INTRODUCTION

Current approach to public service ethics proceeds on the assumption that the modern state, which exists to serve the common good, holds both the moral legitimacy and legal authority to legislate and enforce standards of acceptable behaviour among its citizens. Ethical principles are at the core of all legal activity by and for the state. It is thus assumed that all public policies and programmes, are moral actions, and those who formulate and implement them are morally as well as legally accountable. As Dwivedi (307:1988) points out,

“Since public policy is an authoritative allocation of public resources, it perforce becomes related to moral issues. Similarly, the implementation of a policy is not devoid of moral implications. Various ethical concerns arise when public policies and programmes are administered”.

The focus of this paper is on ethics in the public service. But then, we might ask, why is the issue of ethics so central in the current discourse on public service? This question is best answered by the very definition of ethics itself as well as the raison d’etre of the public service. There is no clear-cut, readily acceptable definition of the concept of ethics. It is a value-loaded concept, and as such, it does not readily lend itself to rational, scientific analysis. Its meaning also changes with circumstances. What is ethical at one point may be unethical at another point. Between the individual employee, the government as the employer and the society at large, who is rightly placed to decide what is right or what is wrong, or to distinguish between ethical and unethical conduct?

The question of an acceptable standard definition notwithstanding, we tend to agree with Dwivedi (ibid.) who defines ethics as “a set of standards by which human actions are
determined to be right or wrong”. From this standpoint, we may view public service ethics as a barometer for measuring the moral action of public servants. What are the traits, which we can say, constitute the moral qualities of a good public servant? The first trait is willingness to serve the public. This willingness should be accompanied by competence, efficiency, honesty, loyalty, responsibility and accountability. A public servant who combines these knows what he or she ought to do or what he or she ought not to do. Knowing the moral implications of public policy and administrative action is part of the expected standards of the public servant, and this, in turn, forms the requisites of good performance.

Ethics and professionalism in the African public service (at least in Anglophone Africa) cannot be critically examined without placing them within the context of the development, in general, of the African civil service. Modern African public service had its roots from the imposition of colonialism. The colonial state was not created to be responsive and accountable to the colonized. Government officers were there to maintain law and order and to protect the interests, not of the colonized, but of the colonial power. What colonialism bequeathed to newly independent African states however, was an apolitical bureaucracy, which operated under a hierarchy, merit system, and a strict chain of command. Given these attributes, the general expectation was that the civil service, in the immediate post-independence era would rise up to the challenge of rising expectations of the people by being responsive and oriented to the needs and aspirations of the citizenry. On the contrary however the bureaucracy became politicized, professionalism was relegated to the background and gradually, ethics became eroded. The era of the neutral and apolitical bureaucrat became a thing of the past. Post independence single party regimes exacerbated the problem further through nepotism and cronyism.

The centrality of ethics and professionalism in the African public service comes into sharp focus when it is juxtaposed with the failure of public policy programmes in sub-Saharan Africa. The current state of living standards in the region portrays this woeful failure. Service delivery is at best very minimal when compared with other countries of
the third world. Corruption has eaten very deeply into the fabric of the public service system. Public servants render services, not because of an ethical, moral or legal obligation to serve the public, but because of the material gains they expect from rendering such a service. The consequences of some of these negative actions are that the sub-Saharan region is the only part of the world where living standards have fallen below the level of the 1960s. Given the aforementioned reasons therefore, it has indeed become necessary to find ways and means of instilling ethics as well as professionalism in the public service of African countries. One way of doing this is to design a training methodology on ethics and professionalism. Training alone, however, will not achieve the desired aims because the problem of ethical behaviour also has to do with individual character formation. Thus whilst the focus of this paper is on developing a training methodology for ethics mainstreaming in the public service, we shall endeavour to briefly examine the role of civil society organizations (specifically religious institutions) in mainstreaming ethics in the public service.

**DEVELOPING A METHODOLOGY FOR TRAINING**

In developing a methodology for ethics mainstreaming in the public service, some key questions readily come to mind.

♦ How do we rejuvenate the public service in order to make it more responsive to the people?
♦ How can the public service be re-oriented to serve the common good?
♦ How do we put in place a system, which will inculcate the virtues of ethics and professionalism in public servants?

