the Financial Year 2008 – 09*.

Ayittey, G.B. 2000. Combating Corruption in Africa: Analysis and Context (In Hope, K.R., and Chikulo, B.C. 2000. *Corruption and Development in Africa*. London: Macmillan Pres LTD).

Azuka, E.B. 2009. Ethics of Leadership and the Integrity Question Among Leaders. *African Journal Online* 17(1):11-26.

Baker, T. 2008. *Anti-Corruption and Access to Information: The Right to Information Bill*. Media Institute: University of Dares Salaam.

Baliamoune-Lutz, M. and Ndikumana, L. 2008. *Corruption and Growth: Exploring the Investment Channel*. University of Massachusetts: Economic Department Working Paper Series. Paper 33.

Basdeo, V. 2012. The curse of corruption in the South African Police: A rot from within. *South African Journal of Criminal Justice* (3):385-400.

Basopu, P.M. 2010. *Assessing Challenges of corruption in the Eastern Cape Department of Education*. A Dissertation Submitted to The University of Fort Hare in fulfilment of requirements for the degree of masters of Public Administration.

Bauer, C. 2004. *The disease called corruption*. Bloemfontein: University of the Free State.

Baqwa, S. 2001. Anticorruption Efforts in South Africa. *Country Report: Journal of Public Inquiry* 21(2):21-24.

Beaulier, S. and Subrick, J.R. 2004. *The Political Foundations of Development: The Case of Botswana* (Working Paper 22). Mercatus Center: George Mason University.

Bernstein, A. 2007. *Voices of Anger*. Phumelela and Khutsong: Protest and conflict in two municipalities. Centre for Development and Enterprise. http://www.cde.org.za/article.php?a_id2=46.

Bertelsmann Stiftung. BTI 2010. *Botswana Country Report*. Gütersloh: Bertelsmann Stiftung, 2009.

Bishop. 2007. *Zimbabwe like "worst days of apartheid"*. National Catholic Reporter: National Catholic Reporter Publishing Company. 12 April.

Bloomberg, A. 2003. Rich nations urged to help Third World fight corruption. *Star* 8 Oct: 10.

Boyle, B. and Davids, N. 2006. The Travelgate Scandal: A gallery of the rogues you voted for. *Sunday Times*. 22 Oct:15.

Bratton, M. 2006. *Civil society and Political Transition in Africa*. Institute for Development Research (IDR) 11(5):1-21.

Bratton, M. and Masunugure, E. 2007. Popular Reactions to State Repression: Operation Murambatsvina in Zimbabwe. *African Affairs* 106(422):21-25.

Brinkerhoff, D.W. 2000. Assessing political will for anti-corruption efforts: an analytical framework. *Journal of Public Administration and Development* 20:239-252.

Bromley, D.B. 1991. Academic contribution to psychological counselling: a philosophy of science for the study of individual cases. *Counselling Psychology Quarterly*, 3(3): 299-307

Bruce, D. 2012. *The law for sale*. 2012 Report. corruptionwatch.org.za.

Caden, G.E., Dwivedi O.P. and Jabbra. 2001. *Where corruption lives*. Bloomfield: Kuruman Press.

Camerer, L. 1997. *Costly Crimes: commercial crime and corruption in South Africa*. Pretoria: Institute for Security Studies.

Camerer, L. 1997. *Poverty and corruption in South Africa: Government corruption in poverty alleviation programmes*. <http://lala@iss.co.za>

Camerer, L. 2001. *Corruption in South Africa. Results on an Expert Panel Survey*. Monograph 65. Pretoria: Institute for Security Studies (ISS).

Camerer, M. 2006. *Corruption –"a reality to be managed"*. Preliminary Draft (Paper to be presented at the After Apartheid Conference, 11-12 August 2006, Cape Town, South Africa) Global Integrity.

Camerer, M. 2008. *"What makes for effective anti-corruption systems?" Reinventing governance*. Occasional paper series produced by the Governance and APRM Programme.

Cameron, R.G. and Stone. A.B. 2000. Definition of Ethics. (as cited in Baqwa; *Values, ethics and the battle against corruption*. Edited version of an address to the Commonwealth Association for Public Administration and Management (CAPAM) Biennial Conference. Cape Town: 15 -18 October).

Card, D. 2006. Myths and Strategies of Defect Causal Analysis (In proceedings of the Pacific Northwest Software Quality Conference which was held in Portland 18-19 October 2006).

Carver, R. 2000. *Zimbabwe: A Strategy of Tension*. WRITENET Paper No. 04/2000. UNHCR: Centre for Documentation and Research.

Carlson, M., Jacobs, S., Coe, E., Larsen, S., Hsu, E. 2002 Applying Covariational Reasoning While Modeling Dynamic Events: A Framework and a Study. *Journal for Research in Mathematics Education*. Vol. 33(5): 352-378

Chant, S. and McIlwaine, C. 2008. *Geographies of Development*. Central Printing Service: University of London.

Chapman R.A. 1993. *Ethics in the Public Service*. Edinburgh: Edinburgh University Press.

Chetwynd, E, Chetwynd, F. and Spector, B. 2003. *Corruption and Poverty: A Review of Recent Literature*. Management Systems International. Washington: United States of America.

Chigugu, J. 2006. *Fuel Crisis Deepens Zimbabwe's Troubles*. Institute for War and Peace Reporting (IWPR). www.ens-newswire.com/ensmar2006/2006-03-14-04html

Cilliers, J. APTER. (In Faure, A.M, and Kriek, D.J. 1984. *Die Moderne Politieke Teorië*. Butterworth: Durban).

Collins Essential Dictionary. 1995. London: Harper Collins Publishers.

Colm, R. and Ruth, D. 2007. Development – describing and debating the idea. (In Colm, R Eds *80:20 development in an unequal world*. Ireland: Genprint: 29-46).

Commission of Inquiry into the Administration of the War Victims Compensation Act (Chapter 11.16). 1998. Government Printer, Harare, Zimbabwe Annex 1.

