

**GOVERNANCE AND ETHICS ARCHITECTURE – A STUDY OF FIVE
URBAN LOCAL AUTHORITIES IN ZIMBABWE**

BY

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DECLARATION

I, Edson Paul Mutema, hereby declare that this thesis submitted to the Midlands State University for the Degree of Doctor of Philosophy (DPhil) in Local Governance Studies has never been previously submitted by me for a degree at this or any other university, that this is my own work in design and execution and that all material contained therein has been duly acknowledged.

Signed

Date

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DEDICATION

This thesis is dedicated to my wife Fungai Mutema, daughters Taonanyasha, Anotidaishe and Ishevakanaka, son Kunashe and my parents Chipiwa and Paul Mutema.

ABSTRACT

Corruption is acknowledged as one of the greatest challenges affecting urban councils in Zimbabwe. It is common to open a newspaper and discover a story highlighting the ethical violations and corrupt activities of urban council officials. The prevalence of corruption in Zimbabwe's urban local authorities is considered in this study as the litmus test on the capacity of the existing ethics architecture to fight corruption. Ethics architecture refers to systems and structures in the form of a set of rules, institutions and practices designed by urban local authorities to promote ethical conduct against corruption. This study sought to evaluate the performance of the ethics architecture of urban councils in Zimbabwe and to propose relevant policy and institutional improvements. The study is situated within teleological, deontological and virtue ethics theories and argues that one cannot exist in isolation and should be unified to underpin the study. Analysed through the lens of a three-pronged theory of ethics, the conceptual and theoretical framework provides a benchmark to conduct a comparative analysis of Norway, Singapore, Botswana and South Africa ethics architecture, including that of Zimbabwe in order to come up with ethics architectural remedies that are internationally aligned but locally relevant to stamp out corruption in Zimbabwe. Fighting corruption and its manifestation in these four countries, two international and two continental have common grounds of political will, institutional and legal enforcement practices.

The qualitative methodology was employed to collect data from five sites through documentary analysis, interviews and observations, this allowed for replication of logic to occur and the production of compelling and reliable results. The five sites included Gweru City Council, Mutare City Council, Bindura Municipality, Redcliff Municipality, and Zvishavane Town Council. Data analysis in this study involved detailed case by case analysis followed by a comparative thematic and cross analysis of the five urban local authorities' cases. The study was able to draw conclusions and to make recommendations. The study concludes that the ethics architecture for urban councils is not effective to counter the problem of corruption. The practice of good ethics and effective ethics architecture therefore, forms a sound backbone to fight corruption and all its manifestations. The study reveals that Zimbabwean urban councils should adopt effective ethics architectural remedies which are capable of fighting corruption head-on from detection, investigation and prevention to resolution point of view. The study therefore recommends that urban councils should conduct

ethics training programs for their employees and elected officials to raise ethics consciousness and to build skills capable of identifying and resolving ethical dilemmas from primary school level to adulthood as a long- term measure, and parents should participate in the integrity crusade by inculcating ethical values and moral uprightness during the formative years of their children.

The study further recommends that socialisation as a preventive measure is very critical because the acts of corruption are committed under the cover of secrecy, which implies that corruption can evade detection, prosecution and sanction. Against such a background, the need for proper socialisation of the inner person cannot therefore be overemphasised for urban councils in Zimbabwe. The growth of the moral fabric of the inner person takes superiority over the legal remedy which is reactive and costly. But, on its own, socialisation is inadequate to eradicate the vice of corruption, so sanctioning and enforcement through the legal remedy plays a complementary role. The sanctioning process follows the stages of detection, investigation and resolving corruption by enforcing asset and financial declarations for both elected and senior appointed officials and enacting legislation which protects whistle-blowers against occupational detriments. Overall, effective ethics architectural remedies managed by an Integrity Management Office (IMO) is crucial in the battle against corruption and this should be supported by exemplary leadership, well-paid workforce, robust and balanced media platforms and active citizenry. The ethics architectural remedies in this study are recommended to be adopted and experimented as a liberating praxis and solution to ethical problems and challenges confronting the urban councils in particular, and Zimbabwe in general.

The study identified areas that need further research. First, a similar study which infuses both quantitative and qualitative methods is needed to complement the limitations of this study. Second, research that substantiates the involvement of civil society groups and the media in raising alarm bells when ethics is violated is recommended. Third, in this study the examination of the ethics architecture is delimited to urban local authorities, so the other area of research that needs urgent attention is a comparative study between rural and urban councils' ethics architectural remedies. This comparative study will unearth reasons why corruption is more prevalent in urban councils than in rural councils as revealed in this study.

LIST OF ABBREVIATIONS AND ACRONYMS

ACCZ	Anti-Corruption Commission of Zimbabwe
AFU	Asset Forfeiture Unit
AGSA	Auditor- General South Africa
AGZ	Auditor-General Zimbabwe
AIIPA	Access to Information and Protection of Privacy Act
ANC	African National Congress
AU	African Union
BDP	Botswana Democratic Party
BHC	Botswana Housing Corporation
BSAC	British South African Company
CECA	Corruption and Economic Crime Act
CPI	Corruption Perception Index
CPIB	Corrupt Practices Investigation Bureau
DA	District Administrator
DCEC	Directorate on Corruption and Economic Crime
DSO	Directorate of Special Operations
FIC	Financial Intelligence Centre
FICA	Financial Intelligence Act
GCC	Gweru City Council
GMB	Grain Marketing Board
GOZ	Government of Zimbabwe
HOD	Head of Department
HPO	Holders of Public Office
HSRC	Human Science Research Council
ICAC	Independent Commission against Corruption
IDAZIM	Institute for a Democratic Alternative in Zimbabwe
IMO	Integrity Management Office
MCC	Mutare City Council
MDC	Movement for Democratic Change
MDC-M	Movement for Democratic Change_Mutambara
MDC-T	Movement for Democratic Change_Tsvangirai
MLGRUD	Ministry of Local Government, Rural and Urban Development

MP	Member of Parliament
NACF	National Anti- Corruption Forum
NPA	National Prosecuting Agency
OECD	Organisation for Economic Co-operation and Development
PA	Provincial Administrator
PAIA	Promotion of Access Information Act
PAJA	Promotion of Administrative Justice Act
PAP	People’s Action Party
PDA	Protected Disclosure Act
POCA	Prevention of Corruption Act
POCO	Prevention of Corruption Ordinance
POSA	Public Order and Security Act
RSA	Republic of South Africa
SADC	Southern African Development Community
SAPS	South African Police Service
SPB	State Procurement Board
TI	Transparency International
UCA	Urban Councils Act
UCAZ	Urban Councils Association of Zimbabwe
UNCAC	United Nations Convention against Corruption
USD	United States Dollars
VIP	Very Important Persons
WEA	Working Environment Act
ZANU	Zimbabwe African National Union
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZANLA	Zimbabwe African National Liberation Army
ZAPU	Zimbabwe African People’s Union
ZAPU –PF	Zimbabwe African People’s Union-Patriotic Front
ZIPRA	Zimbabwe People’s Revolutionary Army
ZTC	Zvishavane Town Council

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 Introduction

A meaningful anti-corruption strategy in Africa will require a mix of administrative restructuring and legal reform measures. These reforms could be completed by honest political leadership dedicated to the fight against corruption and through a program of public education so as to develop an “anti-corruption sensibility” among the general population. Among other factors, exemplary leadership and civil society pressure have been credited with the success of anti-corruption efforts in Hong Kong, Singapore, Uganda and Botswana” (Marong ,2002: 105).

This study examines the ethics architecture of urban local authorities in Zimbabwe. The term ‘ethics architecture’ refers to systems and structures designed by urban local authorities to promote ethical conduct against corruption and related unethical practices. The systems and structures are in the form of a set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public sector (Organisation for Economic Co-operation and Development, 1996). Throughout this study, the term ‘ethics architecture’ is used as a synonym for ethics infrastructure. These two terminological arrangements, architecture and infrastructure are therefore used interchangeably. The architecture of ethics is not cast in concrete stone or universally prescribed for all organisations; it evolves over time to keep abreast with the changing environment in which organisations are operating in. An ethics architecture which is relevant should respond to the prevailing political, social and economic environments.

The roots of corruption and unethical behaviour are grounded in a country’s social and cultural history, political and economic development, bureaucratic traditions and policies (Stapenhurst, 2000:04). An analysis of the political, economic and social background of urban governance in Zimbabwe is, therefore, critical in this thesis. This will unpack the legislative framework, the political, social and economic backgrounds as these, impact urban governance in Zimbabwe. The backgrounds are critical as they also expose some of the

factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption. This chapter traces the history of urban governance from 1890 to the year 2000, categorise urban local authorities in Zimbabwe, discuss the corporate governance structure and legislative framework of urban local authorities and the implications these have on institutional ethics architecture. The overview is preceded by the problematisation of the issue of ethics, formulation of the research questions, including the postulation of the objectives of the study, amongst others. The chapter concludes by defining the terms used frequently in this thesis and giving a detailed outline of the organisation of the rest of the thesis.

1.2 General overview of urban governance in Zimbabwe

The general overview covers a brief economic profile of Zimbabwe (post-2000 era) and that of urban local government system, traces the history of urban local governance from colonisation to post-independence Zimbabwe and further outlines the corporate governance structure of urban councils. It also provides a framework to understand the environment from which the urban local authorities have operated. Included in the framework for discussion are systemic, corporate and individual issues (Velasquez, 2007:24).

In discussing the background of urban governance, systemic ethical issues are addressed. The ethics architecture which comprises a set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public sector is best examined within the confines of the political, economic and social environments of the organisations under study. This is underpinned by the theory of ethical relativism which is of the view that there are no ethical standards that are absolutely true and that apply or should be applied to the organisations and people of all societies (Velasquez, 2007:29). In line with the ethical relativism theory, ethics is relative and there is no universal ethics architecture for all the urban local authorities across the globe. So unveiling the social, political, economic environment and administrative structures of urban local authorities becomes imperative in this thesis. The envisaged ethics architecture for Zimbabwean urban local authorities should be developed within the confines of the fore grounded argument.

1.2.1 Socio-ethnic profile of Zimbabwe

Zimbabwe is a multi-cultural and multilingual state. The country has two major language groups, the Ndebele (the minority) and the Shona (the majority). The Shona lingual group is further divided into several ethnic groups which include the Zezurus, the Karangas, the Ndaus, the Manyikas, the Kalangas and the Tongas. The other minority ethnic groups in Zimbabwe include the Vendas, Nambyas, Shangaans, Xhosas and the Koisans. The Ndebele speakers are concentrated around the city of Bulawayo and the south west of the country. The Shonas, who constitute various ethnic groups, are placed as follows: the Karangas in Masvingo and in some parts of Midlands, the Manyikas and Ndaus in Manicaland, and the Zezurus in the three Mashonaland provinces (Sheeham, 2004:93).

The impact of the ethnic phenomenon on the ethics architecture of urban local authorities should not be underestimated. William (2004:46) argues that ethnicity accounts for a greater percentage of the analysis by scholars on the nature, essence, and the pattern of the problem confronting the African continent. The problem of corruption is often attributed to the actuality of the dynamics of the ethnic phenomenon. It is a common practice in Zimbabwe to find one ethnic group dominating the top and middle management positions of a particular urban local authority. Some of the provinces have been named along ethnic lines for example Manicaland, Matebeleland and Mashonaland.

The continued naming of provinces along ethnic lines appears to negate national unity. Cases of this sort have been found prevalent wherein national leaders surround themselves with “homeboys” without regard to skills and educational qualifications (Makumbe, 1999:278). Makumbe further highlights that ethnic divisions are evident in local government units. For example, Provincial Governors and Administrators are appointed in areas they come from. Ethnicity if not put under control, may cause conflicts and corruption. The Shona-Ndebele conflict has always been the thorniest issue in Zimbabwe because of the dramatic split of the nationalist parties during the liberation struggle (Herbst, 1990:169). Nsingo (2005:07) echoes the same sentiments about the political splits; hence Zimbabwe African National Union (ZANU) was mainly dominated by Shona ethnic group while Zimbabwe African People Union (ZAPU), although its leadership was mixed, had Ndebele- support base. This split was carried into post-independence Zimbabwe which fuelled the 1982 to 1987 Shona-Ndebele

civil war, registering serious atrocities against the Ndebeles. Hitherto, the Ndebeles blame the Shonas for perpetrating these atrocities. The regional and administrative boundaries also aggravate intra-Shona conflicts. When ethnicity is strong, politicians may justify recruitment and awarding of tenders along ethnic lines and loyalties associated with such arrangement. As a result, politicians may see nothing wrong with such ethnic arrangements. Given this deep rooted ethnic predisposition, the fight against corruption becomes complex.

The Zimbabwean socio-cultural factors need also to be considered in examining the ethics architecture for urban local authorities. Councillors, managers and employees in Zimbabwean urban councils are social animals and their origins are largely rural and they are trapped in a netting of allegiances. Apart from being loyal to their organisations which they serve in different capacities, these officials are expected to hold to their communities and extended families. The Zimbabwean culture values communalisation and the institution of the extended family. Shellukindo and Baguma (1993:37) argue that the moment one becomes a senior public official, his or her kinships and tribesmen will come to look for favours. If he or she clings to the established procedures of operation, and thus refuses to accommodate their demands and expectations, the person will be cursed by the members of his society for betraying their trust as his or her acceptability by them will be in doubt. In order not to betray the trust of the tribesmen, he or she may try to manipulate the system to cover up.

The Shona proverb *chawawana idya nehama mutorwa ane hanganwa* is translated literally to mean that one should not share the spoils of what he or she gets with aliens, but should share with relatives and fellow tribesmen. This undermines merit and promotes nepotism in the public and private sector. Esseini-Udom in Prah (1993:54), articulating a similar view, argues that where the kinship system (or clan organisation) is greatly to do with the organisation of social life, it can be a source of potential nepotism and corruption, especially in the recruitment and promotion in the public service.

1.2.2 Political profile and history of urban governance in Zimbabwe

A reflection on the pre and postcolonial political governance system provides evidence that local governance operates within a defined environment of the existing government of the day which covers, among others, political, social and economic factors. Local authorities are

political creatures, so the ethics architecture of urban local authorities should be examined within the confines of both local and national political environment.

Zimbabwe is a former British colony which won its political independence in 1980 after protracted bloody guerrilla warfare in which an estimated 50 000 people lost their lives. The guerrilla warfare was waged by the military wings of Zimbabwe African National Union Patriotic Front (ZANU PF) and Zimbabwe African People's Union Patriotic Front (ZAPU PF) which are the Zimbabwe African National Liberation Army (ZANLA) and the Zimbabwe People's Revolutionary Army (ZIPRA) respectively.

Zimbabwe was colonised in 1890 by Cecil John Rhodes through the British South African Company (BSAC). Historically, the colonial local government system in Zimbabwe evolved along racial lines. The system was also founded on the black and white race dichotomy. The whites were considered the superior race. Makumbe (1999:277) posits that the colonial local government system in Zimbabwe was deliberately designed to facilitate the provision of social, economic and political benefits to the colonisers, the dominant white racial group, and to facilitate the effective social control of the African majority. Thus, from 1890 to 1979, the local government system in Zimbabwe was racist, exploitative and was based on separate development which considered and favoured the white race as superior class.

Urban local governance dates back to 1891. In that year, a board of management was established to run the emerging town of Salisbury, which is now Harare. The board was later succeeded by a sanitary board in 1892. During the various colonial regimes that followed in Zimbabwe, electoral democracy in urban local governance remained a preserve of the white race. The colonial local government system would afford the whites the opportunity to democratically elect councillors to represent them in the council chambers. The black race was however denied this right. Colonial urban local governance also evolved along the twin-city concept which separated blacks from the whites (Chigwata, 2010:21). Development and service provision was racist, exploitative and it marginalised the black community.

The white community received superior and value service delivery than the black community. Their health facilities and educational institutions were well equipped and staffed. Their houses were also built on spacious stands. The streets leading to white suburbs were tarred and electrified. This was contrary to service provision in the black community.

The white colonial regimes provided contemptible services to the black African townships. Houses and stands were small, clinics and schools were poorly equipped and roads were not tarred. Africans were only certified to stay in these townships if they were employed in industries, factories or if they were domestic workers for the urban white community. African townships were not part of the urban councils (Chigwata, 2010:21).

The black nationalists waged a liberation war against these colonial injustices from the 1960s to 1970s. Apart from the afore-discussed urban injustices, colonialism had meant that the best half of the land had been taken over by whites with black people being forced to move into reserves (Chung, 2006:42). Two main political parties spearheaded the liberation struggle and these were ZANU and ZAPU. ZAPU was formed in 1961 and was led by a prominent trade unionist Joshua Nkomo. In 1963, there was a split in ZAPU, leading to the formation of ZANU. The split was born out of difference of opinion on the strategies and tactics for the liberation struggle (Olaleye, 2004:04). ZANU elected the cleric Reverend Ndabaningi Sithole to be its leader. The membership of ZANU was from the Shona ethnic group and ZAPU from the Ndebele ethnic group. The 1963 split, as earlier alluded, marked the beginning of factional politics and ethnicity which spilled over into post-independence Zimbabwe. The two parties, ZAPU and ZANU remained the principal liberation footprints that negotiated for the independence of Zimbabwe. ZAPU and ZANU, were later to combine as Patriotic Front when they went for peace negotiations at Lancaster House, hence ZANU-PF and ZAPU-PF.

Following the Lancaster House negotiations, Zimbabwe subsequently got its independence from the British government in April 1980 under the Lancaster House constitution. The Lancaster House constitution, however, safeguarded the white settler privileges but enfranchised the majority of the black population in a meaningful way¹. The constitution reserved 20 seats for the minority whites and the principle of “willing buyer” “willing seller” protected the vast land property of the white settlers. At independence, ZANU-PF dominated the government with 57 seats in a 100-member parliament. For two years, ZANU-PF ran a government of national unity with ZAPU-PF until the pact collapsed in 1982 with the eruption of the conflict in Matabeleland (Sachikonye, 2005:03). In 1987, ZANU-PF and ZAPU-PF signed a unity agreement which ended the civil war in Matabeleland. This saw ZAPU-PF being eventually swallowed into ZANU-PF. The signing of the unity accord

¹<http://web.africa.ufl.edu/asq/v7/v7i2a6.htm> retrieved 14 May 2013

promoted a de facto one-party state in Zimbabwe which was later to be challenged by the former ZANU-PF Secretary General, Mr Edgar Tekere, when he formed his own political party, the Zimbabwe Unity Movement (ZUM) in 1989.

The black ZANU-PF government introduced a number of local government reforms which included, among others, the universal adult suffrage and the one-city concept. The black majority could now vote and also be voted for as Councillors and Mayors in urban local authorities. African townships also became part of the urban councils. Local government legislation also underwent reformation. Mapuva (2010:20) citing Wekwete (1988:20) and Jordan (1984:09) explains that the post-independence amendments to the colonial Urban Councils Act, 1973, Chapter 214 resulted in the democratisation of the Local Government system by removing racial discrimination pertaining to representation and tenure in urban areas through the incorporation of former local government areas or African townships into urban council areas. This resulted in the enactment of the Urban Councils Act in 1980 and, subsequently, amended in 1983, 1986, 1993 and 1996. The Urban Council Act 1974 (Chapter 214) was repealed in 1996 and replaced by a new Chapter, 29:15. The Urban Councils Act chapter 29:15 (1996) introduced the Executive Mayorship and the Executive Committee in the corporate governance structure of municipalities and cities in Zimbabwe. The Urban Council Act, Chapter 29:15 (1996) was later amended in 2008 before the harmonised elections. The amended Act abolished the office of the Executive Mayor and replaced it with the office of the Ceremonial Mayor. The further amendment of urban governance legislation is foreseen following the adoption of a new constitution in May 2013. The urban governance legislative framework is discussed later in this chapter.