An overall national strategy aimed at mainstreaming ethics and professionalism in the public service should first of all focus on the ethics infrastructure of a country. Ethics infrastructure is usually composed of the Institutions, the Rules and the Practices that are put in place to guide, enforce, and manage expected standards of behaviour in the public service. It serves as a mechanism for reinforcing functions, which, in the long run, helps in achieving necessary coherence towards encouraging high standards of behaviour on the part of public servants. The ethics infrastructure thus helps to institute core values and
professional standards which helps in overseeing the conduct of public servants as well as professionalising the public service. In Nigeria, efforts towards ensuring fair and transparent human resources management led to the establishment of the Independent and Corrupt Practices Commission (ICPC). The establishment of the Economic and Financial Crimes Commission (EFCC) in 2003 is another measure geared towards fighting corruption and financial scams in known as 419 in the country. The EFCC has succeeded in prosecuting some highly placed individuals in society for corrupt practices. A federal legislator, senator Onwudiwe and the commissioner for finance in Ondo state, Mr. Segun Ojo, were charged to court for financial crimes involving $345,000.00 and 500 million naira respectively (The News May 2003). Critics however point out that both the ICPC and the EFCC do not really go for the “big fish” in the country but concentrate on selective prosecution in order to justify their establishment.

One important aspect of the ethics infrastructure is fair and transparent human resources management. This requires instituting a policy framework, which sets the guidelines for recruitment, promotion, retirement and appropriate financial regulations. Assisting the line departments in implementing these guidelines in a uniform manner across the public service is, in effect, good human resources management. To enforce the policy framework, there is the need to establish an agency with oversight functions, such as the ombudsman, which will independently monitor and evaluate the policy setting as well as the human resources management processes.

Putting in place adequate disclosure methods and procedures also constitutes an important component of the ethics infrastructure. Without adequate disclosure procedures, many an unethical and unprofessional behaviour will go unchecked, especially in cases of corruption. Whistleblowers therefore have to be encouraged in order to ensure strict adherence to rules and regulations in the public service. Indeed, without swift and fair action in cases of ethics violation and corruption, all the measures instituted to promote ethical behaviour such as for example, the establishment of agencies with oversight functions, the promotion of sound public service working conditions and the institution of clear administrative policies and procedures, will remain ineffective.
The first step towards instituting adequate disclosure measures is to make it easy for individuals, both inside and outside the public service, to report problems to the proper authorities. Making it easy to report wrongdoing to the proper authorities on the other hand would require that adequate protection be put in place for those who choose to report wrongdoing. Assurance of anonymity or transfers from one workplace to another may be some of the measures that can be instituted to safeguard the protection of whistleblowers.

Norman Bowie (1988:61) has outlined six ideal requirements for justifiable acts of whistle blowing. These are:

♦ The act of whistle blowing stems from appropriate moral motives of preventing unnecessary harm to others

♦ The employee should use all available internal procedures for rectifying the problematic behaviour before public disclosure (special circumstances may however preclude this)

♦ The whistle blower should have “evidence that would persuade a reasonable person”.

♦ The individual whistle blower should perceive serious danger that can result from the violation

♦ The individual should act in accordance with his/her responsibilities for “avoiding and/or exposing moral violations”

♦ The action should have some reasonable chance of success

In designing a training programme, there is the need to examine whether a country has in place an overall national integrity strategy, sound human resources management practices, and comprehensive disclosure procedures. A training programme, should also among other issues, aim at:

♦ Providing a forum at which individuals and groups could undertake frank assessments of their personalities, and come to realistic conclusions on the scope and possibilities for character reformation;

♦ Assisting participants in exploring and understanding more fully the nature of their personal values, as they relate to their public responsibilities;
♦ Providing an opportunity for exchange of ideas and the sharing of experiences on matters pertaining to public service integrity, accountability, responsiveness, transparency, and “customer service orientation”;

♦ Highlighting, with the assistance of philosophical, religious, and empirical works, acceptable standard of conduct by public officials in matters pertaining to arbitration between or among conflicting values, allocation of resources, delivery of services, interpretation of rules, issuance of licenses etc. (Jide Balogun 1999:48),

Exchange of ideas by participants should be guided and focused, otherwise the discussion may derail into issues which are not useful for ethics mainstreaming. Discussions, suggestions and contributions should focus on the factors leading to the erosion, and thus decay of the public service in Africa and how this can be overcome. The discussion should also be steered towards “success stories”. Examples can be drawn from countries that have succeeded in to some extent in mainstreaming ethics in their public services.

DESIGNING THE COURSE CONTENTS

The method of delivering the training can take different forms, depending on the topic at hand. It can take the form of lectures, talk or interactive sessions or it can be delivered through guided syndicate group discussions. An introductory part of the training programme should include a lecture on decision making. This should, as much as possible, highlight the ethical dilemmas public servants face in the day-to-day discharge of their responsibilities. The focus on such a topic can, for example be on “The Public Servant and Ethical Dilemmas”. A lecture on such a topic should aim at bringing out, in clear terms, that the relationship, between the individual, the public organization and the larger political system, is an ongoing conflict between “public duty, personal morality, and private interest”. Fashioning the means by which public servants can resolve questions of ethical dilemmas which they grapple with daily in the discharge of their duties will therefore be a step in the right direction. Since the concept of ethics does not have a hard and fast definition, the prescription for ethical behaviour is based on the individual’s sense of duty and responsibility. It is therefore necessary for participants to
have a clear sense of the relativity of ethical values. To do this, they can be asked a series of “self-diagnostic” questions on topics such as responsibility and accountability, commitment, leadership, citizenship and the political process, conflicts of interest and public disclosure, and confidentiality.