Concise Oxford English Dictionary. 10th ed. 1999. Oxford: Oxford University Press.

Cull, P. 1999. Public coffers looted. *E.P. Herald* 16 May.

Daily Dispatch. 2006. Damning report of the premier released. 5 October:1.

Dassah, M.O. 2008. Is There a Hole in the Bucket? Identifying Drivers of Public Corruption, Effect and Instituting Effective Combative Measures. *Journal of Public Administration* 43 (3.1):37-62.

Dashwood, H.S. 2000. *Zimbabwe: the political economy of transformation*. University of Toronto Press.

Daszko, M. and Sheinberg, S. 2005. *Survival Is Optional: Only Leaders With Knowledge Can Lead the Transformation*. http://www.co.Daszko.co/theoryoftransformation_final_to_shortarticle_apr05pdf

De Lange, L. 2005. Doen meer om korrupsie te bekamp. *Volksblad* 23 March:2.

Delavallade, C. 2006. *Corruption and public spending distribution in developing countries**. International Monetary Fund (IMF): Journal of Economics and Finance.

Drielsma, C.H. 2000. *Successful Anti-Corruption Strategies around the Globe – A Report for Lok Satta*. <http://www.fdrindia.org/publication/Anit-CorruptionStrategies.pdf>.

Du Plessis, L.M. 2008. Organisational Transformation in South African Local Government: Are our Municipalities Centres of Service Excellence? *Journal of Public Administration* 43(4.1).

Du Toit, P. and Crous, T. 2004. The role of values in adding value to business. *Management Today* (April): 23-28.

Duvenhage, A. 2003. Politieke verval as 'n patroon van politieke verandering: 'n Teoreties-verkennende perspektief. *Joernaal vir Eietydse Geskiedenis* 28(3): 44-69.

Duvenhage, A. 2003. Politieke Verval as 'n Patroon van Politieke Verandering: 'n Teoreties-Verkennende Perspektief (In Barnard, S.L., Wessels, A and Wessels, D.P. Eds. *Journal for Contemporary History*. University of the Free State. pp. 44 – 71).

Duvenhage, A. 2005. Political Transformation: A Conceptual Orientation and South African Application. *Acta Academica* 37(3):1-40.

Dyonona, M. 2004. MEC vows to stop social grant fraud. *Daily Dispatch* 23 Feb: 1.

Edwards, T. 2001. *Ethical Fitness for Public Managers: An education and training challenge*. <http://winelands.sun.ac.za/2001/Pappers?Edwasrds,%20Tryna.htm>

Edwards, T. 2008. The Nuts and Bolts of Ethics, accountability and Professionalism in the Public Sector: An Ethical Leadership Perspective. The State. *Journal of Public Administration* 43(3.1): 77-86.

Encyclopedia.com. <http://www.encyclopedia.com/doc/1G2-3437700046.html>

Erero, J. and Oladoyin, T. 2000. Tackling the Corruption Epidemic in Nigeria. (In Hope, K.R. and Chikulo, B.C. 2000. *Corruption and Development in Africa*. London: Macmillan Press Ltd. pp. 280-287).

Esbend, F. 2001. Corruption buster back on track. *Weekly Mail and Guardian* 1 Feb: 11.

Etannibi, E., Alemika, and Chukwuma, I. 2005. *Analysis of Police and Policing in Nigeria*. Clean Foundation – Justice Sector. Clean Foundation: Nigerian Corporate Affairs Commission.

Evans, B.R. 1999. *The cost of corruption*. A discussion paper on corruption, development and the poor.

Eze, N. 2006. Definitions; Descriptions, and Branches of Philosophy. *An Encyclopaedia of the Arts* 9(4):284-292.

Faull, A. 2007. *Corruption and the South African Police Service*. A review and its implication. Paper 150. Institute for Security Studies: Pretoria.

Faull, A. 2011. *Corruption in the South African Police Service*. Civilian perceptions and experiences. Institute for Security Studies (ISS): Pretoria.

Feni, L. 2003. Net closes on social grant fraud. *Daily Dispatch* 20 Feb: 5.

Ferraz, C. and Finan, F. 2008. Exposing Corrupt Politicians: The Effects of Brazil's publicly released Audits on Electoral Outcomes. *The Quarterly Journal of Economics* 123(2): 703-745.

Finmark Trust. 2010. *Housing Finance in Africa: A review of some of Africa's housing finance markets*. Centre for Affordable Housing in Africa.

Gans-Morse, J. 2004. Searching for Transitologists: Contemporary Theories of Post-Communist transitions and the Myth of a Dominant Paradigm. *Post-Soviet Affair* 20(4):320-349.

Gauteng Provincial Government Administration. 2008. *Anti-Corruption Strategic Framework*. www.gautngonline.gov.za

Gbadamosi, G. 2006. *Corruption Perception and Sustainable development: Sharing Botswana's Anti-Graft Agency Experiences*. University of Worcester: United Kingdom.

Gberevbie, D.E. 2011. Leadership, the financial sector and development in Nigeria. *Inkanyiso. Journal of Social Science* 3(2):148-156.

Geneva Centre For Security \policy (GCSP). 2012. *Arab Uprisings: Challenges during Political Transitions and the Comparative Lessons for Civil Societies in the Middle East and North Africa*. Conference Report: Regional Workshop Consultation held in Amman 18-20 April 2012.

George, Z. 2006. Premier accuses 'syndicate' of R100m school food fiasco. *Daily Dispatch* 21 Dec: 1.

Gillies, A. 2009. *Reforming corruption out of Nigerian oil?* Centre of International Studies: University of Cambridge. www.u4.no/themes/nrm

Global Integrity Scorecard: Zimbabwe. 2009. report.globalintegrity.org/reportPDFS/2009/Zimbabwe.pdf

Goredema, C. 2005. *Organised Crime in Zimbabwe*. www.iss.co.za/pubs/Monigraph.No89/Chap1.pdf

Godi, T. 2007. *Fighting corruption: national integrity systems, good practice examples*. Paper presented at Global Forum V Conference which was held from 2-5 April 2007 in Sandton, South Africa.