ZANU-PF dominated both national and sub-national governments during the period between 1980 and 2000. Urban councils were staffed with Councillors and appointed officials whose allegiance and loyalty to ZANU-PF was expected to be unquestionable. In support of this view, Makumbe (1998) in Mapuva (2010:16) concurred with the affinity between ZANU-PF and the whole local government structure which asserts that “the whole local government structure in Zimbabwe is a carbon copy of the ZANU-PF structure.” Councillors and other municipal council’s officials were elected or appointed on a partisan basis. That is on the basis of the strength of support for the then ZANU-PF party. This was necessitated by ZANU-PF’s willingness to exclude any voices of dissent from the operations of municipal and city councils.

The year 1999 witnessed the formation of the Movement for Democratic Change (MDC) party, bringing in an era of competitive multi-party democracy in post-independence Zimbabwe. This brought in competition which is a pre-requisite for electoral democracy. MDC posed a strong challenge to the ruling ZANU-PF party and this made the 2000 parliamentary elections the most closely contested elections since independence². What followed after the formation of the MDC party was the contestation of power and the attendant bitter and often violent conflict between the major political gladiators, notably President Mugabe and the MDC leader Mr Morgan Tsvangirai (Masunungure, 2009:03). MDC fielded its candidates in the year 2000 elections and won 57 seats in parliament and ZANU-PF won 62 seats³. This ended the dominance of ZANU-PF both in parliament and in the local government elections which were later to follow in 2003. This, however, aroused the dominance of polarised party politics in post-independence urban governance.

The outcome of the year 2000 elections marked the beginning of an antagonistic and adversary relationship between ZANU-PF and MDC. Morgan Tsvangirai, the MDC leader, became a lethal adversary of the presidium. This is witnessed by the regular police arrests and detentions, beatings and the subsequent treason case. In response to the threat posed by MDC to its political hegemony, ZANU-PF adopted extreme and repressive measures to ensure electoral victory and to assure that a defeat at the polls would never happen again (Moysé, 2009:43). Opposition election voices were silenced through intimidation, violence and restrictive or repressive legislation. The electoral legislative environment became restrictive to the opposition parties. Of particular note are the two legal instruments which were passed in 2002, the Access to Information and Protection of Privacy Act (AIPPA) Chapter 10:27 (2002) and the Public Order and Security Act (POSA) Chapter 11:17 (2002).

AIPPA was criticised locally and internationally for imposing harsh restrictions on media freedom (MISA-Zimbabwe, 2004:03). The Media Monitoring Project Zimbabwe (2006:20) presents that POSA had an impact on the whole way in which political campaigns are conducted and the way which the civil society operates, in particular, it imposes strict limitations on freedom of assembly. Under this legislative instrument, public gathering or political rallies are allowed to convene only if the Police are given seven days' notice and if

²http://www.ipu.org/parline-e/reports/arc/2361_00.htm retrieved on 13 May 2013

³ <http://www.nonviolent-conflict.org/index.php/movements-and-campaigns/movements-and-campaigns-summaries?sobi2Task=sobi2Details&sobi2Id=12> retrieved 22 May 2013

they approve the gathering. A political environment which muzzles freedom of assembly and press is critical in determining and analysing factors that hinder or contribute to the effectiveness of the ethics architecture. An active civil society and a probing media which are affected by such a repressive legislative environment form part of an effective ethics architecture.

The politics of patronage became increasingly visible during the post-2000 elections era. Patronage is the proffering of public resources by office holders in return for political support (Stokes, 2007:606). Smith and Mesquita (2009:03) also define patronage as granting favours and rewards in exchange for electoral support. The patrons offer benefits to groups that generate the greatest electoral support for them. The criterion of distribution that a politician uses is simply: did you or will you support me? (Stokes, 2007:605). Politicians who have the power to determine who gets what when and how allocate resources both material and non-material to their supporters or loyalists at the expense of other members within the polity. The patronage system is synonymous with vote-buying and it is an unethical strategy of influencing the electorate. Chiroro (2005:07) argues that, in Zimbabwe, the people that have been given government contracts, whether to build new schools, dams and the new airport have strong linkages with the ruling party. These relationships have been regarded by the political opposition party as corrupt relationships. Even those awarded licences to operate certain services and businesses have been the ruling party cronies. Farming equipment, land, jobs and top posts in government, parastatals and local authorities are some of the non-material and material resources which the Zimbabwean politicians in general and ZANU-PF in particular granted its loyalists in return for political support.

The post-2000 era local government elections saw ZANU-PF dominating in rural areas with the MDC formation taking a lead in urban areas (Hentz, 2004:153). In year 2005, the MDC party split into two formations mainly over the merits of taking part in the elections for the newly recreated upper chamber, the senate which was abolished in 1987. This created two MDC formations with the larger faction led by Morgan Tsvangirai and the party became known as the Movement for Democratic Change-Tsvangirai (MDC-T) and the Movement for Democratic Change- Mutambara (MDC-M) led by Arthur Mutambara. In March 2008, Zimbabwe harmonised its elections. The 29 March 2008 elections are commonly referred to as “harmonised elections”, a reference to their consolidating all national and local government elections (Masunungure, 2009:61). In other words the local government,

parliamentary, senatorial and presidential polls were held concurrently. The polls were held under the guidance of the Southern African Development Community (SADC) elections protocol guidelines. In comparison with previous polls in the post-independence era, the March 2008 elections were peaceful and had less recorded incidents of political violence (Zimbabwe Electoral Support Network Report, 2008:02). At national level, ZANU-PF garnered 97 seats, MDC-T 99 seats and MDC-M 10 seats in the House of Assembly (Tarisayi, 2009:21). These elections saw ZANU-PF, which previously has been dominating the previous elections, losing political power to the two MDC formations. ZANU-PF subsequently lost the post of the Speaker of Parliament to MDC-T.

The 2008 harmonised elections however did not produce a clear Presidential winner. Tsvangirai obtained 47.9 per cent of the votes and Mugabe obtained 43.2 per cent. Since neither candidate had reached the required 51+ per cent threshold required for victory under Zimbabwe's electoral laws, a presidential run-off was held in June 2008 (Ndlovu-Gatsheni, 2012:11). The environment for the presidential run-off was however criticised for not being conducive for free and fair elections to be held. Campaigns were not free as political violence was widespread. The violence took the form of intimidation, kidnapping, torture, arson and murder of opposition or suspected opposition leaders, activists and supporters (Masunungure, 2009:87).

The opposition leadership was subjected to sporadic arrests and detentions, and their campaign activities were under total blackout on national electronic and press media. Hate speech, incitement of violence and threats of war characterised electoral campaigns, with the ruling party presidential candidate threatening to go back to war if he lost the election to the MDC presidential candidate (Zimbabwe Electoral Support Network Report, 2008:06). The period leading to the presidential run-off resembles Hobbes state of nature where life is 'solitary, nasty, brutish and short'. The ZANU-PF government used the Machiavellian principle of brute power to attain and maintain power. As a consequence one of the contestants, Morgan Tsvangirai, withdrew his candidature a few days before the run-off, citing the afore-mentioned tense political environment. The run-off however proceeded with Robert Mugabe emerging as the presidential winner.

President Mugabe was immediately sworn in amidst an apprehensive political environment. The MDC-T party felt hoodwinked and they considered the run-off as "a stolen election."

What followed after this run-off was an antagonistic relationship between ZANU-PF and the MDC formations. President Mugabe could not form a government due to political legitimacy crisis. To break the impasse, ZANU-PF and the two MDC formations signed a memorandum of understanding, the Global Political Agreement. The agreement formed the basis for the formation of an inclusive government. The inclusive government assumed office on 13 February 2009 with the ZANU-PF leader as the President and the MDC-T leader as the Prime Minister. This study is delimited to the period between 2008 and 2013, so a chronicle of this nature becomes critical to this thesis.

For local government polls, Chakaipa (2010:60) suggests that in March 2008 harmonised elections MDC-T won twenty-seven urban councils, MDC-M two and ZANU-PF one out of the thirty urban councils. The 2008 elections resulted in 90% of the urban councils in Zimbabwe being under the control of MDC-T party posing a big threat to ZANU-PF hegemony. The entry of MDC-T into mainstream politics as an opposition party however did not assist in the battle against corruption. The MDC-T councillors who were expected by the public to bring an end to corruption are also partaking in it like their ZANU-PF counterparts. This is evidenced by probe teams set up to investigate corruption in MDC-T dominated urban councils which include Zvishavane Town Council, Redcliff Municipality, Gokwe Town Council and Kwekwe City Council among others. ZANU-PF however still maintains headship of the Ministry of Local Government Rural and Urban Development (MLGRUD). ZANU-PF reacted strongly to its loss of political authority in urban areas by revoking a wealth of legal tools at its disposal to become involved, if not to interfere in local decision-making, creating animosity between the two contesting parties (Bland, 2010:21). Some of the MDC mayors and councillors who acted contrary to the whims of ZANU-PF led government were either suspended or fired. This creates a platform for inter-party squabbles and political polarisation, a scenario which is porous to corruption and its related unethical practices.

1.2.3 Economic profile

Zimbabwe is a land-locked Southern African country with a total land area of 390 580 square kilometres. It shares borders with South Africa to the south, Zambia to the north, Mozambique to the east and Botswana to the west.⁴It is endowed with rich mineral resources

⁴<http://www.zw.one.un.org/uninzimbabwe/zimbabwe-country-profile> 10 February 2013:01

like platinum, diamond, iron ore, zinc, magnesium, limestone, gold, coal and chrome. The economy is agro-based because of its large tracts of arable land. Irrespective of these rich natural resources, Zimbabwe's economy experienced severe challenges over the past decade, reaching crisis proportions in 2007 and 2008. The Gross Domestic Product (GDP) is estimated to have contracted by a cumulative 50.3 percent. Official inflation peaked at 231 million percent in July 2008 whilst capacity utilisation in industry fell below 10 percent by January 2009. Poverty remained widespread; infrastructure had deteriorated; the economy had become more formalised; and severe food and foreign currency shortages were experienced. The country also faced sanctions from some western countries and the cessation of funding from the Bretton Woods Institutions.⁵ Mhlahlo (2007:121) writes that in the post-2000 era, Zimbabwe faced a very unstable micro-economic environment, with high inflation, shortage of foreign currency and fuel, including high interest rates. The hyperinflationary environment which reached its peak in 2008 adversely affected service delivery in local authorities. This negative economic growth could not sustain the payment of competitive salaries in most urban local authorities, so there was a skills flight of qualified and experienced staff, further impacting negatively on service delivery.

In response to hyperinflation, the Government of Zimbabwe suspended the Zimbabwean dollar and introduced the multi-currency system in April 2009, with the United States of American dollar and the South African rand becoming the leading functional currencies. Coutinho (2010:72) argues that this new dispensation brought with it new challenges for urban local authorities and other players in the economy. The liquidity shortages brought about by the adoption of multi-currencies meant that most ratepayers could not afford the charges local authorities were demanding. Taking up the same view, Chakaipa (2010:63) cites the case of Gweru City Council which by the end of July 2009 its City Treasury Department had only collected USD1 184 096 out of a target of USD5 771 234.

An overview of the economic downturn which Zimbabwe experienced in the last decade makes known important issues that are critical for this study. Financial inflows into the coffers of urban councils were drastically reduced and this means that the ability of urban local authorities to provide supportive conditions of employment to their employees and efficient services to their communities was incapacitated. Such a scenario provides a fertile

⁵ . <http://www.zw.one.un.org/uninzimbabwe/zimbabwe-country-profile>10 February 2013:01

ground for corruption and unethical practices to prevail among both elected and appointed officials in urban local authorities (Rose-Ackerman, 1999:72). Economic crisis fuels unethical practices. Workers end up leaving their employ to sell their personal wares, resulting in moonlighting incidents. Residential stands for example, turn to be scarce and those in positions of authority corruptly allocate the scarce resources after their palms have been greased. Jobs tend to be scarce and only those with relatives in top leadership end up employed. These are but a few examples.

1.3 Structure of government system in Zimbabwe

Zimbabwe is a unitary state whose local government system operates under delegated powers. In the unitary government system, political powers reside at central government level and local government institutions are simply administrative appendages of central government. Zimbabwe is administratively divided into ten provinces. It has a composition of two metropolitan provinces namely Harare and Bulawayo. The other eight provinces are regional and these are two Matabeleland North and Matabeleland South, three Mashonaland East, Mashonaland West and Mashonaland Central, Manicaland, Midlands and Masvingo provinces (IDAZIM, 2008:05). Geographically, the two provinces, Matabeleland North and Matabeleland South are located in the southern region. The Matabeleland provinces are semi-arid and cattle breeding thrive in these two provinces. The centrally located Midlands province is one of the richest provinces; it contains numerous mines located on the Great Dyke. Agriculturally, the three Mashonaland provinces, namely Mashonaland East, Mashonaland Central and Mashonaland West, are the richest because they have good soils and they receive good rainfall during the rainy season. Manicaland is located in the eastern part of the country and is recognised for its beautiful scenery, including several mountain ranges (Makumbe, 2009:01).

1.3.1 National/central government

Zimbabwe has a three-tier or a tri-structured government system which is composed of central/national, provincial and local government. The national government is represented by the Ministry of Local Government, Rural and Urban Development (MLGRUD). The MLGRUD is the 'mother' ministry responsible for administering all local government

legislations and is also in charge of coordinating policy formulation, implementation and evaluation in the local government sector (Chigwata, 2010:26-27). The MLGRUD, also on behalf of central government, serves to superintend, regulate, direct, monitor and arbitrate in the affairs of local authorities (Sachikonye et al 2007:76). The Ministry also makes available the law-making and policy framework within which local authorities operate and have a great deal of control over such authorities. The MLRUD has powers, among others, to fix the area of a local authority (number of wards and councillors), appoint external auditors, an investigating team where an inquiry is needed, a commissioner to run the affairs of a council when there are no councillors and to suspend a council resolution when it goes against the interests of residents, to suspend or dismiss councillors who have committed serious offences, prescribe and ring fence amounts of monies beyond which councils should seek tenders as well as giving general policy directives (Chatiza, 2010:10).

The MLGRUD, ideally, should provide an enabling and facilitative environment within which local authorities operate. Zimbabwe Institute (2005:04), however, observes that the MLGRUD has increasingly played a controlling and directive role, especially, since the emergence of formidable opposition with a significant control over urban local authorities. Jonga and Chirisa (2009:177) also contend that before the inception of the unity government, central government had been using various tactics to involve itself in the affairs of MDC-T dominated urban councils' affairs, hence the recentralisation tendency. The intrusion tactics included among others, the abolition of the office of the Executive Mayor, the arbitrary appointments of Governors and District Administrators in urban areas.

The post-2000 era observed the MDC-T party making inroads into most urban local government institutions. These MDC-T dominated urban councils are supervised by the MLGRUD which is headed by a ZANU-PF functionary who is expected by his party to exhibit unquestionable loyalty by advancing policies that comply with his party's interests at local government level. This has created adversary relationship between the central government and urban councils. Evidence is abound which supports the antagonistic relationship between the central government and the local government. Marondera Municipality and its residents association took the Minister of Local Government Rural and Urban Development to court accusing him of unilaterally appointing Special Interest councillors linked to ZANU PF (*The Standard*, 26 April 2010). The antagonistic relationship

between central government and urban local government institutions are critical issues to think about. It provides a fertile background to interrogate factors that hinder or contribute to the effectiveness of the ethics architecture infighting corruption.

1.3.2 Provincial government

Below the MLGRUD (central government tier) is a deconcentrated local government system with ten Provincial Governors and ten Provincial Administrators representing the political arm and the technical administrative arm respectively. These two offices coordinate government projects in the provinces. The Zimbabwean deconcentrated local government system is legally underpinned by the Provincial Councils and Administration Act number 12, Chapter 29.11, revised edition of 1996. Deconcentration in this system involves delegation of decision-making authority to civil servants to make decisions in the execution of central government policies. This is also referred to as administrative or bureaucratic decentralisation (Reddy, 1999:16). The defining element of deconcentration is the fact that the allocation of responsibility occurs within the hierarchy of central government (De Visser, 2005:14). Power, in this case, is deconcentrated to Provincial Administrators (PAs) at provincial level and District Administrators (DAs) at district level to make decisions in the execution of the MLGRUD policies. These officials fall under the jurisdictional authority of central government and they respond to the central government's direction and control even though they work at the provincial and district levels (Kathyola and Oluwatoyin, 2011:03).

The PAs and DAs also supervise the urban and rural local authorities on behalf of the MLGRUD. The provincial tier of government is headed by a Resident Minister (Provincial Governor) who is appointed by the President in terms of the Provincial Councils and Administration Act number 12 of Chapter 29.11, revised edition of 1996 (Chatiza, 2010:14 - 15). The Governor chairs the provincial council which oversees the development function in the province. Under the new constitution the post of the provincial Governor was abolished and was replaced by the post of Chairperson of the provincial council who is elected in terms of section 272 of the Zimbabwean Constitution of 2013 at the first sitting after every general election. The provincial council draws its membership from councils, parliamentarians and party leaders within the province. On the other hand, the PA chairs the Provincial Development committee which is made up of the heads of government departments, civil

society and the private sector .The Provincial Development Committee is the technical arm of the Provincial Council and it gets inputs from both urban and rural district councils.

1.3.3 Local government

The third and lower tier of government is the local government. Meyer (1978:10) in Reddy (1999:10) conceptualises local government as local democratic units within the democratic system which are subordinate members of the government vested with prescribed, controlled governmental powers and sources of income to render specific local services and to control and regulate the geographic, social and economic development of defined local areas. Local government institutions in Zimbabwe are semi-autonomous, with delegated authority from central government. All forms of Zimbabwean local government are creatures of government and must limit their activities and procedures to those prescribed by central government (Jordan, 1984:07). It is, however, critical to note that urban local authorities benefit from a substantial degree of independence in determining and financing priorities within their areas to enable them to fulfil their mandate of providing services to the local people. The MLGRUD indirectly controls local government institutions through a defined legal and policy framework which will be explained later in this study.

Chandler (2001:8-9) argues that local government entities are beneficial to the governance of the state because they take some of the administrative overload from central government, ensure effective service delivery at the local level and facilitate local democracy. The Zimbabwean local government system falls into two groupings namely, the rural and urban local authorities. The system is governed by the Urban Councils Act (29.15) of 1996 and the Local Government Laws Amendment Number 1 of 2008 for urban local authorities and the Rural District Council Act (29.13) of 1996 for rural local authorities.

There are currently 32 urban local authorities in Zimbabwe and these are hierarchically organised, based mainly on size and functions (Chakaipa, 2010:36). In descending order, cities (level 1) are the highest status in the country, followed by municipalities (level 11), and then town councils (level 111) and the lowest in the hierarchy are the local boards (level 1V). See Table 1.1. Urban local authorities are established in terms of section 4 of the Urban

Councils Act (Chapter 29.15) of 1996 and they include cities, municipalities, towns and local boards.