Ethical dilemmas which public servants are confronted with are many, and many examples can be drawn to buttress this point. For example, a public servant may belong to a religious faith which forbids blood transfusion, or which proscribes family planning. The government however comes out with a policy on family planning, say on child spacing. Is there not a conflict here, between the civil servant’s religiously (and therefore privately) held convictions and his/her publicly held obligations? If such a public servant finds himself/herself at the centre of the implementation of such a policy, what should he/she do? Should he or she interpret government policies according to a personal sense of right and wrong? In this case, where should the individual’s loyalty lie? Or consider the case of an employee who discovers that due to subjective criteria used in recruitment, a colleague is incompetent but is being protected due to cronyism. What should he or she do in such a situation? Protesting against unfair recruitment practices is a step in the right direction but on the other hand may lead to harassment, blackmail or witch hunting. Or in a situation where there is extravagant and unreasonable expenditure of public funds, or use of government equipment and machinery for personal purposes and the civil servant’s conscience is pricking him, what should he or she do in that situation? A lecture on such a topic can also be interactive where participants can be made to come out with their opinions on such issues.

In all the cases cited above, the participants must be made to understand that the most important requisite for any public servant is to develop an inner sense of professional responsibility. It is thus worthwhile that in designing the course content, a topic on Professionalism should be another important issue to consider. In recent years, the concept of professional standards has acquired, less of a moral and more of a legalistic connotation. Public servants these days believe that their obligation to serve has its limits. This obligation may not extend to serving the wider public, but restricted to those duties
that are part of their job classification for which they can be held legally, and not necessarily morally, responsible. These are ethical problems in administrative and policy decision-making. It involves the question of whether or not to take the responsibility to act. A substantial part of this decision rests on one’s perception of whether legal or extra legal discretion exists, but the final decision rests upon the perception of one’s role in the political system, and personal values.

A topic on professionalism, as part of the training methodology, should be able to delineate the differences between a “legal” action and a “right” action. “Doing right” means looking at both sides of a problem or a case so that one can make a fair decision. A majority of public servants would not dare go beyond the legal requirement of a case irrespective of moral implications or the problem of fairness. Ideally, public expectation about bureaucratic morality can be very high because the public believes, and rightly so, that those who work for the state are there to primarily honour the call to serve the nation.

The training sessions should also, through the direct lecture method, emphasize the service dimensions in public employment. Based on the concept of “Administrative theology”, the lecture should stress on the ideal of service to others, particularly the community. That ideal draws upon self-sacrifice, a concept that rises above individualism. It means public servants must adhere to the principles of serving others by setting a high standard of moral conduct and by considering their jobs as vocations akin to a religious calling. Public integrity, or, in other words, fulfilling obligations and answering to other individuals, depends on individual character formation. Societal Institutions and Leadership only play an enabling role. At the level of both the individual and the state, ethics is a confrontation between what is right and what is wrong, and the outcome of this struggle is decided by neither the state nor the leadership, but by the prevailing social forces. On the issue of character formation, this should start right from school. Courses on ethics should, if need be, form part and parcel of school curricula, either in the secondary school or in the university.

RELIGIOUS INSTITUTIONS AND ETHICS MAINSTREAMING
Any strategy for ethics mainstreaming that concentrates on training alone but neglects the civil society component is bound to fail. Given their watchdog functions, civil society groups have a very crucial role to play in ensuring that acceptable standards of behaviour is instilled in public servants. Once this watchdog function is compromised, the integrity of the public service is in equal measure compromised, making the task of mainstreaming ethics more difficult. It is in this respect that we want to briefly examine the role of religious institutions.

Religious institutions do play a major role in shaping moral values in society. In times of economic hardship, the people usually seek succor in religion. The economic hardship currently being experienced by many African countries has inevitably led to a proliferation of religious sects all over the continent. The fact that religious sects are growing faster in sub-Saharan Africa than anywhere else on earth gives religion an added importance with regards to shaping societal values in this part of the world. Adherents to Christianity are growing by 3.5% a year, compared with 2.5% in Latin America and Asia, and less than 1% in Europe and America (Time Magazine February 2000). This spectacular growth has come about due to a recent boom in evangelical and faith healing churches. American style radio and TV evangelists fueled this boom, especially in the 1980s. In place of the mainstream churches’ offers of salvation in the next world for good deeds in this one, many newer African churches preach instant deliverance in the form of worldly wealth. This kind of message, the so-called ‘Prosperity Theology’, appeals to the poor and the displaced.