Gramajo, A.M. 2006. Where did the Miracle Come From? Exploring Institutional Formation in Botswana. Pula. *Botswana Journal of African Studies* 17:45-54.

Greenstein, R. 2003. *State, Civil Society and the Reconfiguration of Power in Post -Apartheid South Africa*. Johannesburg: University of the Witwatersrand.

Gumede, W. 2010. Tackling Corruption. (In *Focus Making SA Work: Rules of the game*. The Journal of the Helen Suzman Foundation Issue 60, January 2011. pp 15-24).

Gurgur, T. and Shah, A. 2005. *Localization and Corruption: Panacea of Pandora's Box?* World Bank Policy Research Working Paper 3486.

Gyimah-Brempong, K. 2002. *Corruption, economic growth, and income inequality in Africa*. University of South Florida: Department of Economics.

Hagopian, F. 2000. Political development: revisited. *Comparative Political Studies* 33(6/7): 880-911.

Hanekom, S., Rowland, R. and Bain, E. 1986. *Key aspects of Public Administration*. Pretoria: Sigma Press.

Harrison, D. 1988. *The Sociology of Modernisation and Development*. London: Unwin Hyman.

Heath, W. 2001. *Investigating and prosecuting corruption in government departments*. Paper presented at the 2nd World Conference Investigating Crime which was held in Durban on 3 December 2001.

Heckerman, D and Shachter, R. 1995. A Definition and Graphical Representation for Causality. Proceedings of the Eleventh Conference on Uncertainty in Artificial

Intelligence which was held at the McGill University in Canada from 18 – 20 August. USA: Morgan Kaufmann Publishers

Heidenheimer, A.J. 1989. Perspectives of the Perception of Corruption. (In Heidenheimer, A.J., Le Vine, M. and Victor, T. Eds. *Political Corruption. A Handbook*. New Brunswick. pp 855-869).

Heilbrunn, J.R. 2004. *Anti-Corruption Commissions – Panacea or Real Medicine to Fight Corruption?* World Bank Institute worldbank.org/WBI/Resources?wbi13723Heilbrunn.pdf

Herbst, T. 2003: Will task team succeed where Stofile has failed? *The EP Herald* 14 Jan:4.

Higgs, N. 2012. *No progress on corruption?* www.tnsresearchsurveys.co.za

Hillbom. E. 2008. Diamonds or Development? A structural assessment of Botswana's forty years of success. *Journal of Modern African Studies*. 26 (2):191-214.

Hollands, G. 2007. *Corruption in Infrastructure Delivery: South Africa. A case study*. Mbumba Development Services: Loughborough University UK.

Hope, K. and Chikulo, B. 2000. *Corruption and Development in Africa. Lessons from Country Case-Studies*. Hampshire: Palgrave.

Hope, K.R. and Chikulo, B. C. 2000. *Corruption and Development in Africa*. London: Macmillan Press LTD.

Hornby, A.S. 2000. *Oxford Advanced Learners' Dictionary of Current English*. 6th Edition, Sally Wehmeier (Ed). Oxford: Oxford University Press.

Human, P. 1998. *Yenza: A blueprint for transformation*. Cape Town: Oxford University Press.

Human Right Watch. 2009. *Diamonds in the Rough. Human Rights Abuses in the Marange Diamond Fields of Zimbabwe*. <http://www.hrw.org>

Huntington, S.P. 1968. *Political Order in Changing Societies*. London: Yale University Press

Huntington, S.P. 1979. *Political order in changing societies*. London: Yale University Press.

Huther, J. and Shah, A. 2000. *Anti-Corruption Policies and Programs. A Framework for Evaluation*. The World Bank Country Evaluation and Regional Relations Division: Policy Working Paper 2501.

Inglehart, R. and Welzel, 2005. *C. Modernisation, cultural change, and democracy*. Cambridge University Press.

Intervention Management Team (IMT). 2002-2004. Report on the findings of the Presidential Task team on the status of the Department of Social Development in the Eastern Cape Provincial Government for the period November 2002 to March 2004. Department of Public Service and Administration. www.dpsa.gov.za.

Institute for Security Studies. 2004. The Impact of Corruption on Governance and Socio-Economic Rights. *Crime Quarterly* 9. Monograph 65. <http://www.issafrica>

Jain, A.K. 2001. Corruption: a review. *Journal of Economic Surveys* 15(1) pp 17-121.

Jie, S., Hon Tat, H., Rasli, A. and Chye, L.T. 2011. Underground Economy: Definition and Causes. *Business and Management Review* 12:14-24.

Johns, G and Saks, A.M. 2005. *Organisational behaviour: Understanding and managing life at work* (6th edition). Toronto: Pearson Prentice Hall.

Johnston, M. 2002. *Good Governance: Rule of Law, Transparency, and Accountability*. UN Millennium Development Goals (MDG). <http://www.un.org/millenniumgoals/>

Johnston, M. 2005. *Syndromes of Corruption*. United States of America: Cambridge University Press.

Jong-sung, Y. and Khagram, S. 2005. A Comparative Study of Inequality and Corruption. *American Sociological Review* 70:136-157.

Josephson Institute of Ethics. 2002. *Making Ethical Decisions*. <http://www.josephsoninstitute.org/MED/MED-whatisethics.htm>

Joshi, S. 2005. *Theories of development: Modernisation vs dependency*. www.infochanegindia.org.

Kalombo, G. 2005. *Understanding Political Corruption in Post-Apartheid South Africa: The Gauteng Experience (1994-2004)*. (A thesis submitted to the Faculty of Humanities, University of the Witwatersrand, Johannesburg, in fulfilment of the requirements for the degree of Doctor of Philosophy).

Kanyane, T. 2006: *To what extent has conflict of interest become a problem in the public service of South Africa with specific reference to three provinces under study, i.e., Limpopo, Mpumalanga and the Eastern Cape?* (Dissertation (D. Phil.– University of Pretoria).