Table 1.1 Hierarchy of urban local authorities in Zimbabwe

Level I Cities	Level II Municipalities	Level III Town councils	Level IV Local boards	
Harare	Redcliff	Chiredzi		32
Bulawayo	Chegutu	Norton		
Gweru	Chitungwiza	Shurugwi	Ruwa	
Mutare	Victoria Falls	Zvishavane	Chirundu	
Kwekwe	Chinhoyi	Gokwe	Hwange	
Kadoma	Gwanda	Beitbridge	Epworth	
Masvingo	Marondera	Rusape	Lupane	
	Bindura	Karoi		
		Chipinge		
		Plumtree		
		Mvurwi		
7	9	11	5	
Total				

Source: (Chakaipa, 2010:36)

The aforementioned urban local authorities are conferred with a wide range of responsibilities, which include: providing water for domestic, commercial or industrial areas, hospitals, clinics, ambulances, maternity and child welfare, libraries, provision of housing and transport facilities, construction and maintenance of drains, sewers and bridges, cleansing and refuse removal and disposal, prevention of air, land and water pollution, operation of fire brigades and municipal police, street lighting, public places and provision of parks, recreation grounds and open spaces (Ministry of Local Government, Rural and Urban Development document, 2011:2).

Local government is, therefore, an important sphere as it is heavily involved in the day-to-day life of the residents and ratepayers. For example, a child is born in a council clinic, attends a council school, marries in a council hall, is allocated a stand by council, builds a house under the supervision of council, connects water and sewer lines from the council's water and sewer main lines, operates a business whose license is granted by council and dies and buried in a grave provided by council. Local government is the coalface of service delivery as it manages

and provides services at the local level and its services remain critical from the first day a person is born to the last day a person is buried in his and her grave. The need to reconstruct an effective ethical institutional framework for urban councils which is capable of fighting and conquering corruption, therefore, becomes paramount. It is because local authorities directly interact with the public, hence high levels of professionalism, honesty and integrity are expected.

1.4 The legislative framework for urban local authorities in Zimbabwe

Zimbabwean urban local authorities are legislative structures. Under the old constitution, local government is not included in the constitution; however, under the recently adopted 2013 constitution it is included in the constitution. Inclusion of local government in the 2013 constitution has the advantage of protecting local government matters from partisan political abuse and local authorities stand to benefit directly from the national fiscus. The legal framework which governs urban local authorities in Zimbabwe is set out in the Urban Councils Act, 1996, (Chapter 29:15) and the Local Government Laws Amendment Act number 1 of 2008. Chandler (2001:2) puts it that the structures, functions, funding and many processes of local authorities are determined by law. Councils can only undertake actions that are justified by law. The Urban Council Act of 1996 (Chapter 29:14) is the operational manual for urban local authorities. It establishes cities, municipalities, towns and local boards and it also confers powers, and functions to urban local authorities.

Mushamba (2010:104-105) classify local authorities' powers into two categories, legislative and executive. Legislative powers, according to Mushamba, are powers to make by-laws and that of the executive is to implement such laws and thus enabling urban councils to:

- Make, adopt and implement policies
- Administer local government areas, and
- Enforce by-laws

The UCA which act as an instrument of governance for urban local authorities also provides for: a clear demarcation of duties between councillors and appointed officials, and the transaction of business through the committee system. Section 96 of the Urban Councils Act 1996 (Chapter 29:14) provides for the appointment of standing committees of council which

carry out business on behalf of council. The act also provides mechanisms to manage conflict of interest (section 108 (4)), to promote transparency, fairness, participation and accountability. Despite the UCA being an instrument of governance in urban councils, the act has been criticised for been retrogressive to good urban governance. Critics cite among others that the Urban Council Act 1996 (chapter 29:14) is counterproductive to good urban governance. It is silent on councillors' academic and professional qualifications, on the minimum number of terms which councillors should serve in council chambers and bestows excessive powers to the minister of local government. These factors compromise the independence of a councillor. Councillor independence enables councillors to express impartial and objective opinions in the best interest of council and its stakeholders and brings in vibrant debate in council chambers.

The UCA is the principal act which provides the governance framework for urban local authorities in terms of defining the functions, powers, structures and procedures (Chatiza, 2010:09). However, there are other subsidiary pieces of legislation that are core to the governance and operations of urban local authorities. These include the Public Finance Management Act Chapter 22:19 (2009), the Public Health Act Chapter 15:09 (1924), the Regional Town and Country Planning Act Chapter 29:12 (1976), and the Shop Licensing Act Chapter 14:17 (1976), just to mention but a few. The law is an important and rightful source of ethical guidance, so a brief background of the legislative framework which governs urban councils is critical. An effective legislative framework is one of the critical ingredients of sound ethics architecture. The legal framework is the “teeth” of the overall ethics architecture (The 9th International Anti-Corruption Conference, 1999: no date). It provides the laws and regulations which define the basic standard of behaviour for both elected councillors and municipal functionaries. The anti-corruption laws that govern Zimbabwe shall be discussed in detail in the next chapter.

1.5 The corporate governance structure of urban local authorities

Good corporate governance refers to the collective means of ensuring that all organisational assets, resources and actions are directed to the achievement of established organisational objectives (IDAZIM,2008:07).Corporate governance is critical to the governance of urban councils. It is an effective mechanism for encouraging efficiency and combating corruption.

The corporate governance structure of urban local authorities is critical in understanding and examining the role of the ethics architecture in managing ethics and fighting corruption in urban local authorities.

Councillors are viewed as Non-Executive Directors for urban local authorities. The term Non-Executive Director in this study should be taken to mean those roles carried out by elected councillors. A Councillor is an elected individual, representing a ward community in a council area. Unlike the Non-Executive Directors in the private sector who are appointed through a nomination committee, councillors are politicians who are elected through a popular plebiscite. The Urban Councils Act, Chapter 29:15 (1996) read in conjunction with the Electoral Act Chapter 2: 13 (2008), specifies that any person who is a Zimbabwean citizen and has attained the age of 21 years and is not disqualified from nomination or election is qualified to be elected as councillor.

However, whereas the acts lay down the age and nationality that meet the requirements for one to be a councillor, it is silent on academic and professional qualifications. According to the Urban Council Act, Chapter 29:15 (1996), councillors are expected to represent their wards in council and to attend full council meetings and committees of council meetings on which they have been appointed. Councillors are also responsible for submitting motions for debate in council and ensuring the equitable distribution of resources in the whole council area. Councillors coordinate ward development programmes and initiate development projects in their wards by assessing and identifying ward needs. Apart from being wards representatives in council chambers, councillors have a policy-making and legislative role in urban governance. They also have the role of holding executive managers to account. Accountability mechanism is a component of the ethics architecture.

The head of council is the Mayor, who presides over all council meetings. Urban local authorities now operate under the Ceremonial Mayoral system which is often referred to as the weak mayoral plan. The Local Government Laws Amendment No.1 of 2008 stripped the Mayoral office of its executive powers. The Mayor no longer has executive powers and most of the powers now rest with the council. Under the current system, the Mayor is part-time and is not elected by the electorate. The Mayors for municipalities and cities and chairpersons for town councils as provided for in the Local Government Laws Amendment Number 1 of 2008 are elected by their equals (fellow councillors) at the first full council meeting held after a

general election. In other words, the system of indirectly electing Mayors from among councillors is now applied in Zimbabwe's municipalities and cities.

The term "Executive" in this study should be taken to mean the top management team in urban local authorities. Executives are hired professionals who administer or implement policies formulated by council whom they are accountable to. In Zimbabwe local boards and towns, councils employ Town Secretaries to head the Executive arm while municipalities and cities are headed by the Town Clerks. Town Clerks are assisted to manage the day-to-day council operations by senior executives like Directors of Engineering Services, Financial Services, Health Services, Housing and Community Services and the Chamber Secretary. These Service Directors are usually professionals in specialist areas of accounting, law, medicine and engineering.

The Town Clerk or Town Secretary is the principal legal and policy advisor and chief strategist to council. He is the head and leader of a team of Council Executives and also the Chief Accounting Officer of council. The Urban Councils Act Chapter 29:15 (1996), section 136, and subsection 1 and 2 provide for the responsibilities of the Town Clerk as follows:

- The proper administration of the council
- Managing the operations and property of the council
- Supervising and controlling the activities of the employees of the council in the course of their employment
- Recommend to council measures to safeguard council finances and assets
- Sign orders, notices or any document requiring authentication or execution on behalf of council
- Direct, supervise, appraise and discipline council employees
- Account to the Mayor and council for the tasks entrusted to him/her, and
- Introducing, implementing and monitoring adequate control systems.

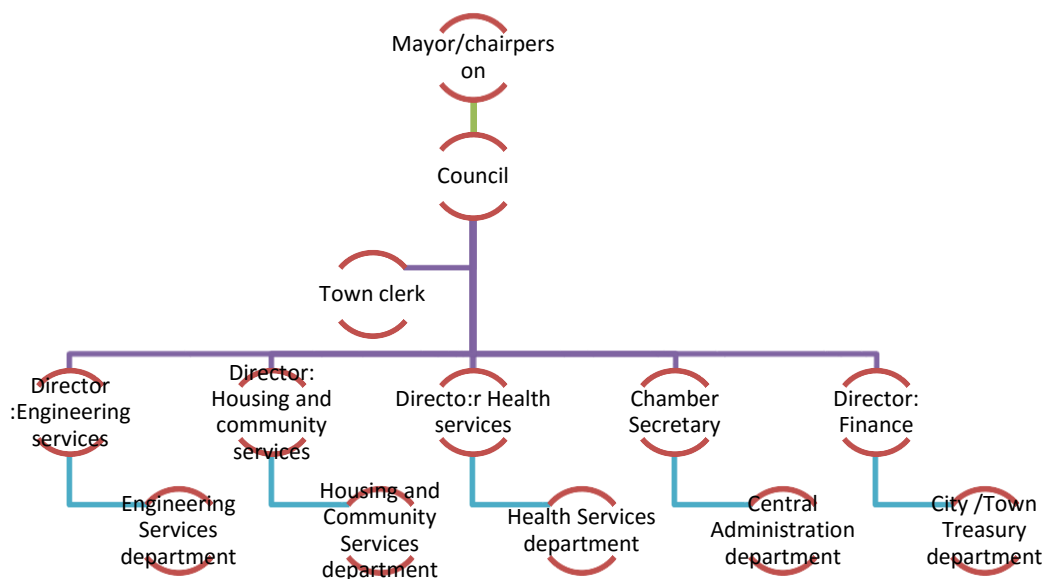
The Chamber Secretary heads the legal and central administration department by providing council with an advisory role on general administration, human resources, evaluation and estates and legal issues. The Chamber Secretary's department also offers secretarial services to council. The department is in charge of preparing and distributing council and committees'

agenda and minutes (Urban Councils Act, Chapter 29:15 1996, section 137). Urban local authorities in Zimbabwe usually appoint graduates from the disciplines of Law, Public Administration and other related Social Sciences to fill the post of the Chamber Secretary.

The Finance Director is responsible for the management of council finances and oversees the collection of all revenue in council and how that collected revenue is used. The Finance Director manages all council income and expenditure and authorises all council payments. The Finance Director is also responsible for revenue and capital budget formulation and budgetary control. He/she also services the finance committee, and oversees the production and distribution of bills for rates and service charges to ratepayers. Production of financial statements is also one of the core duties of the Finance Director.

The Director of Engineering oversees the management of functions such as water and sewer, town planning and development control, roads construction and maintenance, street lighting and all infrastructural developments. The Director of Health Services through the Public Health Act, Chapter 15:09 (1924), oversees the management and administration of the preventive and curative health services of the area under the control of the urban local authority. The Director of Housing and Community Services is responsible for housing and community services of the local authority. An Executive Director services a committee which is responsible for the output of the department which he or she is in charge of.

Figure 1.1: Organogram for urban local authorities



Researchers' design from his own practical knowledge, June 2013

Urban local authorities in Zimbabwe operate along the committee system as provided for by the Urban Councils Act, Chapter 29:15 (1996). Sections 96 and 97 of the Act, provides for the appointment of standing committees of council who execute business on behalf of council. The committees are set up to look into specific issues such as health, finance, manpower, audit, procurement and the environment. Committees play an important role in the governance of local authorities, they exercise the general supervision over the work of the staff under their authority, discuss with and give advice the officials in charge for such and make reports and recommendations to council on matters within their area. Urban councils as provided for by the Urban Councils Act, Chapter 29:15 (1996), section 96 and 97, have the following standing committees:

- Finance committee: responsible for regulating the financial affairs of council
- Health and housing: responsible for health and housing matters ,and
- Environmental management committee: responsible for environmental matters

The UCA also provide for the appointment of the audit committee and the now defunct procurement board. Section 98 a and b of the UCA spells out that the audit committee inquire into and report upon the manner in which finances of the council, assets and human resources are being used and also to ascertain whether the funds and assets of the council are applied to the purpose intended. The standing committees make decisions as delegated by council, the decisions are forwarded as recommendations to full council. The recommendations from the standing committees are deliberated in the full council meeting, translating them into council resolutions. The committee system is good governance practice which diffuses centralisation of power; generates the values of democracy, inclusiveness and participation as the responsibility of managing the city/town council is shared by all members of the council.

The overview of urban local government system in Zimbabwe, mentioned earlier reveals the following factors which are critical in this study:

- Historically, the local government system evolved from a colonial racist system which separated the blacks from the whites politically and geographically. To an inclusive and participatory local governance system at independence which removed oppressive systems, extending the right to vote or to be voted into urban councils to the previously marginalised black people.

- The post-2000 era economic downturn impacted negatively on the ability of urban councils to provide efficient service delivery to the general populace and also to pay competitive salaries and allowances to elected and appointed officials in urban councils. Poor conditions of service encourage both elected and appointed officials to commit corrupt practices.
- The local government system is a creation of statute and it bestows the Minister of Local Government with disproportionate powers which are abused to further partisan interests rather than the interests of major stakeholders.
- The local government system is highly politically polarised with partisan interests taking centre stage.
- Adversary relationships exist between central government and urban local authorities. ZANU-PF is in control of the MLGRUD, and MDC-T dominates urban local authorities.
- Business is transacted through the committee system in urban local authorities and there is a clear separation of roles and powers between the head of executives and head of elected officials.

1.6 Problem statement

The call to design ethics architecture to address the problem of corruption and also to encourage and promote high standard of professional conduct in the public sector is a global phenomenon. The term “ethics architecture” was first coined by the Organisation for Economic Co-operation Development as structures of institutions, procedures and traditions that aim to promote ethical behaviour and to fight corruption among public officials in a country (Behnke, 2002:679). Emphasis on the need for effective ethics architecture arises from the detrimental effects of corruption.

In Zimbabwe, despite the current anti-corruption drives, it is common to open a newspaper and discover a story highlighting the ethical violations of an elected official or municipal functionary. A report of the Portfolio Committee on Local Government, Rural and Urban Development which was presented to the Parliament of Zimbabwe session of 28th October 2010 revealed that there is perpetual and systemic corruption in the majority of urban local authorities. The committee further reported that there is consistent abuse of council property

by both councillors and council's executives, allocation of infill stands was riddled with corruption, bribes are being paid to council housing officials to get preferential treatment in the allocation of stands and houses, nepotistic tendencies and political patronage in recruitment of staff are common (The Hansard, 28 October 2010:06). The procurement system is non-transparent, giving rise to manipulation and underhand dealings for example the Mayor for Marondera municipality was suspended and later expelled from his party for receiving kickbacks from a number of companies and individuals in return for favourable tenders (Movement for Democratic Change Probe team report for Marondera Municipality, January 2013).

Ethical violations and corruption in Zimbabwe's urban councils contribute significantly to poor service delivery and retarded local economic development. Corruption, among other problems, also slows down the pace of economic growth as it diminishes investors and ratepayers' trust in the urban councils. The ascendancy of corruption and related unethical practices in Zimbabwe's urban local authorities is a litmus test on the capacity of the existing ethics architecture to fight corruption.

1.7 Research Questions

The research questions posed are as follows:

- How have urban local authorities in Zimbabwe adopted ethics architecture practices?
- How effective is the existing ethics architecture for Zimbabwe's urban local authorities against corruption?
- What are the factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in the area under study, and how should they be resolved?

1.8 Objectives of the study

The objectives of the study are to:

- Evaluate the adoption of the ethics architecture practices by Zimbabwean urban local authorities.

- Analyse the effectiveness of the existing ethics architecture for Zimbabwe's urban local authorities against corruption.
- Establish factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in Zimbabwean urban local authorities.
- Recommend institutional ethics architectural remedies that are internationally compliant but locally practicable to stamp out corruption.
- Against such a background, the major purpose of this thesis is to evaluate the performance of the ethics architecture of local authorities in Zimbabwe and thereby propose relevant policy and institutional improvements.

1.9 Significance of the study

Apart from the practical job-related problem of weak ethics architecture, the other rationale which justifies this study is the paucity of literature on administrative ethics in general and ethics in local governance in particular. Moyo (1993:537) posits that there is a paucity of literature in the discipline of administrative ethics in Africa in general and in Zimbabwe in particular. Local government scholars in Zimbabwe have written extensively on decentralisation and local government administration and little attention has been paid to local governance ethics. The purpose of the study is to close this gap by critically examining the ethics architecture of urban local authorities in Zimbabwe with the aim of exposing problems which are weakening it and subsequently recommending an effective ethics architecture which is capable of fighting corruption. Ethics architecture forms a supportive base or a "rock foundation" for the successful development and implementation of pro-integrity and anti-corruption strategies in urban councils. Therefore, the study intends to contribute to the proliferation of literature as well as creation of knowledge, thus benefiting policy and decision-makers to fight corruption in the system.

The study attempts to advocate for the infusion of ethics and local government administration as anti-corruption strategies to stamp out corruption in the urban councils. Bishop and Preston (2000:04), arguing for the infusion of ethics in the management of public organisation point out that: "nothing is more dangerous to the wellbeing of the body politic than a public official who is technically competent or strategically astute but ethically illiterate or unfit". Overall, ethics architecture is a comprehensive strategy to fight corruption in modern public

institutions, so it becomes imperative to examine the effectiveness of ethics architecture as a tool of enhancing ethics against corruption.

1.10 Delimitations and Limitations of the study

The study is limited to examining the ethics architecture of Zimbabwe's urban local authorities. Corruption is more pronounced in urban local authorities than in rural councils (Zhakata, 2012). So the existing ethics architecture for urban local authorities needs to be strengthened to fight corruption. The research is confined to the period between 2008 and 2013. This period is seeing a number of pronounced ethical and performance-related challenges in urban local authorities wherein service delivery is at its ebb and unethical practices are at their high-water mark.

The topics relating to corruption and ethics are sensitive to any organisation. This explains the reason why local governance scholars in Zimbabwe have avoided empirical studies of this nature. Along this line of argument, participants in this study were vulnerable to divulging critical data. Anonymity of the participant was thus maintained in this study.

Another limitation is that the study covers 5 out of 32 urban local authorities in Zimbabwe. As such, the other 27 is not part of this study. This subsequently collapses the 32 urban local authorities into one group, ignoring the intra-group differences. This limitation was made up by the fact that Zimbabwe has got a unitary local government system and all the urban councils are managed by one legal framework, so the generalisations of the findings of the sampled urban councils were possible to a certain extent.

The other limitation of this study pertains to its largely qualitative character which relies predominantly on interviews. Interviewees can tell the interviewer what he wants to hear or may withhold data from the interviewer who is an outsider. The study could have benefited from infusing the quantitative and qualitative methods. Data sources were however triangulated to make up for this limitation. Accessing sensitive documents like audits and probe team reports proved difficult since officials considered the information confidential and sensitive.

1.11 Definition of terms

Corruption is the promotion of self-interests at the expense of public interest, against the overall objective of the organisation, by whoever is in charge and responsible within the area of work (Kanyane, 1996:4).

Code of conduct or ethics - refers to a written document which acts as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct and in their relationship with others (Kanyane, 2006:134).

Ethics - is a conception of right and wrong behaviour, defining for us when our actions are moral and when immoral (Fernando, 2006:282). Local governance ethics is the application of general ethical ideas to the management of both rural and urban local authorities.