A major complaint against these churches is that they regularly demand the payment of tithe, and therefore are more interested in making financial gains than spreading the word of God or helping the poor. Some preachers in Kenya charge $70 just for a handshake and one has to pay more if he/she wants them to pray for him/her (Time Magazine ibid). In Nigeria, regular tithe paying is the norm rather than the exception in most of the new churches. It is common knowledge that some of the pentecostal or evangelical churches ask their followers to give about 10% of their monthly salaries towards the upkeep of the church. Some of them also ask members to give up their jewelleries and other precious possessions to the church.
There are also some Islamic sects, which place a high premium on material gains through
divine intervention. It is a well known fact that some highly placed public servants in
Nigeria seek divine intervention through marabouts for promotion and advancement at
their places of work (hard work and merit is thus relegated to the background). Also,
elected politicians such as state governors and other top bureaucrats send Islamic clerics
to perform the umra (lesser hajj) in order to pray for their success. In the latter part of this
year (November 2004), it was reported that work has come to a virtual standstill in one of
the states in the Northern part of Nigeria because all the top government functionaries
have gone for umra together with the governor.

The point one is trying to stress here is that in times of economic downturn when the
ordinary people can hardly make ends meet, the activities of some of these religious
organisations inevitably lead to corruption and unethical behaviour in the public service.
Where a public servant has to contribute 10% of his salary towards the upkeep of a
church, how does he/she make ends meet? He/she may have to find other ways and
means to survive. The state governor or top bureaucrat who sends Islamic clerics to
Mecca to pray for him obviously does not do so from his salary but from the public purse.
Some mainstream Islamic sects (such as the Izalatul Bidi’a wa Ikamatul Sunna) have
spoken against some of these practices as being immoral and ungodly. An Islamic cleric,
Dr. Sheikh Ahmad Mohammed Gumi went to the extent of saying that those mallams
who are sent to Mecca to pray for political office holders are scammers because the
money used in sending them to Mecca was from the public purse and thus their prayers
will not be accepted by Allah. In a similar vein, Sheikh Tukur Sani Jangebe, an Islamic
scholar in Gusau (in Zamfara state in North West Nigeria) in one of his sermons
described the flamboyant lifestyles of some leaders in the society as “un-Islamic”.
According to him, the embezzlement of public funds by these leaders manifested in the
current attitude of sponsoring people to Umrah is rewardless and will not augur well for
them in the hereafter (Daily Trust Nov. 22 2004)
Apart from using religion for material gains, another common streak among the Prosperity theologists and some of the Islamic sects is that both do not usually oppose the government in power. In stark contrast to mainstream Anglican and Catholic churches which form an important part of the political opposition in many African countries, the independent churches tend to support those who wield political power often in an unquestioning manner, arguing simply that leaders are anointed by God and there is no point in interfering. As a result, many national leaders prefer the new churches to the mainstream ones because the latter usually speak out against corruption and unethical behaviour. The quest for material gains and power through the use of religion in Nigeria prompted a Non-Governmental organization, the Citizen’s Forum for Constitutional Reform, in a memorandum submitted to the Presidential Committee on Provisions for and Practice of Citizenship and Rights in Nigeria, (2002:30) to note;

“The advent and proliferation of Pentecostal Christianity as a powerful social and political force in Nigeria represents a growing concern amongst doctrinaire Muslims and Christians alike-----it would appear that Christians have concluded that religion has played a key part in ensuring the tenacity and staying power of Muslims in government over these years, hence the signs and symbols of government have taken on a strong, Christian streak. Ministers openly accuse opponents as “anti Christ and anti religious” who want to destroy God’s anointed government and marabouts that were predominant in the presidential palace under General Sani Abacha have now been replaced by Pentecostal evangelists claiming that it is ‘their turn’ to direct the nation’s affairs.-----This (sic) represents an extreme form of religiosity, which has overtaken a population that has grown more dependent on faith based arrangements in the wake of governments inability to provide the basic needs of the people and this is threatening the state to its very foundations”.

The point being made here is that any strategy for mainstreaming ethics has to take into consideration the influence of religious organizations in the society. Depending on the direction it takes, religion can play a very positive or negative role in mainstreaming ethics in the public service. Unfortunately, many of the prosperity churches as well as some Islamic sects, through their actions and deeds, stress on materialism and therefore
encourage corrupt and unethical behaviour among public servants who form a substantial part of their flock. How to deal with this trend is a major challenge to any serious effort aimed at mainstreaming ethics in the public service of African countries.

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