Kargbo, A.H. 2006. *Corruption: Definition and Concept Manifestation and Typology in the Africa Context*. Paper presented at the Training for Members of Parliament and members of Civil Society from English speaking West Africa: Gambia, Ghana, Nigeria, Liberia and Sierre Leone at the Bitumani Hotel, Aberdeen, 2 – 8 September.

Kennedy, K. 1999. Public Sector Ethics and Their Operational Realisation. (In Mavuso, V and Balia D. Eds. *Fighting Corruption. Invitation to Ethics Management*. Pretoria: UNISA Press. Pp 13-26).

Kernaghan, K. 1993. Promoting Public Service Ethics: The Codification Option. (In Chapman, R. *Ethics in Public Service*. Edinburgh: Edinburgh University Press. pp 15-29).

Khan, M.H. 2011. *Transparency, Accountability, and Citizen's Engagement, Committee of Experts on Public Administration*. Eleventh session. New York: 16 – April.

Khan, F. 2008. Understanding the Spread of Systematic Corruption in the Third World. *American Review of Political Economy* 6(2):16-39.

Klitgaard, R. 1998. International Cooperation against Corruption. *IMF Finance and Development Journal* 35(1): pp. 3 – 6.

Knöbl, W. 2003. Theories That Won't Pass Away: The Never-ending Story of Modernization Theory. (In Delanty, G and Isin E Eds. *Handbook of Historical Sociology*. Great Britain: The Cornwell Press Ltd pp 96-109)

Knouse, S., B. and Giacalone R., A. 1997. *The Six Components of Successful Ethics Training*. *Business and Society Review*. pp 10-13.
www.instituteforethicalawareness.org

Kpundeh, S.J. 1998. Political Will in Fighting Corruption. (In G.S. Cheema and J. Bonvin (Eds). *Integrity Improvement Initiatives in Developing Countries*. United Nations Development Program).

Kroukamp, H. 2006. Corruption in South Africa with Particular Reference to Public Sector Institutions: The Evil of All Evils. *Journal of Public Administration* 2 (1):206 -217.

Kruise, J. 2010. *Access to Information as a tool in combating corruption in South Africa*. (Paper prepared in response to a request from the Open democracy Advice Centre (ODAC) in an effort to develop an Open Democracy Charter. Public Service Accountability Monitor (PSAM): Rhode University).

Krylova, Y. 2011. The Nature of Corruption and Multilateral system of Anti-Corruption Regulation in the Transition Economy of Russia. *European Journal of Scientific Research* 65(1): 19-92.

Kwok MAN-wai. T. 2009. *National Anti-corruption Strategy: The Role of Government Ministries*. Paper presented in Japan at the Eleventh International Training Course on the Criminal Justice Response to Corruption. Visiting Experts' Papers. <http://www.unafei.or.jp>.

Landau, L., Ramjathan-Keogh, K. and Singh, G. 2005. *Xenophobia in South Africa And Problems Related To It*. University of the Witwatersrand.

Lash, N.A. 2003: *Corruption and Economic Development*. Chicago: Loyola University.

Leith C.J. 2004. *Why Botswana Prospered*. Discussion Paper. Department of Political and Administrative Studies. University of Western Ontario and Ministry of Finance and Development Planning: McGill-Queens University Press.

Leo, O.C. and Patrick, B.E. 2010. Analysis of Corruption from the Ethical and Moral Perspectives. *European Journal of Scientific Research* 44 (3):466-476.

Levin, R. 2002. *Anti-corruption and ethics*. http://dpsa.gov.za/sdi_learning_networks/conversation_challenge_311. (Pdf).

Levin, R. 2002. Anti-corruption and ethics. *Service Delivery Review* 1 (3):78-82.

Levitsky, S and Way, L. Way. 2010. *Competitive Authoritarianism: International Linkage, Organisational Power and the Fate of Hybrid Rule*. Cambridge University Press.

Lieberman, P. 2010. *Security training won't solve the negligent insider threat*. <http://www.scmagazines.com/security>

Lodge, T. 1998: Political Corruption in South Africa. *African Affairs* 97:157 – 187.

Lodge, T. 2001. Countering public corruption in South Africa. *Transformation* 26 (2001): 53-70.

Louw, E. 2004. *The rise, fall and legacy of apartheid*. Praeger Publisher. Westport: United States of America.

Mandela, N. 1999. *Opening address to Parliament*. Public Service Commission (PSC). Epping: ABC Press.

Madonsela, T.N., 2010. *Corruption and Governance Challenges: The South African Experience*. (Address by the Public Protector of the Republic of South Africa, at the National Conference on Corruption and Governance Challenges, in Nigeria on 21 January 2010).

Magee, S. and Scalzo, Z. 2003. *Change and Transition*. <http://www.abreastinthewest.ca/insight2.cfm?Num=61>

Magubane, B.M. 1994. *Reflections on the Challenges Confronting Post-Apartheid South Africa*. United Nations Educational, Scientific and Cultural Organisation: France.

Marquette, H. 2004. The Creeping Politicisation of the World Bank: The Case of Corruption. *Political Studies Association* 53: 413-430.

Masri, M.A.L. 2006. *Corruption issues in Jordan: A Public Field Survey*. Centre for Strategic Studies. Jordan University.

Matlhare, B. 2006. *An Evaluation of the Role of the Directorate on Corruption and Economic Crime (DCEC) Botswana*. (Research Report submitted in partial fulfilment of the requirements for the degree of Master of Public Administration (MPA) in the Faculty of Economic and Management Sciences – University of the Western Cape).

Matsheza, P. 2007. *Corruption: Concept and Definition*. (Lecture delivered during Specialised Training Workshop for Investigators and Prosecutors on Corruption 5 – 9 March 2007) Mombassa: Kenya.

Matunhu, J. 2011. A critique of modernisation and dependency theories in Africa: Critical assessment. *African Journal of History and Culture* 3 (5): 65 – 72.

Mauro, P. 1997. *Why Worry About Corruption?* Washington, D.C.: International Monetary Fund Publication Services.