Ethics architecture - refers to systems and structures designed by urban local authorities to promote ethical conduct against corruption. The systems and structures are in the form of set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public sector (OECD, 1996). Throughout this study, the term “ethics architecture” is used as a synonym for ethics infrastructure. Sound ethics architecture has the following components: commitment from appointed and elected leaders, workable codes of ethics, and existence of some ethics coordinating body, efficient transparency and accountability mechanisms, socialisation mechanism, an effective legal framework and an active civil society, including a probing media.

Unethical behaviour - is behaviour which deviates from the normal duties of a public role because of private –regarding (family, close private clique), pecuniary or status gains, or violates rules against the exercise of certain types of private-regarding influence. This include such behaviour as bribery (use of rewards to pervert the judgement of a person in a position of trust), nepotism (bestowal of patronage by reason of ascriptive relationship rather than merit), and misappropriation of public resources for private-regarding uses. (Caiden, 1994:306)

Urban local authority - is a council or local government area that is situated in a city, municipality, town council and a local board. In Zimbabwe urban local authorities are established in terms of the Urban Councils Act, Chapter 29.15(1996). Urban areas are built to

accommodate the industrial and manufacturing companies which are started and also as market centres.

Councillor - is a ward leader who is chosen through a democratic process of elections to represent residents of his/her ward in council. A councillor carries out policy and legislative responsibilities of council (Mushamba, 2010: 104).

Council - Geographically, it is an area within a city, municipality, town, rural and a local board. A council could also mean a governing board composed of both elected and appointed officials who have a stewardship responsibility of governing a council area (Urban Councils Act Chapter 29:15, 1996:521).

Local government - refers to the authorities and dependent agencies that are established by parliament to provide a range of specialised services and represent the general interests of a specific area under the direction of a locally elected council (Chandler, 2001: 01).

1.12 Outline of the study

Chapter one: Overview and general orientation of urban local governance in Zimbabwe

Ethics architecture is not universally prescribed for all organisations; it needs to keep pace with the changing environment in which organisations are operating from. An overview of urban governance in Zimbabwe is a necessity in this thesis. This will unpack the legislative framework, the historical, political, social and economic backgrounds of urban governance in Zimbabwe. These backgrounds are critical as they provide some of the factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption. Chapter One traces the history of urban governance from 1890 to year 2000, categorises urban local authorities in Zimbabwe, discusses the corporate governance structure and legislative framework of urban local authorities and their implications on institutional ethics architecture. The overview is preceded by problematisation of the issue of ethics, formulation of the research questions, including the postulation of the objectives of the study, amongst others.

Chapter Two: Conceptual and theoretical framework for ethics architecture

Chapter Two reviews literature related to the study which includes a discussion on theoretical and conceptual frameworks. In order to appreciate the field in which this study is situated, the concept of ethics as it relates to the discipline of Public Administration is discussed in detail. This chapter also discusses in brief theories of ethics that is the teleological, deontological and virtue ethics. Ethical theories assist in handling ethical issues in organisations. The chapter further conceptualises the term “ethics architecture” as a tool for managing ethics and fighting corruption in urban councils, arguing that, if this is not attended to, corruption thrives.

Chapter Three: Research design and Methodology

This chapter describes and justifies the methodology which this study employs to examine the ethics architecture of urban councils in Zimbabwe. It reports how the study is carried out in line with the research design and methodology which cover research design, qualitative research paradigm, case study design frame, study population, population sampling and sampling techniques as well as data gathering tools and procedures.

Chapters Four to Eight: Case studies of the five urban councils

Chapters Four to Eight present and analyse qualitative data obtained from the research through desktop studies, documentary surveys, observation and interviews. The data is analysed to examine the capacity of the existing ethics architecture of urban councils in Zimbabwe to practice ethics and to fight corruption. It is understood that the empirical findings will answer questions in an attempt to achieve the objectives of the study.

Chapter Nine: Comparative Perspectives of the Five City Councils Case Studies

This chapter cross-analyses the findings of the five urban councils case studies in relation to the three research questions posed in Chapter One. The research questions are: How have urban local authorities in Zimbabwe adopted ethics architecture practices? What are the factors that hinder and contribute to the effectiveness of the ethics architecture in fighting

corruption in the area under study and how should they be resolved? How effective is the existing architecture for Zimbabwe's urban local authorities against corruption? The five case studies presented in narrative form are compared and contrasted to form the basis of the conclusions, recommendations and an ideal architecture model for urban councils in Zimbabwe in the following two chapters.

Chapter ten: Conclusions and recommendations

Chapter Eleven concludes the thesis by discussing the conclusions and recommendations of the study. Recommendations to this study provide practical solutions that strengthen the capacity of the existing ethical architecture for urban councils in Zimbabwe to inculcate and practise the culture of ethics in fighting corruption.

1.13 Conclusion

This chapter provided useful background for this study. The brief description of the socio-ethnic, political and economic profiles of Zimbabwe raises critical issues to be looked at in the ensuing chapters of the study. By describing the socio-ethnic profile in Zimbabwe, the chapter attempts to reveal the ethnic groupings in Zimbabwe and to provide a background to interrogate the contribution of the ethnic phenomenon to the actuality of corruption in Zimbabwean urban local authorities. An explanation of the socio-cultural factors in this chapter provides the ensuing chapters with a background to examine the compatibility of cultural factors to anti-corruption strategies in Zimbabwean urban councils.

The political profile introduces the political players at both national and local government level. The antagonistic relationship between the two major contenting parties provides a fertile background to understand the power dynamics in both central and local government structures. ZANU-PF controls the centre through the Minister responsible for Local Government, and MDC-T dominates in urban local authorities through elected councillors. This chapter reveals the tension which exists between the centre and the periphery. The major question which arises from such an antagonistic relationship is: can the anti-corruption strategies in urban local authorities benefit from such an arrangement? The political antagonistic relationships among the major political players, historically, can be traced from

pre-independence into post-independence Zimbabwe. These relationships will assist in examining the effectiveness of the ethics architecture in fighting corruption in urban councils.

The economic environment provides for both opportunities to fuel or to counter corruption. Effective ethics architecture should be responsive to the prevailing economic environment. An account of the Zimbabwean economic profile, in this chapter, attempts to guide this study to come up with an effective ethics architecture which is compatible with the prevailing economic environment. The chapter also raised a critical issue of the legislative framework which governs urban local authorities. As earlier discussed, the rule of law is an important and legitimate source of ethical guidance. A narrative of the legislative framework steers the study to analyse the effectiveness of the legal framework in countering corruption. After giving an account of the political, socio-ethnic, economic environment, the statement of the problem and objectives of the study, just to mention but a few, it is now imperative to discuss the conceptual and theoretical framework that guides the study. This is done in the next chapter.

CHAPTER TWO

CONCEPTUAL AND THEORETICAL FRAMEWORK FOR ETHICS ARCHITECTURE

2.1 Introduction

This chapter is subdivided into two sections, the conceptual and theoretical frameworks. The first section of the chapter conceptualises ethics, ethics architecture and its primary components from a local government perspective. The theories of ethics, for example, the teleological, deontological theories and theory of virtue ethics are discussed in the second part of the chapter. Ethical theories assist in handling ethical issues in organisations. It is on the basis of the conceptual and theoretical frameworks that this chapter is fore grounded to conceptualise and theorise the issues of ethics discussed from different perspectives. The fundamental issues under study are based on the view that if the ethical architecture is solidly grounded with the culture of ethics and high moral compact, the chances of corruption to exist are minimal. This chapter, therefore, is drawn from different scholarship to justify this point. A conclusion is provided at the end, forming a link with ensuing chapters.

2.2 Conceptualising ethics in local governance

The term “ethics” is a suffix for many disciplines. For example, medical ethics, law ethics, engineering ethics and business ethics, among others (Mishra and Armstrong, no date: 01). In this study, reference is made to public sector ethics in general and local government in particular. Ethics is a conception of right and wrong behaviour, defining for us when our actions are moral and when immoral (Fernando, 2006:282). Chryssides and Kaler (1993:12) and Morrell (2004:239) understand ethics as the “study of morality” concerning whether actions are good or bad, right or wrong, virtuous or vicious and is also a basis for how we evaluate our own actions or other people’s respectively. Ethics is also viewed as a science of morals in human conduct; it is that branch of philosophy which is concerned with the study of the conduct and character of people (Gildenhuy, 2003:13). In this study the terms ‘ethical’ and ‘moral’ are used interchangeably to describe how urban local authorities elected officials and functionaries calculate and respond to right or wrong, good or bad actions and decisions.

Ghillyer (2010:06-08) conceptualises ethics as the field of study of how people try to live their lives according to a standard of 'right' or 'wrong' behaviour. Ghillyer further groups the meaning of ethics into three categories. First, ethics means simple truth-right and wrong or good and bad. Second, a question of someone's personal characters his and her integrity. This is compatible with William Shaw in Mawere (2011:09) who understands ethics as that which concerns individual character, which is how we ought to behave. Third, the rules of appropriate individual or community behaviour are also in agreement with Popkin and Stroll in Mawere (2011:09), who conceptualise ethics as a set of principles or set of rules which sanctions or forbid certain kinds of conduct. This thesis is taking Ghillyer's conceptualisation of ethics as its working definition.

The choice of Ghillyer's definition is justified by the following two factors: (a) it is compatible with the theoretical underpinning of this thesis. Simple truth or simply doing the right thing is underpinned by the teleological theory which emphasises providing the greatest good to the greatest number (Richter and Burke, 2007:03). The question of someone's personal character is informed by the virtue theory which is concerned with character, moral excellence, goodness and righteousness of a person. Finally, rules of appropriate individual or community behaviour are underpinned by the deontological ethics which is a rule or duty-based theory. (b) It is broad and all-encompassing as it accommodates both the compliance and integrity-based approaches to ethics management which are the core functions of ethics architecture. The compliance-based approach is rule based and is externally driven by rules and regulations. The integrity-based approach is internally driven and it heavily depends on the moral character of an individual. Ethics in local government institutions serve a good purpose of preparing both appointed and elected officials to do the right thing and to help them to determine what is right (Sheeran, 1993:x).

Local governance ethics is an offshoot of applied public sector ethics and it is the study of what comprises right or wrong, good or bad human conduct in the governance of local authorities. Local governance ethics is a blend of ethics and governance. This sub-discipline of public administrative ethics has been understood or studied broadly within the confines of public sector ethics. Local governance has its own peculiar structures, legal instruments and functions which categorically distinguish it from central government and other public sector organisations. So, studying local governance ethics as a standalone sub-discipline becomes imperative.

Local governance ethics provides officials with a framework to make reasoned, informed and systematic judgement and a pre-condition for making good public policy (Hicks, 2007.11). As earlier discussed in Chapter One, there is evidence of high prevalence of corruption in Zimbabwean urban local government institutions. The practice of good ethics ensures that both appointed and elected officials in urban local authorities comply with applicable laws, are free from fraud and conflict of interest and conform to the accepted professional standards of conduct. The practice of ethics in urban councils, therefore, forms an essential ingredient for good governance and is also the backbone for effective anti-corruption strategies or, more broadly, ethics integrity. In line with the aforesaid, the relationship between corruption and ethics is analogous to that of a disease and a prescribed drug or treatment. Ethics is an antidote for corruption. This resonates with Kanyane (2014:161) who argues that corruption is an ethical problem which needs ethical medication to resolve it apart from legal and institutional instruments. The formal legal and institutional control measures though necessary cannot adequately resolve the problem of corruption. Ethical values are therefore absolutely necessary to provide normative restrains and internal discipline against corruption.

Lack of ethics would lead to unethical practices and corruption in organisations as well as in personal life (Fernando, 2006.283). Corruption and unethical practices tend to thrive in organisations where ethics is detached from the operations and decision-making structures of the institutions. Corruption led the American energy giant company, Enron, to collapse in 2001 because both the Executive and Non-Executive Board members divorced ethical principles from their business operations. Investigations after the Enron scandal revealed that conflict of interest was evident as reports from whistle-blowers were ignored, insider trading was rampant, and directors' remuneration was excessive, and these led to the company to lose 63 billion United States Dollars in corruption. WorldCom, a United States of America telecommunication giant, also saw its shares plummeting and huge debts mounting, subsequently leading to its collapse and the resignation of the Chief Executive Officer, Mr Ebbers, in 2002. The WorldCom scandal deprived shareholders 107 billion United States dollars (Ghillyer, 2010: vii). For this reason, the seriousness of ethics integrity is not only critical in the private sector, but is the same with all sectors, be it private or public.

Investigations after Ebbers' resignation revealed a total disregard of ethics. A number of unethical practices which included gross financial irregularities, fraudulent activities, and 'cooking' of books of accounts and excessive remuneration of Directors were unearthed. The

marriage between ethics and governance promote fairness, transparency, accountability and probity. Contrary to good ethics, unethical public behaviour is about digressing from public duties, because of private, selfish, financial or status gains. This includes behaviour such as bribery, nepotism, and misappropriation of public resources for private use (Nye 1967:966).

2.3 Understanding Corruption

Defining corruption has proved to be difficult and illusive because it is multi-dimensional and multi-cultural. Corruption is not a bounded phenomenon. It cuts across all political, economic and cultural boundaries. It is endemic in both developed and less developed countries, in democratic and non-democratic societies. Corruption could be a structural problem of politics or economics or a cultural and individual moral problem (Pillay, 2004:586).

Kanyane (2014:05) states that: “*Politically*, corruption include patronage, non-disclosure, influence peddling, insider information, vote rigging and unfunded mandates; *economically*, corruption forms include fraudulent activities bribery, directing resources to special projects, money laundering, dumping, “tenderpreneurism”, extortion and racketeering; *socially*, they include behaviors such as gift taking ,sexual harassment, nepotism, and cronyism; and, *technologically*, corruption risks include computer hackers, phishing and computer scams with intention to exercise ulterior motives”.

There are many definitions of corruption. In simple terms, corruption involves the act of breaking the law. Pope (1996:1) defines corruption as behaviour on the part of officials in the public sector whether politicians or civil servants in which they improperly and unlawfully enrich themselves or those close to them by misuse of the public power entrusted to them. World Bank (1997:8) also defines corruption as the abuse of public office for private gain. It is common for top bureaucrats and politicians to corruptly use power to pursue wealth.

The common thread between the aforesaid definitions is the misuse of power and resources for private benefit and the weakness of these definitions is that they assume that corruption only takes place in the public sector. The Enron and Worldcom scandals are evidence that corruption is also prevalent in the private sector and knows no boundaries or individuals.

According to Bayley (2005:16), corruption is the misuse of authority as a result of considerations of personal gain, which need not to be only monetary. This definition is broader as it accommodates both the public and private sector and appreciates both the monetary and non-monetary implications of corruption.

Sebudubudu (2003: 126) writes that corruption comes in form of fraud, bribes inflating of government tenders, ghosting, inflating allowances, misleading tender boards, forging documents, obtaining money by false pretenses, illegal sale of land, embezzlements of trust funds, misappropriation of money, money laundering and unnecessary travel and subsistence claims. Corruption can be grand or petty. Grand or high level corruption involves substantial amount of money and high level officials. Grand corruption is experienced for example in tender and contract awards in the construction and mining industries and in public procurement, where large amounts are involved and where there is unchecked exercise of discretion by office holders (Gomba,2014:26). Grand corruption can be in the form of embezzlement of funds, for example in Chitungwiza, the former Town Clerk embezzled the municipality of US\$178 000. The criminal justice system prosecuted him and was handed a heavy custodial sentence for the offence after being found guilty. Petty corruption involves smaller amounts and is typically perpetrated by junior officials. Petty corruption includes when members of the public pay bribes to jump the queue on the housing waiting list or when a ratepayer pays a bribe to have a water disconnection reversed among others.

Corruption which is a manifestation of poor governance has far reaching consequences to the social, political and economic consequences societies. It is counterproductive to effective service delivery. Corruption deprives fellow human beings of basic amenities such as access to food, medicine, housing and schooling. Funds meant for capacity building and infrastructure improvement get lost on the way in the form of bribes and kickbacks to unscrupulous businessmen, civil servants and politicians (Carr, 2009:147). Kanyane (2010:82) is also of the view that fraud and corruption eat away the tax collected from the public and consequently eat away the moral fabric of society. In turn, corrupt practices result in poor non-delivery of essential services, thus denying communities their rights to a better life. It is on this basis that corruption and related unethical behaviour in urban councils diminishes prospects for local economic development as reputable investors shun local authorities that are riddled with scandals. This ill-practice also enthrones mediocrity as recruitment and promotion processes in corrupt urban councils are based on nepotism,

cronyism and partisanship. As such, the net cost of service provision tends to increase for wrong reasons. Finally, among other challenges, corruption and unethical behaviour tend to generate and perpetuate distributional inequality (Ubi *et al* 2012:48). Further, it enriches the minority in the same manner of impoverishing the majority; as such the gap between the poor and the rich is widened. It is on this basis that corruption is contagious and therefore, an enemy of development, hence the need to counteract it is crucial. International as well as regional organisations and countries have designed the infrastructure to fight ravaging corruption, which is referred in this thesis, as ‘ethics architecture’.

Effective organisational ethics architecture should fight and contain corruption through prevention, detection, investigation and resolution (Department of Public Service and Administration, South Africa, 2006:22-83). An old adage says, ‘Prevention is better than cure’. Prevention is proactive and less costly as corruption is avoided before it occurs. Corruption is prevented through developing an ethical organisational culture, ethical training and awareness programmes, policies and procedures that comply with ethical values and effective internal control systems. Corruption is detected through a working whistle-blowing procedure and a reporting mechanism and policy, among others. Investigation of corruption is realised through relevant legislation, investigation process and methodology and cooperation with law enforcement agencies. Resolution involves disciplinary action and referring cases to other agencies, among others. Emphasis on the need for effective ethics architecture arises from the detrimental effects of corruption. And this is confirmed by Kanyane (2015:207) who argues that corruption is an ethical problem which should be resolved by ethical resolutions.

2.4 Theories of Ethics in the context of local governance

If corruption and unethical practices are to be minimised, both elected officials and municipal functionaries should be able to think through the ethical implications of the decisions they make. The role of individuals in coming up with what we term ethical organisations should not be underestimated. Individual managers and elected officials’ morality and decisions have far-reaching consequences on the corporate image and performance of urban local authorities. Their decisions and actions should, therefore, be defended ethically. Ethical theories assist in handling ethical issues in organisations and they assist officials to come up with ethical and moral judgements. Disoloane (2012:39) propounds that ethical theories and principles are the

foundations of ethical analysis because they are the viewpoints from which guidance can be obtained along the way to a decision. Mawere (2011:10) also argues that ethical theorising stems from the efforts of human beings to solve the practical immediate and pressing problems that arise in everyday life, whenever one acts, he or she either acts wrongly or rightly, with wrongness or rightness being the backbone of ethics.

The ethics theories are three-pronged: the ethics of virtue, deontological and teleological ethics, the deontological being duty-bound, the teleological theory being consequential and ethics of virtue being character based. The three can, thus, be summarised as character-based ethics (virtue ethics), rule-based ethics (deontological ethics) and result-based ethics (teleological ethics) and are further discussed in detail hence the next subsections.

The theories of ethics are not abstract. They practically manifest in the battle against corruption in Zimbabwean urban councils. First, the teleological theory is applied in ethical reasoning and judgement to determine whether a course of action is morally right or wrong. To apply this theory appointed and elected officials should first have a theoretical understanding of the theory through formal education and ethics training workshops. The workshops should present real work related ethical dilemmas. Under the guidance of the consequentiality theory, officials in urban councils use the cost benefit analysis technique to determine whether the course of action is right or wrong.

Second, the deontological theory which is duty and rule based is applied in fighting corruption in many ways. Urban local authorities in Zimbabwe are a creation of a parliamentary statute and are governed as earlier discussed in chapter one by the constitution, the Urban Councils Act and other subsidiary pieces of legislation. The legislative framework provides for how the local authorities are governed, operated and informed by the 'dos' and 'don'ts'. Where the law does not give authority, any action by council is *ultra vires* meaning that it is outside the council powers and therefore unlawful and unethical. The deontology theory underpins the legal remedy against corruption. Those who violate the law are investigated, prosecuted and sanctioned. Deontologists will judge the decisions and actions of urban councils as ethical, if they respect the contract between the workers and council management, if they adhere to formal rules, laws, legalistic codes of ethics and administrative procedures, if they do not violate the rights of their stakeholders and if they provide services as mandated by legislation.

Third, virtue theory emphasises moral character, normative constraints and internal discipline and these restrain public officials from committing corruption. Virtues are acquired through formal education, on the job ethics training, the family and the church.

2.4.1 Teleological Theory

The teleological theory is also known as the theory of consequentialism. The term 'teleological' is derived from the Greek word 'telos' which refers to an end (Boatright, 2003:31). Decisions and actions are vindicated on teleological theories by virtue of what is achieved at the end. The theory is outcome-oriented. Consequentialist approaches to local governance ethics maintain that the preferred way to make ethical decisions is to evaluate consequences, that is, calculate the good or the best possible outcomes (Preston *et al* 2002:23). Consequentiality ethics bases decision-making on the best outcome for the largest group and which also results in the least harm (McGill, 2010:1).

The teleological or consequentiality theory manifests in the utilitarianism doctrine that presents that acts or decisions should be judged in terms of providing the greatest good to the greatest number (Richter and Burke, 2007:03). The utilitarian approach was conceived in the 19th century by Jeremy Bentham and John Stuart Mill who suggested that ethical actions or decisions are those that provide the greatest balance of good over evil (Velasquez, 2011:02). Sharing the same viewpoint, Pops (1993:159) argues that utilitarianism involves the principle of utility. The principle of utility is an inclusive term that is used to refer to any net benefits produced by an action (Velasquez, 2007:71).

The principle of utility implies that urban local authorities' leaders should work in the direction of propping up the happiness and the welfare of the ratepayers rather than abating it. In this case, municipal functionaries must look beyond self-interest and other narrow-minded interests like corruption, to be inclusive and be crusaders of public interest (Okechukwu, 2012:49). Officials in urban local authorities have a moral obligation to serve the interests of the citizenry through effective service provision rather than parochial self-interests as manifested in corruption. Ratepayers find pleasure in receiving efficient and affordable services like water and sewer, health, education and housing. The urban functionaries and elected officials, through teleological ethical guidance, should make decisions and take

actions that provide the greatest good to the greatest number. The greatest number is the citizenry, and corruption negates this principle. Corruption advances individual interests, money which is meant for service delivery is diverted and siphoned into private pockets.

Bentham's version of utilitarianism requires that the consequences be measured in some way so that the pleasure and pain of different individuals can be added together and the results of different courses of action compared (Boatright, 2003:34). Bentham believed that a clear-cut quantitative measurement of pleasure and pain was probable. He improvised a procedure which he termed the *hedonistic calculus*. The comparison of pain and pleasure would involve all individuals whose interests are affected with the action or decision to be taken. The resultant sum of all the pleasures on the one side, and those of all the pains on the other, will be comparatively analysed and this will demonstrate whether the action or decision under scrutiny is ethically good or bad. The decision or action that will produce the greatest benefit (pleasure) and the least harm (pain) will be judged ethically. In other words, ethical or moral acts are those which maximise pleasure and minimise pain.

The advantage of the Bentham's utility approach is that it is simple to apply. To determine whether an action is moral, one merely has to calculate the good and bad consequences that will result from a particular action through cost-benefit analysis. If the good outweighs the bad, then the action is moral /ethical⁶. People in general and public officials in particular use the utilitarian approach in their daily decisions. Decisions are made based on resulting consequences. Application of this theory assists local authorities to be conscious of the threats they can face in day-to-day activities and to proffer ways to manage the state. The theory also has an advantage of being able to explain certain types of activities and actions that are ethically wrong. Velasquez (2007:73) explains the advantage of utilitarianism that it is easy to use. For example, lying is ethically wrong because it gives birth to mistrust and non-cooperation among members within an organisation, and telling the truth is ethically right because it strengthens cooperation and trust.

Based on the ensuing discussion, there are seven consequentialism weaknesses that need to be underscored. First, the utilitarian principle to ethical decision-making criteria of the greatest happiness of the greatest number does not protect the rights of minorities. Second,

⁶<http://www.probe.org/site/c.fidKEIMNsEoG/b.4224805/>(Retrieved on 10 April 2013)

pleasure is a qualitative activity; it is therefore a misnomer to assume that pleasure can be quantitatively measured. Third, it is impossible to forecast all the consequences accurately in order to predict what is moral and what is not. Fourth, according to consequentialism, people ought to do what is in the best interest and it does not matter if that involves lying, stealing, or even killing an innocent person. Nothing is forbidden for the consequentialist, all that matters is the consequences of what is done (Disoloane, 2012:39). Ethically, this can be viewed as wrong. Fifth, the theory is time-consuming and self-serving as it is concerned with achieving results and forsaking the process taken to acquire the results. Sixth, the theory justifies the end, ignoring actions that may be inherently wrong. Seventh, it is nearly impossible to forecast all the consequences as those familiar with the intricacies of cost-benefit analysis can attest (Preston *et al* 2002:23).

John Stuart Mill, in response to weaknesses of Bentham theory, developed a more defensible version of the utilitarian position (Boatright, 2003:35). Mill moved away from Bentham's stringent quantitative treatment of pleasure by bringing in the idea that the pleasures also vary in their quality. In other words, Mill used the calculus in qualitative sense. However, Mill's writings did not give guidance for comparing the quality with the quantity pleasure.

2.4.2 Theory of deontology

Contrary to teleological ethics which are ethics of results or consequences, deontological ethics are ethics of obligation or values. The word 'deontology' has its roots in the Greek word *Deon*, meaning duty or obligation. Deontology, therefore, refers to any approach to ethics that emphasises obligation or duty (Heichelbech, 2008:01). Deontologists assert that duties must be complied with or rights accepted, regardless of the consequences. The central focus of the deontological moral system is characterised by compliance to moral rules and duties. From the deontology perspective, the right action or right decision is the one permitted by rule and the wrong action is that which the rule disapproves (Vance & Trani, 2008, in Okechukwu, 2012:50). Managers, councillors and employees in urban local authorities should be knowledgeable of their moral duties and the regulatory framework that exist to regulate their duties. Deontological moral systems are characterised by a focus upon adherence to independent moral rules and duties.

McEwan (2001:71) describes duty as simply doing what is morally right and avoiding what is morally wrong, regardless of the outcome. Urban local authorities operate under a legal framework. When both councillors and municipal functionaries follow and execute their duties in line with the legal framework, the deontologist will consider them to be behaving morally but, when they fail, they will be considered to be behaving immorally. The theory is based on the work of Immanuel Kant who argues that ethics are moral systems which are characterised by a focus upon adherence to independent moral rules and duties. Kant's work on deontological ethics contains two propositions. The first one follows the principle that what is right for one person is right for everyone, and the second one contends that one should respect all people and treat them as an end in themselves and not means to an end. Deontological theories can be grouped into divine command theories, rights theories and contractarianism theories. Firstly the divine command theories follow the Judeo Christian approach which derives its moral obligations from God. It is, therefore, based on religious authority.

Karaoglu (2006: 17), in explaining the divine command theory, states that an action is right or wrong only if it is commanded or forbidden by God. Karaoglu further argues that the theory is widely accepted in the West by religious people, beginning with Jews and Greeks, and the reasons of this theory are given as such: God is good and knows what the best is for us or as He is our creator, we should obey Him. In Genesis 22 verses 1 to 12, God commanded Abraham to give his son Isaac as a sacrifice. Abraham obeyed since it was a command from God despite the fact that the consequence was to kill his son Isaac. Zimbabwe is a Christian society and some of the urban local authorities are manned by Christians who many of them rely on Christianity to achieve moral uprightness and integrity in the day-to-day running of council affairs.

Secondly, the rights theories assert that an action is morally right if it adequately respects the rights of all humans. Robbins and Coutler (1999:159) describe the rights view of ethics as concerned with respecting and protecting individual liberties and privileges, including rights to privacy, freedom of conscience and that of speech. Rights also include the rights to good health, education and housing, among others. In urban local authorities, residents and ratepayers have the right to receive effective and efficient service delivery from council. Failure by council to provide effective and efficient service delivery to residents is considered immoral or rather unethical. In return, urban councils have the right to get support from

residents in the form of rates and service charges payment. Council workers also have the right to be heard in cases of disciplinary charges, to receive a living wage, the right to organise and engage in collective bargaining and to be protected against discrimination in recruitment and promotion, including hazardous working environment. Velasquez (2011:02) argues that in deciding whether an action is moral or immoral, the question to ask is, does the action or decision respect the moral rights of everyone? Actions and decisions are said to be unethical or immoral if they violate the rights of individuals and the more serious the violations are, the more unethical the decisions and actions could be.

Thirdly, the contractualism approach states that action is morally right if it is in accordance with the rules that moral agents would agree to observe upon entering into a social relationship or contract for mutual benefit. According to this approach, an action or rule is right or moral if it can be made universal (Preston et al, 2002:23). The deontological theory can be beneficial to urban local authorities in Zimbabwe. The theory is easy to use in the evaluation of ethical choices and actions. If ethical choices or decisions comply with the set rules and moral duties they are said to be ethical and if they break the laws and rules, they are said to be unethical. For example, it is the moral duties of urban local authorities in Zimbabwe to collect, convey, treat and dispose sewer water. It is observed that urban local authorities in Zimbabwe have failed in the delivery of these services and such failure is deemed unethical through the lens of the deontological ethics.

Deontological ethics is rule-based. It strives to see the rules, laws and duties being fulfilled even if they produce bad consequences. Colonial governments in Africa governed states using apartheid and racially discriminative laws and rules. Deontology would consider the implementation of these laws and rules ethical irrespective of draconian consequences. The consequence of implementing the Public Order and Security Act in Zimbabwe is an infringement on the right to freedom of assembly.

In the year 2005, urban local authorities in Zimbabwe demolished all illegal structures both business and residential. Deontologists, in this context would consider this action by government and city fathers as ethical because the action complied with the council by-laws and the Regional Town and Country Planning Act, Chapter 29:12 (1976). However, the demolitions left many urban dwellers without accommodation. This also dented the Zimbabwe African National Union-Patriotic Front (ZANU-PF) reputation as the ruling party.

The action attracted heavy criticism both locally and internationally. The government and the city fathers were accused of being insensitive to the needs of the people even when they adhered to the law in practice. Against this background, when evaluating whether actions and decisions are ethical, one should not only use the deontological lenses; but also teleological and virtue ethics.

2.4.3 The theory of virtue ethics

Virtue ethics emphasise the moral character of an individual doing the actions. Boatright (2003:61) argues that moral character rather than right action is fundamental in virtue ethics. Murray (2001:21) also views virtue ethics as an approach that de-emphasises rules, consequences and particular acts and places. Virtue ethics places primary emphasis on the development of internal qualities of character and only secondary upon obedience to external moral rules (Hart, 1993:111). Of the three theories, virtue ethics focuses on the individual's moral stature rather than the morality of the act itself. A moral actor will base his or her decisions on ingrained values rather than consequences or duties (McGill, 2010, in Disoloane, 2012:42). Proponents of virtue ethics will argue that proper cultivation of virtuous traits in elected officials and municipal functionaries involved in the governance of urban local authorities will promote ethical conduct in all business transactions of urban local authorities. Virtue ethics is viewed as a panacea to rising cases of unethical behaviour in Zimbabwean local authorities (Masaka, 2011:03).

Virtue ethics originated from classical Greek political theorist Plato and later received its fullest expression in Aristotle's Nicomachean ethics. Aristotle was Plato's student. In support of virtue ethics; Hart (1993:107) remarks that:

The widespread publicity about the costly ethical failures of organisational leaders during the last quarter of the 20th century gives evidence that the most critical problem is the scarcity of men and women of good character in the positions of significant leadership whether private, educational, or religious. For too long, the management orthodoxy has taken as axiomatic the propositions that "good systems will produce good people" and that ethical problems will yield to better

systems design. But history is clear that a just society depends more upon trustworthiness of its citizens and its leaders than upon structures designed to transform ignoble actions into socially useful results. Systems are important, but good character is more important

MacIntyre (1984:191) defines virtue as an acquired human quality; the possession and exercise of which tends to enable us to achieve those good which are internal to practices and the lack of which effectively prevents us from achieving any such goods. Aristotle defines virtue as a character trait that manifests itself in habitual action. Virtues are like habits that are, once acquired; they become characteristics of a person. Examples of virtues include honesty, courage, compassion, generosity, fidelity, integrity, fairness, temperance, self-control and prudence (Velasquez, 2011:03). Rego *et al* (2012:03) presents that virtues provide interior strength for good behaviour and are moral muscles that promote stamina in the face of challenges and from which originate exemplary cases of positive leadership. Virtues produce character strengths which are distinguishable routes through which virtues are expressed. The virtue of temperance which is strength that protects against excess is also defined by Hart (1993:112) as the practice of restraining oneself in provocation, passion and desire. Elected officials and municipal functionaries who exercise the virtue of temperance are able to restrain themselves from passions of self-interested corruption. Virtuous leaders desire to restrain themselves from corruption; because they are internally driven or they have an internal moral disposition to refrain from unethical and corrupt practices. Through their moral goodness, they can distinguish what is right from wrong as they practise justice, fairness and honesty in their dealings. A City Treasurer who possesses a virtue of honesty is trustworthy, and such official accounts even little amount of money spent. Virtuous leaders or managers stand for the truth no matter what consequence ensues.

Virtue ethics has some well-known weaknesses in that if one has a good character; it is not enough to make the right and meaningful decisions in complicated situations. The theory does provide general guidance on how to be a good person but does not provide a clear guidance on what to do when confronted with ethical dilemmas. Virtue ethics also gives us little guidance in spelling out ethical justification. It may not be sufficient to produce good or right action (Preston et al, 2002:31). The weaknesses of the virtue ethics may call for a unified ethical theory which combines deontological, teleological and virtue ethics.

Overall, ethical theories are used to evaluate ethical implications of alternatives and thus select a course of action that could be defended ethically (Boatright, 2003:30). It should however be put up-front that the three ethical theories have their own fundamental flaws. For this study, ethics of teleology, deontology and virtue are all synthesised as three- pronged blended nexus underpinning in promoting ethical conduct in the local government and public sector as a whole. This is in line with Geurus and Garofalo (2005:60-67) who suggest a more integrative and holistic hybridised approach to deal with ethical dilemmas.

In Zimbabwe, it is possible to come up with a decision which is guided by the three theories. This is applicable when managers in urban local authorities make a decision whether to comply with the 30% and 70% principle. This principle implies that 30% of the budget should finance salaries and 70% for service provision. First, managers should adhere to the principle/rule as guided by the deontological theory which is rule and duty-based. Second, the virtue of honesty guides managers to comply with the principle. Finally, managers comply with the principle as guided by the teleological theory of providing the greatest good to the greatest number, in this case, workers are the minority and beneficiaries of service provision are the majority.

2.5 Ethics management approaches within the three-pronged blended theories (Unified ethics theory)

Ethics management is dichotomised into two approaches, namely compliance and integrity. Maesschalk (2005:21) presents that compliance-integrity continuum is also referred to as the “low road” versus the “high road” or the verification versus the values set of integrity institutions or the external versus the internal controls of the public sector. The compliance approach to ethics management which consists of tools and processes for regulating against undesirable behaviour represent the low road approach. Behnke (2002:678) terms these “hard” elements and that the aim of hard measures (mostly in the form of laws) is to tighten legal enforcement, control and sanction of standards of behaviour. This approach is regulatory in character and ensures that strict rules are followed and wrongdoers are investigated and sanctioned. Sharing the same view, Lewis and Gilman (2005:16) argue that the compliance approach is largely proscriptive, coercive, and punitive and even a threatening route. Lewis and Gilman further explain that the approach is designed to spur obedience to minimum standards and legal prohibitions.

The compliance ethics management route also reduces ethical behaviour to staying out of trouble and the result is meticulous attention to trivial questions (Rohr, 1989:63). This approach is externally driven and requires both appointed and elected officials in urban councils to adhere to formal rules and administrative procedures, legalistic codes of ethics or conduct, accountability and financial controls and legislative statutes (Stevulak,2011:98, Maesschalk,2005:21, Pevkur, 2007:19 and Lewis and Gilman, 2005:16). These mentioned controls proscribe certain types of behaviour and violation of the rules is considered undesirable or unethical and thus attracts sanctions. It is widely accepted that measures to address corruption and unethical practices go beyond the criminal justice system and other compliance measures (Amukowa, 2013:481). The compliance approach is reactive rather than proactive and relies on enforcement and prosecution. The compliance approach is underpinned by the deontological theory which is rule and duty-bound. It is therefore indispensable to think about the profitable, preventive and inspirational integrity approach which considers the moral values and virtues of individual leaders.

The integrity approach is internally driven and focuses on officials exercising self-control. Becker (2005:05) finds seven views on integrity: as wholeness, as professional responsibility, as incorruptibility, as a number of values and norms, as in accordance with laws and code, as in accordance with relevant moral values and norms and exemplary moral behaviour. This approach is also called the high-road approach, soft measures (for example, codes of ethics, mechanisms of self-control or declarations of commitment to ethical standards) and these have a rather symbolic function and aim to raise consciousness, demonstrate commitment and promote trust. The approach depends on the moral character of the individual official and emphasises on soft law such as codes of ethics, mission statements and leadership by example (Lewis and Gilman, 2005:16). The integrity route is rooted in internalised norms and values, and these are absorbed from upbringing through socialisation by parents, peers, church and on the job short-training programmes and formal educational courses. It is supported by the virtue theory.

The compliance and integrity approaches form part of the components of organisational ethics architecture. Compliance is provided for by the ethics architecture components of accountability and control mechanisms, effective legislative framework, public scrutiny (active civil society and probing media) and legalistic codes of ethics or conduct. The

integrity route is supported by the components of socialisation, ethical leadership (leadership commitment) and codes of ethics and conduct.

The application of these ethics management approaches are not without some shortfalls. OECD (1996:25-26) as cited in Stevulak (2011:98) reveals that after 1995 governments of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic of Ukraine and Russian Federation in Eastern Europe launched anti-corruption initiatives heavily laden with control or compliance. As of 2010, all the eight countries referred to continue to endure the deprecation of corruption notwithstanding the application of the aforesaid approach (Transparency International, 2010:03). Stevulak (2011:107), therefore, recommends the blending of the compliance and integrity approaches with each complementing the weaknesses of another. Gilman as cited in Maesschalk (2005:22) also argues that the two approaches do not constitute a simple dichotomy but should be seen as the opposite ends of the continuum and, in practice, should always be combined and considered complementary. Lewis and Gilman (2005:17) thus coined a new ethics management approach which they termed the fusion approach. The fusion approach is two-pronged and it incorporates both the compliance and integrity approaches.