Mavuso, V. 1999. Ethics Management in The Public Service. (In Mavuso, V and Balia, D. Eds *Fighting Corruption. Invitation to Ethics Management*. Pretoria: UNISA Press. pp 58-71).

Mbaku, J.M. 1998. Corruption and Rent-Seeking (In S Borner and M Paldam. *The Political Dimension of Economic Growth*) London: MacMillan.

Mbambi, P.N. 2011. *The quest for democracy in Africa*. Los Angeles, USA: Lambert Academic Publisher.

Mbao, M,L, and Komboni, G,G,. 2008. *Promotion of good governance and combating corruption and maladministration*. Law, Democracy and Development Journal. Faculty of Law: University of the Western Cape. Vol. 12 (1): 49 – 71.

Mbeki, T. 1999. *Keynote address to the National Anti-Corruption Summit*. Cape Town, 14 April. Public Service Commission (PSC). Pietermaritzburg: Mondipak.

Mbeki, T. 2004: *State of the Nation Address*. Address delivered on 6 February 2004 during opening of Parliament. www.gcis.za/docs

Mbeki, T. 2005. *State of the Nation Address*. Address of the President of South Africa at the Second Joint Sitting of the Third Democratic Parliament, Cape Town. www.gcis.za/docs.

Meehan, E.,J. 1990. Ethics for Policymaking. A Methodological Analysis. Greenwood Press: United States of America

Mehrara, M., Firouzjee, B.A. Gholami, A. 2011. The corruption and income distribution in OPEC and OECD countries: a comparative study. *International Journal of Economic Research* 2(6).

Meldrum, A. 2005. 40 accused in South African MP's fraud case. *The Guardian* 24 January:2.

Meredith, M. 2002. Robert Mugabe. *Power, Plunder and Tyranny in Zimbabwe*. Johannesburg: Jonathan Ball Publishers.

Mertens, A. and Ray, F. 1973. *Pride of South Africa: The Xhosa*. Purnell, South Africa.

Mhlaba, P.J. 2004. Fraud and Corruption in the public sector: an audit perspective. *Service Delivery Review* 3 (2): 84-87.

Migdal, J.S. 1987. Strong States, Weak States: Power and Accommodation (In Weiner, M and Huntington, S.P. Eds. *Understanding political development*. New York: Harper Collins pp.391-434).

Mila, A. 2004. New Man to Clean The Window To SA. *Financial Mail* 9 Jan:24.

Minnaar, A. 1999. *A Symbiotic Relationship? Organised Crime and Corruption in South Africa*. Institute for Human Rights and Criminal Justice Studies. Technikon SA.

Molomo, M, G. 2009. Building a Culture of Peace in Africa: Toward a Trajectory of Using Traditional Knowledge Systems. *Journal of Peace building and Development* 4(3): 57 – 69.

Monthly Intelligence Forecast. 2011. *Botswana - Public service strike threatens economy*. Vol. IV (6).

Moran, J. 2001. Democratic Transitions and Forms of Corruption. *Crime, Law and Social Change* 36(4):379-393.

Morgan, A.L. 1998. *Corruption: Causes, Consequences, And Policy Implications*. The Asia Foundation: Working paper 9.

Mortensen, C. 2006. "Change", *the Stanford Encyclopaedia of Philosophy*. (Winter 2006 Edition), Edward N Zalta (ed.).

Mouton, J. 2001. How to succeed in you Master's & Doctoral Studies. A South African Guide and Resource Book. Paarl South Africa: Paarl Print

Moyo, G. 2004. Corrupt judges and land rights in Zimbabwe. (In Ackerman, S., Voight, S., Schotland, R.A and Blass, B., *Independence, political interference and corruption*. Global Corruption Report: Cambridge University Press. pp 15-39).

Moyo, T and Gonye. J. 2011. Apemanship: A critique of the modernisation theory in Ngugi's selected works on Clement Chihota's "Shipwreck" in No More Plastic Balls. *Journal of English and literature* 2(4):89 – 95.

Moyo, W. P. 2006. *The Documented Experiences of Refugees, Deportees, and Asylum Seekers in South Africa: A Zimbabwean Case Study*. Lawyers For Human Rights.

Mushonga, H. 2008. *Mugabe Moulds Pliant Judiciary*. Institute for War and Peace Reporting (IWPR). Zim Issue 56: 1-5 <http://iwpr.net/report-nes/mugabe-mould-pliant-judiciary>

Myint, U. 2000. Corruption: Causes, Consequences and Cures. *Asia-Pacific Development Journal* 7(2): 33-58.

Naidoo, V and Jackson P. 2009. Reviewing south africa's efforts to combat corruption in its bureaucracy. (In *South African governance in review. Anti-corruption, local government, traditional leadership* (pp. 1-19), Cape Town: HSRC Press).

Naki, E. 2004. Stofile berates ANC bad apples. *Daily Dispatch* 14, Feb:1.

Ncube, N. 2009. *Global Integrity Scorecard: Zimbabwe 2009*. report.globalintegrity.org/reportPDFS/2009/Zimbabwe.pdf

Ndebele, T., Lebone, K. and Cronje, F. 2011. *“Broken Blue Line: The involvement of the South African Police Force in serious and violent crimes in South Africa”*. A research paper by the Unit for Risk Analysis: South African Institute of Race Relations: Johannesburg.

Ndung'u, S.K. 2003. *“Government regulation and control of the media in Southern Africa: Comparative experiences”*. (Paper presented 12-20 September 2003 at the German-Zimbabwean Lawyers Legal Exchange Seminar on the Freedom of the Press, the role of the mass media and the law). Freedom of Expression Institute: Johannesburg.

Neelankavil, J.P. 2002: *International business Corruption: A Framework of Causes, Effects, and Prescriptions*. mktjpn@hofstra.edu.

Newham G. and Faull, A. 2008. *City Blues. Corruption and Corruption Management in South Africa's Metropolitan Police Departments*. Institute for Security Studies (ISS): Pretoria.

Ngobeni, E.N. 2007. *Corruption in the Reconstruction and Development Programme (RDP) house with special reference to Maphata Village, ward 26 In Mopani District of Limpopo Province, South Africa*. Master's thesis. University of Limpopo.

Nieuwenhuis, J. 2007. Qualitative research designs and data gathering techniques. In K Maree (Ed), *First Steps in Research* (pp.69-97). Paarl: Paarl Print

Nil, P. 2008. *Corruption Control in Public Procurement> Corruption in Cambodia*. Paper presented at the Second Regional Seminar on Good Governance for South East Countries held in Bangkok, Thailand: 23 -25 July 2008.

Ninghua, Z. 2010. *The causes, Consequences, and Cures of Corruption: A Review of Issues*. Department of Finance: Hong Kong University of Science and Technology.

Njunwa, M. 2009. *Governance Initiatives to Fight Corruption: Combating Corruption in Tanzania's Public Service: Success and Challenges*. Mzambe University: Institute of Public Administration.

Nnaemeka, A. N. 2009) Towards an Alternative Development Paradigm for Africa. *Journal of social Sciences* 21 (1): 39 – 48.

Nowak, R. 1998. *Corruption and transition economies*. IMF Working Paper. www.unece.org/trans/osce/osceunece_corruption

Nupen, D. 2004. Elections, Constitutionalism and Political Stability in South Africa. Centre for the Constructive Resolutions of Disputes. *AJCR* 4 (2): 119 – 143.

Obayelo, A.E. 2007. *Effects of Corruption and Economic Reform on Economic Growth and Development: Lessons from Nigeria* (Paper prepared and submitted for the 2007 African Economic Conference) University of Ibadan: Nigeria.

Obuah, E. 2010. Combating corruption in a “Failed” State: The Nigerian and Financial Crimes Commission (EFCC). *Journal of Sustainable Development in Africa* 12 (1).

Odebayo, P.F. and Ojo, E. 2009. The challenges of effective policing as a measure of controlling the phenomenon of police corruption in Nigeria today. *International NGO Journal* 4(3): 57 -70.

Ogundiya, I.S. 2009. Political Corruption in Nigeria: Theoretical Perspectives and Some Explanations. *Anthropologist* 11(4): 281 – 291.

Okafor, E.E. 2009. Combating High-Profile Corruption in Transitional Societies: Overview of Experience from Some African Countries. *Anthropologist* 11(2): 117-127.

Olivier, G.C. (In Faure, A.M, and Kriek, D.J. 1984. *Die Moderne Politieke Teorië*. Butterworth: Durban).

Olowu, B. 1999. *Combating Corruption and Economic Crime in Africa: An Evaluation of the Botswana Directorate of Corruption and Economic Crime*. (Paper presented at the 9th International Anti-Corruption Conference, 10-15 October, Durban South Africa). Institute of Social Studies. The Hague: Netherlands.

Omeje. K. 2006. Oil Conflict and Accumulation Politics in Nigeria. *Environmental Change and Security Report*. Issue 12: 44-17.

Omotola, J.S. 2006. "Through a Glass Darkly" Assessing the 'New' War Against Corruption in Nigeria. *Africa Insight* 36 (3and4): 214 – 228.

Omotoso, F. 2006. Corruption, Private Accumulation and Problem Development in Nigeria. *The Social Sciences* 1(4): 335 – 343.

Orcutt, G.,H. 1952. Actions, Consequences and Casual Relations. *The Review of Economics and Statistics*. Vol. 34: 305-313

Osei-Hedie, B.Z. 2001. The Political Opposition in Botswana: the politics of factionalism and fragmentation. *Archive of African Journals*. Transformation 45: 57 -77.

Overy, N. 2010. *An Evaluation of the School Nutrition programme in the Grahamstown Education District, Eastern Cape, South Africa*. Public Service Accountability Monitor. Rhodes University: Grahamstown.

Oyesoji, A.A. 2007. *The Nigeria Police and Zero Corruption Tolerance: The function of Emotional Intelligence*. Department of Guidance and Counselling. University of Ibadan: Nigeria.

Palmer, M. 1989. *Dilemmas of political development: an introduction to the politics of the developing areas*. Ithaca, ILL: Peacock.

Pedersen, K.H. and Johanssen, L. 2008. *Corruption: Commonality, causes and consequences. Comparing 15 ex-communist countries*. (Paper prepared for the 13th NISPAcee Annual Conference may 19-21 in Moscow, Russia).

Peredo, A.M., Anderson, R.B., Galbrath, C.S., Honig, B. and Dana, L.P. 2004. Towards a theory of indigenous entrepreneurship. *International Journal for Entrepreneurship and Small Business* 1(1/2):1-20.

Perr, J.B. 2001. On The Regional Dimensions of Rostow's Theory Of Growth. *RURDS* 13(1): 2-19.

Pillay, S. 2004. Corruption – the challenge to good governance: a South African perspective. *The Journal of Public Sector Management* 17 (7): 586-605. Emerald Group Publishing Limited.

Ploch, L. 2009. *Nigeria Report of the Congressional Research Service (CRS) for US Congress*. www.crs.gov

Poses, R.M. 2003. *Health Care Corruption: The Doctors' Dilemma*. <http://www.firmfound.org/>

Probe reveals shocking level of fraud in Eastern Cape. 2003. *The Star* 25 Aug: 5.

Prozesky, M. 2002. Greed unleashed. *Sunday Tribune* 2, Jan: 7.

Public Service Commission (PSC). 1999. *Fighting Corruption: Towards a National Integrity Strategy*. Pretoria: Pietermaritzburg: Interpak Books.

Public Service Commission. 2001: *A review of South Africa's national anti-corruption strategies*. www.psc.gov.za

Public Service Commission. 2002. *A report on the state of the Public Service*. info@opsc.gov.za

Public Service Commission (PSC). 2011. *Profiling and Analysis of the most Common Manifestations of Corruption and its Related Risks in the Public Service*. Pretoria: Silowa Printers.

Punt, W. 2006. Case Story: Eastern Cape – Introduction of regional anti-corruption programmes. (In *The Global Compact; Business Against corruption*. United Nations pp 175-184. www.uniglobalcompact.org/docs/issues).