2.6 Ethics architecture within blended-three pronged theories

Within the South African government context, recognising that public servants may be susceptible to unethical behaviour, it enacted a comprehensive array of legislation and policy frameworks and created supporting institutions in its endeavours to build integrity and fight corruption both within the public service and in society at large. Full adherence to these is a basis of sound ethics architecture for the public sector in South Africa (Public Service Commission South Africa, 2009:05). Renz and Eddy (1996) view ethics architecture as a framework and a set of processes that will enable the organisation and its people to articulate, internalise, monitor and sustain their commitment to a shared code of ethics so that its values and priorities reflect in all aspects of its operations. Larbi (2001:227) has adopted the Organisation for Economic Cooperation and Development (OECD) conceptual framework which refers ethics architecture as a range of tools and processes for regulating against undesirable behaviour and for provisioning of incentives to encourage good conduct. This study takes on the OECD's definition of ethics architecture. The definition fuses both the

compliance and the integrity management approaches of ethics which forms the backbone of the global anti-corruption crusade as championed by the various regional, continental and international anti-corruption bodies.

Cini (2007:123), stressing the OECD viewpoint, understands ethics architecture as a sum of mutually reinforcing elements of control, guidance and management which when taken together help to encourage ethical conduct and discourage unethical conduct. OECD identifies eight elements as constituting the ethics architecture. These are: workable codes of ethics, existence of some ethics coordinating bodies, efficient transparency and accountability mechanisms, an effective legal framework, conducive human resources policies and conditions of service, leadership commitment to ethics and an active civil society, including a probing media.

Maguire (1998:28) categorises the eight elements according to the main functions they serve, that is, guidance, management and control as follows: Guidance is provided primarily by three elements, namely strong commitment from leadership, codes of ethics expressing values and standards and socialisation activities such education and training. Management can be realised through coordination by a special ethics body and also through human resources policies and employment conditions for public servants. Control is assured primarily through a legal framework enabling independent investigation and prosecution, effective accountability mechanisms and transparency and public scrutiny. Components of the ethics architecture play a critical role in dispiriting conduct which is considered ethically wrong and promoting conduct that is perceived as ethically right.

These elements which are to be explained in detail form the conceptual framework that guided this thesis. The conceptual framework is discussed within the context of three case studies, namely Norway, Singapore, Botswana and the Republic of South Africa (RSA). The choice of Norway and Singapore in this study is on the basis that the two are consistently ranked among the least corrupt countries in the world. The choice of Singapore is further unique in that the success story in anti-corruption took place in undemocratic circumstances in a dominant one-party state which is contrary to the popular view these days that anti-corruption is a natural ally to democracy (Lamour 2007:no page). Botswana is chosen on the basis of being the least corrupt country in Africa. South Africa, on the other hand, has a

relatively sophisticated and comprehensive framework which deals with corruption in the SADC region (United Nations office on Drugs and Crime country corruption assessment report, 2003: 26). On this basis, the four cases will form a resonant benchmark for urban councils in Zimbabwe. A brief conceptual discussion of the components of the ethics architecture precedes the comparative analysis of the three case studies.

2.7 International and African perspective of ethics architecture from within the three-pronged ethics theories

This section seeks to compare and contrast the ethics architecture of Norway and Zimbabwe in terms of fighting and containing corruption and unethical practices. Singapore, Botswana and RSA also form another slant for comparison. Irrespective of how corrupt or ‘clean’ a country is described to be, the occurrence of corruption and unethical practices are inevitable, so the ethics architecture that fights and quarantines corruption is a must. A comparative analysis of the ethics architecture of Zimbabwe with the four countries, Norway, Botswana, Singapore and South Africa will assist this study to come up with ethical architecture practices that are internationally compliant but locally practicable to stamp out corruption in Zimbabwe urban local authorities.

Ethics architecture for urban local authorities should be compatible with the international and the local African perspective. This comparative analysis is drawn in the context of the three-pronged ethics theories already discussed, citing case examples from Singapore, Norway, Botswana and South Africa. Apart from the country-based cases, for example, relevant case evidence is also drawn from the best practices as prescribed by international, continental and regional bodies like the United Nations, African Union and the Southern African Development Community respectively. Issues of ethical leadership, anti-corruption structures, virtues, values and moral standards and an inbuilt ethics infrastructure are comparatively discussed in this chapter. A comparative public administration discussion will assist in benchmarking ethical structures, values and practices of Zimbabwean urban local authorities against that of the global best practices.

2.7.1 Norwegian ethics architecture

Norway is one of the Nordic countries which also include Sweden, Denmark, Finland and Iceland (Kanyane, 2006:113). The Organisation for Economic Cooperation and Development (OECD, 2013:127) reports that Norway is regarded as one of the countries with least corruption in society and business life in the world. In 2012 Transparency International's Corruption Perception Index, Norway ranked 7 out of 174 countries and earned a score of 85 out of 100. This ranking places Norway among the top ten least corrupt countries in the world.

The Norwegian government has shown commitment to ethics and eradication of corruption in a number of ways. First, Transparency International (2009:12-13) presents that the Norwegian leadership, as guided by the deontological theory, has implemented anti-corruption conventions, for example, the 1997 OECD convention on combating bribery of foreign public official in international business transactions, the 1999 Council of Europe Criminal law Convention on corruption, the 1999 Council of Europe Civil Law Convention on Corruption and the 2003 United Nations Convention against Corruption. Second, the Directorate of Public Management in the Ministry of Government Administration sets aside a budget and human capital to offer courses in ethics which include, among others, fundamental public sector values, the concept on the welfare state and an introduction to a methodology for ethical reflection and problem-solving associated with daily problems of both professional and administrative character⁷.

Ethics training in the Norwegian public sector, as underpinned by the virtue theory, seeks to cultivate virtuous traits among public officials. The virtuous traits give public officials an internal drive to behave ethically. Teleologically, ethics training grounds and conscientises public officials in ethical decision-making when faced with ethical dilemmas. Third, the government of Norway had set up an anti-corruption body which investigates and prosecute corruption, and through its revised penal code of 2003, Norway enacted one of the strictest anti- corruption laws.

High moral standards among civil servants and the general citizenry explain the low level of corruption in the Norwegian public sector. The moral standards are internalised and ethical

⁷<http://www.oecd.org/gov/ethics/2731870.htm> (Retrieved on 20 August 2013)

decision-making is underpinned by the virtue theory which is character and integrity-based. Character is a sort of an internal gyroscope that helps a person to distinguish right from wrong and inhibits wrongdoing (Lewis and Gilman, 2005:06). The study by Fisman and Miguel (2007:1042-1044) reveals evidence of high moral standards among the Norwegian citizenry. In their study, Fisman and Miguel evaluated the role of both social norms and legal enforcement by studying parking violations among United Nations diplomats living in the New York City. The study established that Norwegian officials behaved remarkably well even in situations in which there are no legal consequences whereas those from high corruption countries, for example, Nigeria committed many violations. The study, therefore, concluded that home country norms are an important predictor of propensity to behave corruptly or incorruptly among diplomats.

Against this background, Stapenhurst (2000:04) argues that the roots of corruption and unethical behaviour are grounded in a country's social and cultural history, political and economic development, bureaucratic traditions and policies. In this case, the ethical behaviour is guided by the inside moral compass of virtue than the externally driven deontological laws, rules and regulations. The moral standards among the Norwegian civil servants are promoted by core values which are included in the vision and mission statement of the organisation and are communicated through on-going training and they are also included in the employment contract document (OECD, 2000:31-32). The Norwegian public service is ethically enriched by core values of impartiality, professionalism, humility, transparency, accountability, legality, neutrality, justice, duty of care, equal treatment, freedom of expression, representative government, fidelity to the state, loyalty, integrity, proper disclosure, respect for state resources and involvement in decision-making (Aadland,2010:23, and Laegried et al, 2013:51).

Another factor which accounts for low levels of corruption is the monitoring systems built into public administration and, more importantly, the transparency of national institutions (OECD, 2008:13). Employee resourcing and promotion in the Norwegian public sector is based on merit. The process is transparent and selection rules, guidelines and policies and vacant posts are publicised to ensure auditing and monitoring of the actual selection procedures (OECD, 2000:44). Transparency in recruitment makes it easier to select the most honest and efficient people for the public sector (Kolstad and Wiig, 2009:523). Interviewees and probationers in the Norwegian public service are also evaluated on ethical grounds as

part of the total assessment of their suitability for a position. These are, therefore, assessed on the basis of their moral character or virtue which creates an inner strength in them to behave ethically.

The procurement process in Norway follows the deontological route of compliance. Norway is guided by the European Union public procurement laws and directives which require members' states to publicise contracts to promote competition and fundamental principles of non-discrimination and transparency (Bianchi and Guidi, 2010:14). In other words, it is expected that public sector procurement in Norway should follow transparency open procedures to ensure levelled playing fields for suppliers. The compliance of Norwegian public authorities to procurement regulations is monitored by the office of the Auditor General. The Auditor General is constitutionally mandated to ensure that the community's assets and resources are utilised in accordance with parliamentary decisions and to monitor compliance with the public procurement regulations (Article 1 of the Auditor General Act, Number 21 of 2004). The Norwegian Public Procurement Act, Number 69 of 1999 provides for an Independent Advisory Complaint Board. The board receives complaints from disgruntled bidders. Bidders have the right to raise the complaints within six months (the standstill or window period) after the contract has been awarded. And once a complaint is received, the board will then ask the contracting authority to postpone the signing of the contract until the case has been closed. The independent advisory board is manned by ten highly qualified lawyers.

The Norwegian public procurement process also provides for penalties of up to 15% of the contract value to contracting authorities who disregard procurement regulations, for example, not advertising tenders. The verdict to impose such a fee is legally enforceable (Bianchi and Guidi, 2010:150). The procurement process is guided by laws and directives to ensure transparency and fair awarding of tenders. Ethical decision-making in the Norwegian public sector procurement is, therefore, underpinned by the deontological theory which is rule and duty-bound. It is the moral duty of public officials to obey the rule of law as provided for in the procurement laws and directives.

The Norwegian civil service is non-partisan and is strengthened by emphasis on trust and co-operation in the relationship between elected and appointed officials. Laegried *et al* (2013:50) argue that the degree of politicisation seems low with Norwegian central government, where

politicians tend not to interfere in administrative affairs and they have respect for the expertise of senior executives. In other words, the interdependency of the executives is guaranteed free from political manipulations. The Executive is autonomous in policy implementation, hiring and promotion of staff, tendering and awarding of contracts, for example, minimising political patronage appointments and tender awards which are based on political connections. As discussed earlier in Chapter One, political patronage is a fertile ground for corruption, as it generates corrupt relationships between patrons and clients, but in Norway, it is least practised, if not at all, which is a lesson to be learned by the patronage or cadre deployment prone countries.

Salminen *et al* (2007:81) argue that Nordic countries are less corrupt because they are small, rich, politically stable and homogenous. Demographically, Norway has a small population of 4.6 million people. Notwithstanding other factors, it is easier to fight corruption in smaller jurisdictions and case evidence to support such generalisation is drawn from Singapore and Hong Kong which are geographically compact city states (Camerer, 1999:08). These two countries have successfully fought corruption and are also among the least corrupt countries in the world. Norway is a prosperous bastion of welfare capitalism which has a healthy economy and very high living standards among its citizens (Norway –Country study guide, 2012:17, OECD 1996:09). The economy is founded on ingenuousness and transparency, rule of law and on a well-built tradition of minimum forbearance for corruption.

The discovery of large oil reserves and the subsequent effective management of the reserves enhanced the prosperity of Norway. Salminen's argument that Nordic countries are less corrupt because they are rich is in agreement with Macdonald and Majeed (2011:04) who argue that a high level of economic development reduces discount rates of both the bribe givers and the bribe takers, thereby making them less eager to jump the queue via the illegal way. On the other hand, less developed economies generate minimal wealth for average citizens, which create structural incentives for bribery. This emphasises the argument that there is a positive relationship between high levels of corruption and poor economic performance. It is, however, critical to point out that, on the contrary, corruption is also prevalent in rich states like the United Kingdom, and hence corruption in those rich prone nations, multinationals and individuals is driven by greed, than anything else.

Politically, Norway is a constitutional monarch that separates duties involving parliament and the King's Council of State. The principle of separation of powers is respected. The power of the state is divided between several branches of government which are independent of each other, giving room to checks and balances. The parliamentary oversight role is strengthened and a judiciary, which is independent, impartial apolitical and objective is created. The King's Council of State is composed of the Prime Minister and other Ministers of state. The Norwegian parliament is known as the Storting, with legislative, budgetary and supervisory powers over line Ministries. Parliamentarians are elected by the principle of adult human suffrage (direct vote). Regular elections are held after every fourth year (Article 54 of the Norwegian constitution). The election of representatives of constituencies is based on proportional representation (Article 59 of the Norwegian constitution). Free and fair elections which are regularly held provide an important accountability mechanism which allows Norwegian voters to decide whether or not to extend the term of office of parliamentarians or not. The threat of loss of the political offices and credentials encourages parliamentarians to be more responsive to the needs of the people who constitute the electorate. Herzenberg (2009:01) shares the same views by stating that:

Assuming that a government wishes to be returned to office, it will work towards anticipating the prospective expectations and retrospective judgements of the electorate in order to win once again. Citizens therefore use their vote to choose better governments and to structure incentives for the incumbents that should induce them to behave while in office. In this view, elections are regarded as a sanctioning device that induces elected officials to do what the voters want. The anticipation of not being re-elected in the future lead selected officials not to shirk their obligations to the voters in the present. Voters thereby employ their vote to sanction the incumbents. Accountability is obtained by the efforts of government to win re-election. Hence, governments are said to be 'accountable' if citizens can discern representative from unrepresentative governments and can sanction them appropriately.

- **The Norwegian Penal Code 2003**

Norway also adopted a deontological compliance anti-corruption route. Norway, among other laws, enacted a number of anti-corruption laws. The Norwegian penal code of July 2003,

sections 276a, 276b and 276c deals with corruption and trading influence. The provisions are regarded as among the strictest in the world. The provisions criminalise corruption or bribery, whether it is committed by Norwegians or foreign persons. The penal code provides for three sections on corruption: these define corruption, gross corruption and influence trading. Section 276a provides for ordinary corruption which is defined as requesting or receiving an improper advantage or accepting an offer thereof in connection with a position or assignment (passive corruption) or giving or offering an improper advantage in connection with a position, office or assignment (active corruption). Persons who are convicted for breaching section 276a are sentenced up to three years imprisonment or fined. Section 276a criminalises both the actions of the bribe giver and bribe taker. Section 276b provides for gross (serious) corruption which has a penalty of up to ten years.

Gross corruption involves whether the act has been committed by or in relation to a public official or any other person in breach of the specifically confidence placed in him as by virtue of his executive position, office or assignment, whether false accounting information has been recorded or false accounting documents or false annual accounts have been prepared. Section 276c was enacted against a background that officials in positions of trust in both the private and public sector are expected to be good stewards of public resources and should not betray that trust by pursuing their own self-interests. Section 276c provides for trading in influence. Breaching this section attracts an imprisonment up to three years or a fine. Trading in influence involves any person who for himself or other persons requests or receives an improper advantage or accepts an offer thereof in return for influencing the conduct of any position, office or assignment or gives or offers any person an improper advantage in return for influencing the conduct of a position office or assignment. The amendment of the Norwegian penal code in 2003 saw the number of corruption cases appearing before the courts increasing.

- **Anti- corruption legislation in the Norwegian civil service**

The Civil Service Act Number 3 of 1983 manages corruption in the public sector through sections 2, 5 and 20. Section 2 mandates that all vacant posts in the civil service should be publicly announced. This creates an environment of transparency where the vacancies are

open to everyone who might be interested. In terms of section 5, appointment into the civil service is done by an appointment committee whose composition includes an equal number of representatives from both management and staff. This diffuses centralisation of power by management, promoting worker participation, thus limiting chances of nepotism and patronage appointment. Section 20 manages conflict of interest in the civil service; it states that no senior civil servant or civil servant may on behalf of himself or others accept a gift, commission, service or other payment which is likely or which by the donor is intended to influence official actions or which regulation forbid the acceptance of. Prohibition of gifts in the civil service minimises chances of the gift-receiver being biased in favour of the gift-giver in awarding of contracts, provision of services and in appointment and promotion.

- **Whistle-blowing legislation in Norway**

Norway also legislated on whistle-blower protection through the Working Environment Act (WEA) of 2005. The WEA was amended in 2007 to provide for the protection of employees who report conditions that are contrary to law or other ethical standards such as corruption, danger to life and health and bad work environment. Section 2.4 of the WEA affords employees, both in the public and private sector, a statutory right to notify wrongdoing which the act refers to as “censurable conditions”. Section 2:5 grants employees’ protection against retaliation in connection with the notification, and section 3.6 mandates the employer to develop an internal whistle-blowing procedure which employees should follow in reporting or notifying wrongdoing. In the event of any negative act of vengeance due to whistle-blowing, employees in Norway can seek compensation, and it will be the duty of the employer to provide evidence that no reprisal took place. This is contrary to what happens in the RSA where the onus falls squarely on the employees to prove that retaliation did occur for whistle-blowing claims (Royal College of Nursing, 2013:03). The Norwegian legislation which protects whistle-blowers is worker-oriented as it is the employer who needs to prove that there was no retaliation versus the RSA laws in which workers need to prove that there was retaliation.

- **Norwegian single model anti-corruption agency**

The Norwegian National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim) was established in 1989 as a law enforcement police service institution. Its deontological mandate is to detect, investigate and prosecute all major, complex and serious cases related to economic and environmental crime, including corruption (OECD, 2008:100). The reporting structure of Økokrim is dual: the agency is subordinated to both the Police Directorate and the National Prosecuting Authority. It is worthy to emphasise that Økokrim evolved from two independent institutions. It is a special police agency and a specialised prosecution service. The Norwegian agency investigates and brings to trial economic and environmental crimes. The crimes include, among others illegal hunting and trapping, air and land pollution, cultural heritage crimes, corruption, embezzlement, tax evasion, money laundering, gross fraudulent activities and misappropriation of government funds and property. It is manned by a multidisciplinary team with investigators with qualifications in finance, law, auditing, police training and finance. The Norwegian anti-corruption agency has proved effective in policing corruption, for example, in 2010 Økokrim, pursued 13 new economic crimes in courts and obtained 34 convictions of individuals (Dejaegere, 2012:84).

- **The role of the Norwegian media in fighting corruption**

Kjellberg (1995:339) presents that Norwegian press, from 1989 to 1994, reported as many as 460 articles on alleged cases of corruption involving politicians and public officials. OECD (2008:100) argues that the Norwegian media plays an important role in maintaining the high level of transparency. This it realises through scrutinising and disseminating reliable information about suspicious economic activities. The media reaches all the corners of the society. It is true that media publicities and exposure keep the lives of rulers and dictators in check.

Overall, despite low levels of corruption in Norway, no society, even if it is considered a solid democracy is immune from a deficit of ethics and integrity in the actions of politicians and civil servants (Firmino, 2010:03). Kjellberg (1995:339), in agreement, states that the Oslo newspapers in Norway report stories of kickbacks and foul play in connection with

public tendering. Senior politicians in Norway were caught up involving in sexual misconduct with minors (Caramani *et al*, 2012:06).The Chief Executive Officer (CEO) of two public companies in Norway has misused his position for private gain and is alleged to have transferred more than 100 million Norwegian kroners (US\$ 17.7 million) from the two public companies into his private accounts (Macdonald and Majeed, 2011:07). Arguing that conflict of interest or corruption is a threat to all countries, Kanyane (2008:96) cites exclusive cases of medical doctors in Norway who issue fictitious medical certificates to beneficiaries of social security for their own selfish reasons. In this study, Norway is compared to Zimbabwe, which conversely, has a very high Corruption Perception Index (CPI) according to annualised Transparency International (TI) assessments.

2.7.2 Singaporean ethics architecture

Singapore is an Asian modern city-state of 4.2 million people (Samaratunge *et al*, 2008:30). It is ranked among the least corrupt countries in the world, with a CPI score of between 8.8 and 9.4 out of 10 (Cameron, 2005:03). In 2010, Singapore scored CPI ranking of 9.3, taking first position and emerging as the most-corrupt clean among 180 countries (Bauman, 2012:21). Today, Singapore has thus today rightfully prides itself on being one of the cleanest countries in terms of corruption, having repeatedly ranked in the top ten of Transparency International's Corruption Perception Index (CPI) since 1995 (Garcia-Andrade, 2012:04). The big question is why Singapore is less corrupt, and what lessons can Zimbabwe in general and urban local authorities in particular draw from the Singaporean experience? Special interest in Singapore represents a sample of states that have attained success in fighting corruption. The post-independence Singaporean government managed to transform the country from a corrupt, backward and economically lagging society to a corrupt-clean economy which enjoys the 9th highest gross national product per capita in the world (Samaratunge *et al*, 2008:31). The Singaporean anti-corruption success story is rooted in the commitment and political will of the political elite to fight against corruption through a comprehensible strategy, the development of a first-class civil service and a strong legal framework.

Singapore attained self-rule in 1959 from British colonisation. During the British colonial rule, corruption was a serious setback in the public sector. Corruption was widespread right through colonisation because the British colonial masters failed to deal seriously with the

issue. Singapore experienced an economic downturn during the Japanese occupation between 1942 and 1945 which saw inflation skyrocketing. Such an environment made it difficult for the Singaporean civil servants to survive within their wages. The black market thrived, and nepotism and corruption were perfectly acceptable and everyone resorted to connections, friends and relatives to get jobs (Lee, 2005:142). Singapore, in this period, experienced a thundering prevalence of corruption; government systems were opaque and clogged. There was ethical/moral crisis and those who wanted to act virtuously came to grief among so many who were not virtuous. Lee (2005), in Quah (2007:75) described the situation during the Japanese occupation as follows:

The Japanese Occupation bred corruption as “bribery, blackmail and extortion grew out of the violence and fear, the mechanisms with which the Japanese ruled their occupied territories, bribery worked wonders. From generals to the ordinary soldier, gifts and money smoothed the way. Nothing was transparent and everything was about connections and payoffs. Nothing was impossible with the right connections. ... Shortages created the black market and a culture of thievery to fuel the market. Everyone—the Japanese included—did black-marketing. The Japanese Occupation culture brought out the basic survival instincts in people and produced a society where all manner of evils could be justified because it was all about survival. ... It would take years to undo the corruption and address the social evils that Japanese military occupation bred in Singapore.

Tracing Singapore from its roots, at independence, the Singaporeans inherited a government that was rampant with corruption. Ali (2000:03) presents that corruption was difficult to fight at independence because of a weak anti-corruption legal framework, poor salaries and conditions of services in the civil service and an effective anti-corruption agency. Despite the setbacks, first leaders in the post-independence Singapore committed themselves in speech and in action, sweat and blood to fight corruption tirelessly from the time they took office. Quoting the former Prime minister Mr Lee Kwan Yu in his autobiography from the third world to first world, he said:

When we took office in 1959 we set out to have a clean administration. We were sickened by the greed, corruption and decadence of many Asian

leaders. Fighters for freedom for their people have become plunderers of their wealth." I like that. "Fighters for the freedom of their people have become plunderers of their wealth. Their societies slipped backwards. We made sure from the day we took office, that every dollar in revenue would be properly accounted for and would reach the beneficiaries at the grassroots as one dollar, without being siphoned off along the way⁸.

Again, in 1993, expressing commitment in the battle against corruption, the Singaporean Prime Minister Goh Ghok Tong said that:

I have every intention to make sure that Singapore remains corrupt free and everybody should know that corruption in any form will not be tolerated, expect all ministers, all Members of Parliament (MPs) and all public officials to set a good example for others to follow. If there is any allegation against any Minister or MP of assets wrongfully gained or corruptly gained the Corruption Practices Investigation Bureau (CPIB) will investigate. If the MP concerned is unable to explain how he/she had acquired the asset or why he/she had not declared them, she/he will be charged for corruption (CPIB, 2003:217).

First, the Singaporean government holds regular elections to elect a unicameral parliament. The Singaporean community is heterogonous multi-lingual and multi-cultural and is based on consensus than contention. It is, however, interesting to realise that Singapore is a de facto one party state. Since independence, the People's Action Party (PAP) has been the ruling party. The PAP government is said to have used the Machiavellian principles to stay in power which include, among others, disallowing public protests and strikes, intimidation and persecution of the opposition, control of the media and artful manipulation of the electoral system (Painter, 2004:370). Irrespective of these undemocratic tendencies, Singapore has managed to keep corruption low in contrast to the popular view that democracy positively correlates with low levels of corruption.

⁸<http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan002893.pdf> (Retrieved on 25 August 2013).

The speeches of the Singaporean Prime Ministers reveal that top leadership has political will and zeal to tackle the dragon of corruption head-on. Simply put, in ensuring zero tolerance to corruption, leaders should be corrupt free and lead by example; state resources should be accounted for to the last dollar; holders of public office should declare their assets and finances as well as accounting for their wealth, and corruption cases should be investigated, prosecuted and sanctioned. To show commitment, the Singaporean government adopted strictly a top-down model to fight corruption.

Second, the People's Action Party (PAP) government successfully fought corruption in Singapore through reforming the civil service and improving conditions for service for public sector employees. The Singaporean civil service operates on the basis of meritocracy and is supported by the values of neutrality, public accountability, honesty and anti-corruption discipline (Garcia-Andrade, 2012:21). As earlier discussed, there is a positive co-relationship between poor conditions of service and prevalence of corruption. When public sector pay is very low, corruption tends to be a survival strategy (Rose-Ackerman, 1999:72). High salaries incentivise employees not to be corrupt or unethical, and low salaries increase conditions for corruption to thrive.

Bannarjee (1996:110) concurs that if bureaucrats are paid a high enough wage even a small chance of losing their job would discourage them from being corrupt. On the other hand, if they are underpaid, even the most rigid honest bureaucrats will be tempted to violate the law to preserve their standard of living. Underpaid employees do not value their jobs and will have little to lose if they are dismissed for misconduct or corruption. At some point, poor salaries are the bedrock for petty corruption like moonlighting, pilferage of goods and absenteeism. The underpaid, overworked and insecure employees are unlikely to produce the best in terms of performance and moral uprightness. Stapenhurst and Kpundeh (1999:112) demonstrate that Singapore's anti-corruption strategy included gradual pay increases and a fair salary structure. According to Stapenhurst and Kpundeh, Singapore's civil service is among one of the best paid in the world, hence Singaporean officials are least in succumbing to grand corruption. Bauman (2012:21) also points that the main instrument of anti-corruption in Singapore is the high wage of state employees, where market-based methods are used to calculate the salaries.

Third, the success of the anti-corruption crusade in post-independence Singapore is underpinned by the deontological theory as it is based on the imposition of strict and heavily-enforced anti-corruption legislation. Against the background of a weak colonial government anti-corruption law (the Prevention of Corruption Ordinance-POCO), at independence, the PAP government enacted the Prevention of Corruption Act Chapter 241, 1960 (POCA). POCA defined corruption explicitly in sections 8 to 12. As a deterrent, POCA, section 6 further increased the penalty for corruption from a sentence of two years imprisonment or a fine \$10000 as provided by POCO to a sentence of five years and a fine of \$ 100 000. In addition, as provided for in section 13 of the act, a person found to have engaged in corruption and receiving money illegally had to pay the amount taken as a bribe in addition to any other punishment imposed by a court.

Garcia-Andrade (2012:08) asserts that POCA provided the Corrupt Practices Investigation Bureau (CPIB) more powers. For example, Section 15 provided CPIB officers with the power to arrest and search arrested persons whilst Section 17 of POCA empowered the Public Prosecutor to authorise the CPIB Director and his senior staff to investigate any bank account, share account or purchase account of anyone suspected of having committed an offence against the POCA. Section 18 enabled the CPIB officers to inspect a civil servants banker's book and those of his wife, child or agent, if necessary. The POCA has served to provide as a legal deterrent for potential wrongdoers and, more importantly, has “armed” the CPIB with the necessary powers to prosecute, investigate, and charge anyone engaging in corrupt activities.

Fourth, in effectively fighting corruption, Singapore created an investigative small centralised anti-corruption agency called Corruption Practices Investigation Bureau (CPIB) under the control of the Prime minister’s office. This reporting system makes it difficult for either ministers or senior civil servants or anybody to interfere, block or influence the decision-making or investigation of the CPIB⁹. The agency prevents and investigates corruption in the public and the private sector spaces. The functional responsibilities of the Bureau include: reviewing and investigating complaints on corruption violations, both among civil servants and private sector (Bauman, 2012:21). The agency was created to enforce anti-corruption law

⁹<http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan002893.pdf> (Retrieved on the 20 August 2013).

in Singapore which is compliance and regulatory in nature and this is rooted in the deontological theory.

To this end, it is crystal clear that the Singaporean success story of fighting corruption is anchored on political will and commitment of the leadership (virtue theory) in the country to eradicate corruption, a strong legal framework (deontological theory) and well- remunerated public sector employees.

2.7.3 Republic of South Africa’s ethics architecture

The Republic of South Africa (RSA) is a regional neighbour to Zimbabwe. It attained its independence in 1994 after more than a century of colonial rule. According to the 2010 Transparency International Corruption Perception Index (CPI) rating, the country is ranked 54th out of 178 countries. In 2011, it ranked 64 out of 182 countries and now in 2012, it ranked 43 out of 174 countries. This is an escalating and unstable scenario. This accounts why, according to De Lange (2011) in Naidoo (2012:107), Auditor General South Africa (AGSA) who is mandated constitutionally to ensure oversight and accountability of the public sector uncovered R26,4 billion in “unauthorised, irregular and fruitless expenditure” in his review of the South Africa’s government and public sector departments during the 2010/ 2011 financial year. The prevalence of corruption in South Africa is also revealed in Table 1 below. This is evidence that corruption remains a serious problem irrespective of the great strides the South African government have made in fighting corruption and unethical behaviour.

Table 2.1: Corruption in the South African public sector for 2004-2010 as at June 2010

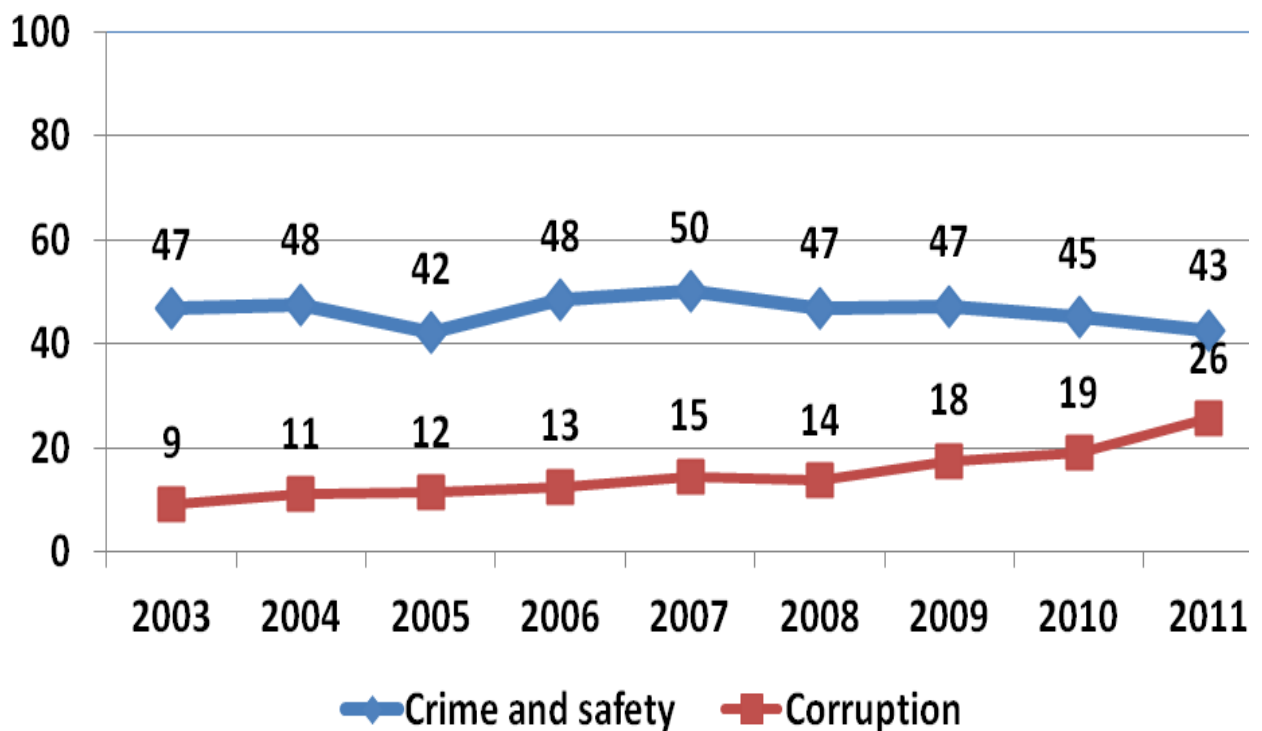
Categories of corruption	Number of occurrences	Percentages
Fraud and bribery	1511	19%
Mismanagement of government funds	870	11%
Abuse of government resources	985	13%
Procurement irregularities	720	9%
Social housing allocation irregularities	450	6%
Appointment irregularities	627	8%
Social grant fraud	420	5%
Identity document fraud	781	10%

Unethical behaviour	580	8%
Criminal conduct	512	7%
Other	310	4%
Total	7766	100%

Adapted from Public Service Commission Report 2011 in Naidoo (2012:115)

In addition, recent analysis of data from the South African Social Attitudes Survey (SASAS) run annually by the Human Sciences Research Council (HSRC) indicates increasing concern about corruption among the South African public (see Figure 2 below)

Figure 2.1 HSRC, South African Social Attitudes Survey (SASAS), 2005-2011



The RSA's independence ushered in a new era of democratic rule. In 1996, RSA adopted a new democratic constitution. The constitution dramatically improved the formal framework of social transparency and accountability providing that all the executive organisations of the state must be accountable to the national assembly (Sole, 2005:92). Sole further presents that Chapter 9 of the constitution established independent institutions of oversight, for example, the Auditor General, Public Prosecutor and the South African Human Rights Commission. The new constitution entrenched the freedom of the media and the rights of citizens to have access to information needed to protect their rights. Section 195 of the Constitution of the RSA1996 indicates that Public Administration must be governed by democratic values and

principles, such as the promotion of a high standard of moral ethics; the promotion of efficient, economic and effective use of resources; that transparency must be fostered by providing the public with timely, accessible and accurate information; and that public administrations must be accountable (Naidoo, 2012:112). South Africa is guided by ethical values and principles of accountability, transparency, economic and effective use of resources and promotion of high standard of professional ethics as set out in section 195 (i) of the 1996 constitution.

- **Leadership commitment to ethics and fighting corruption**

The RSA has shown commitment in fighting corruption in a number of ways, for example, by establishing committed anti-corruption bodies or agencies, supportive strong anti-corruption legislation, holding of anti-corruption summits and conferences and endorsing anti-corruption conventions. In response to what they described as the “deep moral crisis”, the South African nation’s religious leaders called a Moral Summit in October 1998. Through this summit, a code of conduct for people in leadership positions and a humanitarian ethics pledge was adopted by President Nelson Mandela among others. Leaders committed themselves to the principles of integrity, incorruptibility, good faith, impartiality, openness, accountability, justice; generosity and leadership (Department of Public Service and Administration report, 2003:16-17). This demonstrates leadership commitment to ethics and morality. The RSA has shown commitment to anti-corruption initiatives by consenting to the following international instruments relevant to anti-corruption: the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation of Economic Co-operation and Development (OECD Anti-Bribery Convention), the African Union Convention on Preventing and Combating Corruption (AU Convention), the United Nations Convention against Corruption (UNCAC) and the Southern African Development Community (SADC) Protocol against Corruption (Pedro *et al*, 2012:16).

The RSA leadership has also shown commitment to ethics and corruption eradication by (a) establishing institutional safeguards such as the Public Protector, the Auditor-General and National Prosecuting Authority, just to mention but a few (Naidoo, 2012:112). Disoloane (2012:119) confirms that South Africa also has a number of institutional mechanisms that exist to combat corruption, namely the Public Protector, Auditor-General, Public Service

Commission, South African Revenue Service, South African Police Service, National Prosecuting Authority, Special Investigating Unit, National Intelligence Agency and Anti-Corruption Co-ordinating Committee; (b) legislating against corruption and unethical practices, the Protected Disclosures Act, Number 26 of 2000, Promotion of Administrative Justice Act, Number 3 of 2000, the Promotion of Access to Information Act, Number 2 of 2000, Prevention and Combating of Corrupt Activities Act, Number 12 of 2004, Financial Intelligence Centre Act, Number 38 of 2001, Public Finance Management Act, 1999 and Public Service Act, Number 103 of 1994 (Mgijima, 2010:03).

The RSA has also demonstrated commitment to ethics and anti-corruption by publicly investigating, prosecuting and convicting corrupt actors even top-ranking officials. Habtemichael (2009:190) asserts that top African National Congress (ANC) party officials – including struggle icons, Members of Parliament and Ministers have been implicated (incriminated) in corruption scandals. Habtemichael further presents that the presiding Magistrate Bill Moyses berating Yengeni he said “Parliamentarians are leaders of the nation and should set an example to their constituents. I regret to say the example you have set as Chief Whip of the ANC is shocking.” The prosecution and the subsequent conviction of Yengeni reveal leadership commitment and the political resolve to fight corruption head-on in South Africa.

However, alongside government’s demonstrated commitment, some senior party officials kept attacking anti- corruption agencies and the reappointment to public office of politicians and officials implicated in earlier corruption scandals undermines leadership commitment to corruption eradication (Habtemichael, 2009:193). Camerer (2008:07) also presents that the Mercury, a Durban-based newspaper in South Africa, reported on the Public Service Commission’s findings of a 0% compliance rate – no financial disclosures whatsoever had been received from the 55 senior managers in the premier’s office in Kwa-Zulu Natal Province. This sets a bad ethical example to both the community and employees. This also reveals the weakness of approaching corruption or ethical malpractices through the compliance or deontological route alone. Managers and workers can decide to disregard rules to pursue their unethical ways. Evidence from Theology emphasises this argument that mankind in general and Israelites in particular have disregarded and are still disregarding the Mosaic laws. Against such a background, the deontological route should be fused with other two routes to ethics management as earlier alluded to. Hitherto, holders of public office

(HPO) could be managers, employees and even politicians in government should receive appropriate training and socialisation in order to enable them to behave ethically and to make ethical decisions.

- **South African anti-corruption legal framework**

The RSA's legal environment has changed radically since 1994. The Constitution (Section 195) lays down the values and principles that govern public administration. These values and principles include a high standard of professional ethics, efficient, economic and effective use of resources (Department of Public Service and Administration report, 2003:32). The values and principles as enunciated by the constitution are antithetical to corruption or any unethical practices

The starting point in any battle against corruption is the legal framework. The legal framework prevents corruption, disciplines perpetrators, prescribes acts of corruption; provides for sentencing and conviction and the processes thereto (Kunaka and Matsheza, 2002:21). The battle against corruption in South Africa is therefore supported by a strong legal framework with a comprehensive set of laws and some of them are briefly discussed in the next section. The anti-corruption laws in the RSA have been put in place to regulate ethical conduct and promote transparency and an accountable government (Public Service Commission, 2009:08). Legislating against corruption is deontological and this is in agreement with Wright (2000:14) who argues that experience elsewhere warns that unless the strictest laws and standards are maintained and where necessary restored, corruption and ethical malpractices can become part of the way of life.