Qobo, M. 2010. *The state of leadership, ethics and values in South Africa today*. Centre for Politics and Research. <http://www.politicsresearch.co.za/archives/332>

Rademeyer, J. 2002. PE education officials are suspended in fraud probe. *Eastern Cape Herald* 30 Dec: 1.

Ramadikela, M. 2003. Power seductive says Welman. *Daily Dispatch* 13 March: 2.

Ramona, M. E. 2011. *The Underground Economy in Romania*. Babeş-Bolyai University; Faculty of Economics and Business Administration. ramonanandra@yahoo.com

Ramsingh, O. and Dobie, K. 2006. *Case study on South African national anti-corruption forum*. Public Service Commission (PSC).

Randall, V. 2008. Analytical Approaches to the study of Politics in the Developing World. (In P Burnell and V Randall (Eds), *Politics in the Developing World*: Pp. 1-35.) Oxford University Press.

Reddy, T and Sokomani, A. 2008. *Corruption and Social Grants in South Africa*. Institute for Security Studies (ISS): Monograph 154.

Regan, C. and Ruth, D. 2007. *Development – describing and debating the idea. 80:20 development in an equal world*. 5th Edition. Ireland Gemprint Limited.

Renier, R. 2010. *The politics of the police*, 4th edition, Oxford: Oxford University Press.

Report of the Presidential Commission of Inquiry into the operations of the Botswana Housing Corporation (BHC). 1992, Gabarone: Government Printer.

Republic of South Africa: Prevention and Combating of Corrupt Activities Act (Act 12 of 2004). Pretoria: Government Printer.

Reyes, G.E. 2001. *Four main Theories of Development: Modernisation, Dependency, World-System and Globalization.* *Revista Critica de Ciencias Socialesy Juridicas* 4. <http://www.ucm.es/info/nomadas/4/gereyes1.htm>

Ribadu. N. 2009. *Capital Loss and Corruption: The Example of Nigeria* (Paper delivered on 19 May 2009 at the US House Financial Services Committee). Washington.

Richey, S. 2010. The Impact of Corruption on Social Trust. <http://apr.sagepub.com/content/38/4/676>

Robinson, M. 1998. Corruption and Development. *The European Journal of Development Research* 10(1):1-14.

Rose-Ackerman, S. 1996. *The Political Economy of Corruption – Causes and Consequences.* Cambridge University.

Rostow, W.W. 1960a. *The Process of Economic Growth* (second edition). London: Oxford University.

Salayedwa, A. 2002. Graft my cost Trust EU funding. *Daily Dispatch* 26 Oct: 2.

Samatar, A. 1991. *An African Miracle: State and Class Leadership and Colonial legacy in Botswana Development.* Portsmouth, New Hampshire: Heinemann.

Sangweni, S. and Balia, D. 1999. *Fighting Corruption. Strategies for prevention*. Epping, Cape Town: ABC Press

Schermerhorn, J.R. 1996. *Management and Organisational Behaviour – Essentials*. United States of America: RR Donnelly and Sons, Inc.

Schmidt, V, H. 2010. Modernity and diversity: reflections on the controversy between modernisation theory and multiple modernists. *Social Science Information* 49(4): 511-538.

Schneidner, F. and Enste D.H. 2000. Shadow Economies: Size, Causes and Consequences. *Journal of Economic Literature* (XXXVIII): 77-114.

Seidler, V. 2010. *Why did Botswana end up with Good Institutions: The Role of Culture and Colonial Rule*. Working paper prepared for presentation at the ISNIE 2010: Vienna University for Economics and Business.

Sekerka, L.E. Organisational ethics education and training: a review of best practices and their application. *International Journal of Training and Development* 13(2):77-95.

Selby, A. 2006. *Losing the Plot: The strategic Dismantling of White Farming in Zimbabwe 2000-2005*. Centre For International Development: Oxford.

Senta, K. 2008. *Corruption Control in Public Procurement: Measures under the United Nations Convention against Corruption and Possible Co-operation with UNODC*. Paper presented at the Second Regional Seminar on Good Governance for South East Countries held in Bangkok, Thailand on 23 -25 July 2008.

Shah A, 2000. Tailoring the Fight against Corruption to Country Circumstances. (In Huther. J. and Shah, A. *World Bank Policy Research Working Paper 2501*.)
Worlbank.org/PSGLP/Resources/TailoringtheFightShah.pdf

Shah, A. and Schacter. M. 2004. "Combating corruption: look before you leap" Finance and Development. *Journal of Public Administration*. SAAPAM Conference Proceedings. 43: 37-44.

Shaw, M. 1997. South Africa: crime in transition. *Institute for Security Studies: Occasional Paper Nr 17*.

Sindane, M. 2008. Administrative Culture and Ethical challenge In Pursuit Of Capacitating the State. *Journal of Public Administration* 43 (3.1): 340-348.

Sikunyana, N. 2003. Unions blame dept for teachers' fraud. *Daily Dispatch* 20 Dec: 3.

Simwanza, J. and Samaratunge, R. 2010. *Public Sector Reforms in Africa: Comparison of Zambia and Botswana*. (Paper to be presented 6-8 April 2010 at the International Research Society for Public Management (IRSPM XIII). Berne: Switzerland.

Smiles, D. 2003. Zimbabwe: Review of the 2002 - Presidential Election. *Journal for Contemporary History*. University of the Free State. 28(3): 152 – 164.

Smith, P. 2009. Now Blood Gold. *Africa Confidential* 50 (5): 1 – 5.

South Africa: President Acknowledges Crime is a Problem. 2007-2009.

UN Integrated Regional Information Networks. 2007-2009.
<http://allafrica.com/stories/20070209783.html>.

South Africa Yearbook 2008/09. yearbook@gcis.gov.za

Stachowics-Stanusch, A. 2010. *Organisational Immunity to Corruption: Building Theoretical and Research Foundations*. United States of America: Information Age Publishing.

Stefes, H. 2008. Governance, the State and Systematic Corruption: Armenia and Georgia in Comparison. *Caucasian Review of International Affairs* 2(2): 73-83.

Steenkamp, C.J. 2002. *Making Public Corruption in South Africa*. An Analysis of media reports on corruption over the period 1 November 2000 – 31 December 2001. Research Report for J.P. Landman and Associates.

Svensson, J. 2005. Eight Questions about Corruption. *Journal of Economic Perspectives* 19 (3): 19-42.

Syed, T and Bruce, D. 1998. Police corruption: towards a working definition. *African Review* 7 (1).

Tanzi, V. 1998: *Corruption around the World: Causes, Consequences, Scope, and Cures*. International Monetary Fund (IMF). vtanzi@imf.org

Tetyana, V. 2004. *Eastern Cape Department of Social Development Performance Report 2001/2002 – 2002/2003*. Rhodes University: Public Service Accountability Monitor (PSAM).

The African Capacity Building Foundation (ACBF). 2007. Institutional Frameworks for Addressing Public Sector Corruption in Africa. United States of America: Lynne Rienner Publishers.

Transparency International. <http://www.transparency.org.about.us>

Transparency International (TI). 2008. *Why Sport is Not Immune to Corruption*. Czech Republic.

Transparency International (TI). 2009. *Plain language Guide to Anti-corruption terms*. Berlin: Germany.

Transparency International (TI). 2009. *Corruption Perception Index 2009*. <http://www.transparency.org>

Transparency International (TI). Zimbabwe. 2009. *Alac update*. tiz@transparency.org.zw

Tsedu, M. 2003. ANC must know that actions speak louder than assurances. *Sunday Times*. 2, March: 19.

Uganda Debt Network (UDN). 2009. *The Fight Against Corruption in Uganda: Is the Government Starting to Bite?* (Lecture delivered during the Anti-Corruption week held in November 2009). Kampala: Uganda.

UNIDO Competencies (Part One). 2002. *Strengthening Organisational Core Values and Managerial Capabilities*. unido.org.

United Nations Development Report – Nigeria. 2003. *Attacks on justice: Federal Republic of Nigeria*. icj.org/IMG/NIGERIA.pdf

United Nations Handbook. 2004. *Practical Anti-Corruption Measures For Prosecutors and Investigators*. Vienna.

United Nations Convention against Corruption (UNCAC). 2008. *Cost of Corruption: Everyone Pays – And the Poor More than Others*. Eschborn: Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ).

University of Pretoria (UP). Centre for Business and Professional Ethics. 2007. *Research report on Corruption in the South African Private Sector*. University of Pretoria: Business Enterprises.

Van Coller, H. 2008. Transformasie en die regbank: onafhanklikheid ingedrang? *Acta Academica* 2008 40 (3): 163-185.

Van der Merwe, S. 2001. *Corruption in South Africa: an exploratory discussion*. (on line) http://www.interfund.org.za/pdf file/volume2_1.

Van Maanen, G. 1999. Between Iceland and Indonesia. (In V. Mavuso and D. balia (Eds). *Fighting Corruption. Invitation to Ethics Management*. Pietermaritzburg: Mondipak.

Van Rijckeghem, C. and Weder, B. 2001. "Bureaucratic Corruption and the Rate of Temptation: Do wages in the Civil service affect Corruption, and by How Much? *Journal of Development Economics* 65(2): 307-331.

Vargas-Hernandes, J.G. 2010. The Multiple Faces of Corruption: Typology, Forms and Levels. (In Stachowicz-Stanusch, A. *Ed Organisational Immunity to CORRUPTION. Building Theoretical and Research Foundation.*, USA: Information Age Publishing. Pp 131-146).

Van Rooyen, E.J. 2008. The leadership and ethical interface: strengthening human resources and organisational capacity for development. *Journal of Public Administration*. 43(3.1): 396-407.

Van Vuuren, H. 2002. Lead by example. *Weekly Mail and Guardian* 28 Nov: 20.

Van Vuuren, H. 2005. *National Integrity Systems, Country Study Report Final Draft South Africa 2005*. Institute for Security Studies (ISS): Cape Town, South Africa.

Visser, W. 2004. *Trends in South African Historiography and the Present State of Historical Research*. (Paper presented at the Nordic Africa Institute, Uppsala, Sweden, 23 September 2004).

Wallace, K. 2005. *Change, Transition and Organisational Progress: What Does It All Mean*: [http://EnzineArticles.com/?expert=Kenneth Wallace](http://EnzineArticles.com/?expert=Kenneth+Wallace)

Waziri, F. 2010. *Opening remarks at the Conference entitled Corruption and Governance Challenges in Nigeria* which was held on 21 and 22 January 2010 at the De Renaissance Hotel, Lagos: Nigeria.

Webster, K. 2003. <http://www.gao.gov/cghome.2003/hscek/text17.html>

Werlin, H.H. 2005. *Corruption and Foreign Aid in Africa*. Foreign Policy Research Institute: Elsevier Limited.

Winbourne, S. 2002. *Corruption and the Environment*. Management Systems International. Washington, DC.

World Bank. 1997. *Global Economic Prospects and the Developing Countries*. Washington D.C., (p 23).

Wylar, L.S. 2008. *CRS Report for Congress. Weak and Failing States: Evolving Security Threats and U.S. Policy*. Congressional Research Service.

Zieffler, W and Garfield J. 2009. Modelling The Growth of Students' Covariational Reasoning During Introductory Statistic Course. *Statistics Education Research Journal*. Vol. 8(1): 7-31

Zimbabwean Police Act, 1995 (Chapter 11:10), *Schedule of offences*.

Zuzile, M. 2003. Fraud in Social Development an old problem. *Daily Dispatch* 30 Sept: 3.

Zvekic, U. 2002. *Corruption and Anti-corruption in Southern Africa. Analysis based on the results of the Regional Seminar on Anti-Corruption Investigating Strategies with particular regard to Drug Control for the SADC member States*. United Nations Office on Drugs and Crime Regional Office for Southern Africa.