- **Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)**

This act is a comprehensive piece of legislation enacted by the government of the RSA to fight domestic corruption and also to ensure that South Africa complies with its obligations under international corruption treaties (Williams and Quinot, 2006:346). In section 3, the Act provides the legal definition of corruption and creates a range of general offences of corruption. Williams and Quinot further say that sections 4 to 9 provide for offenses that may

be committed by defined categories of persons such as public officials, judicial and legislative officers. The act provides a framework for the strengthening of measures to prevent and combat corruption. It also allows for people found guilty of certain offences (such as violation of tender procedures) to be 'blacklisted' and it places a duty on persons who hold positions of authority to report corrupt transactions (Department: Public Service and Administration, 2006:06). In line with the stated sanctions on tender violations, Disoalane (2012:94) states that this Act provides for the establishment and endorsement of a register in order to place certain restrictions on persons and enterprises convicted of corrupt activities relating to tenders and contracts.

The Ministry of Finance, through the national treasurer, maintains a register/ dashboard of tender defaulters. Persons and businesses are recorded into this register upon conviction by a court of law for crimes involving tenders and contracts. Penalties prescribed by the act for procurement violations are heavy. Persons and businesses are recorded into this register upon conviction by a court of law for crimes involving tenders and contracts. Penalties prescribed by the Act for procurement violations are heavy. A person, who commits corruption or any offenses relating to supply chains, is liable on conviction to a fine or life imprisonment if convicted by the High Court, or to a fine or imprisonment for up to 18 years if convicted by a regional court. In terms of sections 29 to 33 of the act, a person guilty of the offences relating to procurement may be excluded from government contracts by means of an endorsement on the Register for Tender Defaulters (Williams and Quinot, 2006:346-347). The convicted company will have the contract terminated with some costs and will remain in the register for a period between 5 to 10 years. While on the register, the company or persons will not be entitled to any new contracts or tenders. This is punitive and acts as a deterrent to others and, therefore, reinforcing that the South African government does not tolerate corruption. However, attempts to bypass the system by joining new or mushrooming companies is possible and needs further resolution.

The Act, through section 34 (1-2), also requires people in positions of authority in both the private and the public sector to report to the police corruption and other crimes listed in the Act involving more than R100 000. Failure to report such cases constitute a criminal offence. The act also authorises the National Directorate of Public Prosecutions to investigate any individual with unexplained wealth or any property suspected to be used in the

commission of a crime prior instituting asset forfeiture or criminal proceeding (Madonsela, 2010:05). The aforementioned anti-corruption law is underpinned by the deontological theory which is rule-based and regulatory in character. Failure to comply with the Act is considered unethical and is punished by imprisonment, fines and exclusion from government tenders, among other penalties.

- **Promotion of Access to Information Act (No. 2 of 2000)**

The Promotion of Access to Information Act (PAIA) gives citizens of South Africa the right to have access to records held by the state, government and private bodies. The PAIA promotes transparency and prevents government or private bodies from operating in secret (Department: Public Service and Administration, 2006:06). Access to information is at the heart of transparency and public accountability. Interested stakeholders are allowed access to critical information. This exposes corrupt politicians and appointed officials. As a consequence, politicians can be forced to resign, be impeached or prosecuted after their misdeeds are exposed to public light (Pope, 2002:110). Access to information enables people to investigate the bad acts of government. A bad government needs secrets to survive and secrets promote non-effectiveness, wastage and corruption to prosper (Transparency International, 2012:11). The citizens' right of access to information is one of the tools that promote transparency in public institutions. When the public is given the opportunity to access information held by both public and private bodies, public oversight of these bodies is facilitated and corruption which flourishes in closed systems is bound.

- **The Promotion of Administrative Justice Act (No. 3 of 2000)**

The RSA constitution, section 33 (2), imposes a duty on public administrators to give written reasons to everyone whose rights have been adversely affected by administrative action (Brynard, 2005:639). This constitutional requirement is provided for in the Promotion of Administrative Justice Act (PAJA). The act requires that resolutions that have an effect on the civil rights of others are prepared in a way that is procedurally fair and it gives people the right to request written reasons for administrative action or decisions that affect them or they disagree with (PAJA, section 5(1)). In this way, it creates greater transparency and people may be less tempted to act corruptly if they know they will have to explain themselves to the

public. The Act empowers the public to hold to account managers of both private and public entities for their decisions and actions. In other words it allows for public scrutiny. This legal instrument is underpinned by both the teleological and deontological theories of ethics. Managers' ability to act or decide ethically for the general good of the society is teleological. The theory maintains that the preferred way to make ethical decisions is to evaluate consequences, that is, calculate the good or the best possible outcomes. Managers should develop the required ethical competence to make decisions that provide for best possible outcome for the public good. Notwithstanding that teleological ethics bases decision-making on the best outcome for the largest group and which also results in the least harm (McGill, 2010:1), administrative actions and decisions should also take into consideration individual and minority groups interests. Procedurally fairness is backed by rules and regulations this is deontological, managers' decisions and actions should be underpinned by rule of law.

- **The Financial Intelligence Centre Act (FICA) (No. 38 of 2001)**

This Act creates the Financial Intelligence Centre (FIC) and was designed to combat money-laundering. Chapter 1 of the FICA provide for the establishment of the FIC, which assists in the identification of the proceeds of unlawful activities and the combating of money-laundering activities. Chapter 2 provides for establishment of the Money-Laundering Advisory Council, which is mandated to come up with policies and best practices to identify the proceeds of unlawful activities to combat money-laundering activities. Chapter 3 and 4 of the Act provide for money-laundering control measures and offences and penalties respectively.

- **The Protected Disclosure Act (2000)**

The Protected Disclosure Act (PDA) 2000 addresses the issues of whistle blowers in the RSA. Dehn in Camerer (2001:01) defines the process of whistle-blowing: [a] bringing an activity to a sharp conclusion as if by the blast of a whistle (Oxford English Dictionary); [b] raising a concern about malpractice within an organisation or through an independent structure associated with it (United Kingdom Committee on Standards in Public Life); [c] giving information (usually to the authorities) about illegal or underhand practices (Chambers Dictionary); [d] exposing to the press a malpractice or cover-up in a business or government

office (United States, Brewers Dictionary); [e] (origins) police officer summoning public help to apprehend a criminal; referee stopping play after a foul in football. Truelson (1993:287) argues that the core concept of whistle-blowing involves employee disclosure of some wrongdoing by employers which invites retaliation. Whistle-blowing can be done endogenously or exogenously. For example, in urban local authorities, when a whistle is blown endogenously, the complaint could be lodged in the organisation to the council superiors. Exogenous whistle-blowing involves lodging a report on wrongdoing to the public or to the relevant ministry.

The tale of a referee in a football match will suffice to explain the definition of a whistle - blower. The referee blows the whistle whenever a player in the game commits any infringement on the rules of the game. These mistakes could be dangerous play, off-side position or handling of the ball, just to mention but a few. A whistle-blower could be any person, who provides information about his /her organisation which can present proof of commission of a criminal offence, failure to observe a legal obligation or to comply with an instrument of governance, miscarriage of justice, endangering the health or safety of the environment and the employees, administrative malpractice both financial and non-financial, improper conduct or unethical behaviour which is considered to be immoral or contrary to the legal purpose of the organisation.

In urban local authorities, a whistle-blower can be any employee within the organisation and he/she could be a human resource officer who observes that the town clerk is only recruiting his/her relatives and a water treatment plant employee who finds out that the local authority is pumping untreated water to the residents. He/she could be an accounts clerk who is aware that the finance director is committing fraud, an assistant plumber in a sewer maintenance section who knows that plumbers are repairing private-blocked sewers using municipal equipment and during working hours and a housing clerk who is aware that the housing director receives bribes from prospective stands owners so that they jump the waiting list. Genuine whistle blowers should not be egocentric, they should put the organisation and the public at heart and the moral motive should not be based on the prospects of gaining personal advantage or settling scores.

Whistle-blowing is a fundamental process which brings organisational managers to account and it is also a process through which organisations, be it public or private, and detects

incidences of corruption and unethical behaviours. If managed professionally it is essential to encourage reporting of unethical and corrupt activities in an organisation. Whistle-blowing exposes corrupt managers and organisations that violate public health and safety regulations statutory labour issues and financial regulations, among others. The process of whistle-blowing has been adopted internationally as one of the strategies to fight corruption. OECD (2010:01) points that international and regional bodies require their member states to adopt whistle-blowing and whistle-blower protection as an integral part of their anti-corruption initiatives. The UNCAC mandates its member states in articles 13 and 33, the Inter-American Convention against corruption in Article 111 (8), the Council of Europe Civil Law Convention on Corruption, Article 4 and the African Union Convention on Combating Corruption in Article 5/6.

Blowing the whistle is therefore associated with risks and those who decide to blow the whistle should be aware that they can lose their lives and jobs, ruin their chances of promotion and make themselves targets of revenge (Hoffman and Frederick, 1995:284). If whistle-blowing is to be an effective tool to fight corruption in the public and private sector, the whistle-blower should be protected legally. Holtzhausen (2007:01) argues that one of the obstacles in the fight against corruption is the fact that, without legal protection, individuals are often too intimidated to speak out or blow the whistle. So the courageous undertaking of unearthing incidents of unethical practices and corruption should be supported by legal protection of whistle-blowers. Therefore, the enactment of the Protected Disclosure Act 26 (2000) (PDA) in the RSA thus protects whistle-blowers in both the private and public sector (Arszulowicz, 2011:160). Disoloane (2012:107) states that the PDA prevents the employer from subjecting an employee to occupational detriment upon having made a protected disclosure and it brings an end to escalating instances of retaliation to whistle blowing.

- **The role of the South African media in fighting corruption**

Ethics is everybody's responsibility, including an active civil society and an assertive media which, through its probing reports, helps citizens to act as watchdogs over the actions of public officials. A probing media plays a critical role in corruption eradication and it censures and condemns corrupt persons (Mulinge and Lesetedi, 2002). Public officials who are confident that they run no risk of public exposure and humiliation through the media are tempted to engage into corrupt practices (Stapenhurst and Kpundeh,1999:144).On the

contrary, corrupt bureaucrats or public officials are impeached, prosecuted or forced to resign after their misdeeds are exposed to public light through the media (Stapenhurst, 2000:03). The effectiveness of the media as an anti-corruption tool or as a public watchdog depends on laws governing press freedom or independence of the media. The South African media is said to be the most developed and sophisticated in the whole SADC region. It is usually fearless and has no inhibitions over publishing details of corruption scandals and running expenses (Batty,2002:45).Furthermore, empirical evidence reveals that the South African media which include the Mail and Guardian and the Sunday Times is vigilant, rated as a vibrant and a healthy establishment when it comes to monitoring and reporting on corruption scandals (Habtemichael,2009:193).

- **Anti – corruption institutions and agencies**

South Africa adopted a multi-agency approach in its fight against corruption (Pedro *et al* 2012:28). The multi-agency model avoids setting up a lead anti-corruption agency like the one in Hong Kong. This multi-agency approach creates several measures to address gaps, weaknesses, and new opportunities for corruption. In most cases, traditional state institutions are combined with one or more specialised anti-corruption units or agencies (Meagher, 2005, in Pedro *et al*, 2012:28). Habtemichael (2009:186) posits that the South African anti-corruption institutions and agencies include the Asset Forfeiture unit, Independent Complaints Directorate, National Anti-Corruption Forum, National Intelligence Agency, National Prosecuting Agency, Office of the Auditor General, Office of the Public Protector, Office of the Public Service Commission, South African Police Service, South African Police Service Anti-corruption Unit and the South African Revenue Services, among others. Unfortunately, unlike in Singapore, Norway and Zimbabwe, there are many corruption combating institutions in South Africa, yet it is only the NPA that is prosecutorial. Even then, the NPA’s prosecutorial function is wrought with controversies of instability in leading the agency since its establishment. Further to this, the agency has to consult with Ministry who will also get hold of the president of the land before prosecution is finally executed, which compromises the ability of the agency to prosecute autonomously without fear of reprisals.

Pedro *et al* (2012:29) categorises the aforesaid institutions that have been allocated responsibility in the South African framework for prevention, combating, and coordination in the fight against corruption into three categories. The first category is institutions created by

Chapter 9 of the RSA constitution. These institutions carry the responsibility of fortifying constitutional democracy. The institutions are Inclusive the offices of the Public Protector and the Auditor- General South Africa (AGSA), among others. The AGSA is a constitutional and statutory body responsible for auditing and reporting on the accounts, financial statements and financial management of all national and provincial state departments, as well as administrations and all municipalities (Section 188, RSA Constitution of 1996). The On the other end, the Public Protector is mandated to investigate any corruption in the state affairs or in Public Administration that is alleged or suspected to be improper or prejudiced (Naidoo, 2012:114).

The second category are the institutions responsible for administration of justice which include the National Prosecuting Authority (NPA), Asset Forfeiture Unit (AFU), Directorate of Special Operations (DSO), South Africa Police Service (SAPS) and the Directorate for Priority Crime Investigation. The South African Police National Anti-Corruption unit is within the SAPS and it investigates cases of alleged corruption within the Police service only. The NPA in South Africa is the country's centralised prosecuting authority, which institutes and conducts criminal proceedings on behalf of the State and carries out investigations as required (Batty, 2002:44). Batty further asserts that the Authority acts against corruption either through the South African Police Service, or its own AFU and that the authority also recovers proceeds of corruption and other crimes through civil action. The AFU which focuses on the implementation of Chapters 5 and 6 of the Prevention of Organised Crime Act, 1998 (Act No.121 of 1998) has recorded some successes in fighting corruption. In the last five years, about R700 million worth of assets have been recovered. Of this recovered money, over R100 million has been paid to suspected victims (Mgijima, 2010:04).

However, unlike in Singapore and Norway, the NPA in RSA cannot prosecute without the permission of the Minister of Justice and Constitutional Development. Therefore, the prosecutorial NPA bulldog in South Africa is not as biting as it could be because of such structural accountability protocols. Hence the provisions regarding the NPA introduced by the Constitutional Assembly in the Final Constitution were to some extent a reaction to the 1992 amendments and thus provided for an National Director of Public Prosecution to be appointed by the executive, who would have final say over decisions to prosecute or not to prosecute and over Prosecutorial policy (Red path, 2012:10).

The RSA also have other anti-corruption agencies whose mandate also involves prevention and combating of corruption. These agencies include the Department of Public Service and Administration, Special Anti-Corruption Unit, Special Investigating Unit and the National Anti- corruption Forum (NACF), among others. The Department of Public Service and Administration police issues which are related to policy practices, systems and controls. The NACF composition includes labour unions, the civil society and the business fraternity. This partnership prevents and fights corruption. The Public Service Commission of South Africa (2009:13) admits that the NACF has confirmed the significance of corporation in championing a concerted approach in the fight against corruption. The body further argues that the collaborating of government, civil society, business and labour unions leads to minimisation of consenting of corrupt practices between unethical business persons and public officials.

However, the multi-agency model in the RSA is criticised for having at least ten bodies that deal with corruption, but that act in isolation and also that do not share information, research, intelligence prevention or other resources (Camerer, 1999:06). Pillay (2004:594) also adds that many anti-corruption bodies in South Africa have insufficient financial and human resources to carry out their mandates and this puts to test the leadership's political resolve to fight corruption and unethical practices in the country.

Unlike the multi-agency model which is prominent in the RSA and United Kingdom (UK) amongst others, the Hong Kong government set up a single anti-corruption lead agency to combat corruption - the Independent Commission Against Corruption (ICAC) in - 1974. Countries like Botswana, Singapore and New South Wales and Australia also adopted a similar single anti-corruption agency model. At its inception, ICAC recorded successes in counteracting corruption in the police force and is regarded as one of the most effective anti-corruption bodies globally. The success story of the ICAC is attributed to its intensive selection and training programme and it operates within a relatively well-regulated administrative culture alongside a large and, again, a well-resourced police force, under political and legal framework which supports anti-corruption activities (Camerer, 1999:07). The ICAC is endowed with investigative powers such as arrest, search and seizure, access to financial information and confiscation of assets (OECD, 2008:4). Camerer (1999:5) argues that ICAC's independence is guaranteed in the sense that the anti-corruption

institution is independent from the public service, with control of its own budget and with powers and functions statutorily determined.

2.7.4 Botswana ethics architecture

Botswana is part of Southern African Development Community (SADC). From 2004 to 2012 Botswana has consistently emerged as the least corrupt country in the SADC region according to the Transparency International rating. According to 2015 Transparency International's Corruption Perception Index, Botswana ranked 28 out of 167 and earned a score of 63 out of 100 well above some European countries like Greece and Italy which ranked 58 and 61 respectively. This rating places Botswana as the least corrupt country in Africa a position she has consistently held from 2012 to 2015 (Transparency International Perception Index 2016).

The anti- corruption success story in post-independence Botswana is attributed to a thriving economy which minimises incentives for corruption. A thriving economy is a common feature which characterise least corrupt countries. Like Singapore, Botswana was poor at independence. However, with the discovery of diamonds and good governance, she has managed to transform herself to be one of the fastest growing economies and is now classified by the World Bank as an Upper Middle Income country, with a per capita GDP at purchasing power parity of almost \$8000 (Human Development Report, 1999:280). Botswana's economic success story is also attributed to good economic management and political stability. The thriving economy has enabled Botswana to pay high salaries that are capable of discouraging civil servants from indulging in corruption. This is collaborated by Mwamba (2013) who argues that civil servants salaries in Botswana though not generous are considered sufficient to guarantee a decent living without the need to resort to corruption.

Also, Botswana is the least corrupt country in Africa due to its favourable democratic political environment which allows democracy to flourish subsequently creating accountable and transparent public institutions. Sebudubudu (2003:127) presents that since independence, Botswana has maintained a relatively good record of governance and is among one of the

longest uninterrupted democratic regimes in Africa. The Botswana Democratic Party (BDP) has remained largely unchallenged by opposition and its Presidents have enjoyed very long tenures although the country is a multi-party system (Mungiu-Pippidi, 2013:03).

Good (1994 :500) also asserts that Botswana has developed a multi-party liberal democracy and a strong efficient central government which is governed with a constitution that recognises separation of powers between the executive, legislature and the judiciary. The Botswana government has shown commitment in upholding democracy through exhibiting the independence of the judiciary in practice, holding regular free and fair elections and promoting freedom of the press among other principles of democracy. Elections are held regularly after every five years and the parliamentary system allows for an immediate recall system in between elections if the electorate is not satisfied with performance of the National Assembly members. Holding of regular free and fair elections since independence, has helped to restrain corruption in Botswana. Although the BDP maintained a solid hold on parliament, opposition parties operated freely and often won legislative seats and local offices (Kuris, 2013:04). This has provided checks and balances for the ruling BDP. Sebudubudu and Lotshwao (2009:06) argue that Botswana democracy rests on Tswana democratic traditions especially those of consultation, participation and consensus building. Along this argument Botswana's ability to integrate traditional values with modern liberal democratic values explains its success story.

The government of Botswana has also provided a political environment which encourages media freedom. The Tswana media is active and free to operate without intimidation and has been instrumental in exposing and fighting corruption. Democracy has also allowed a multi-party system to flourish which have allowed opposition parties to provide checks and balances to the ruling party. Opposition parties have also alerted the nation of possible cases of corruption perpetrated by government officials. More important perhaps have been the opposition political parties, who have introduced bills and motions on the declaration of assets, freedom of information and other matters in a bid to expand the democratic space and improve the reporting mechanisms of corruption (Sebudubudu, 2014:22).

- **Leadership commitment and political will**

The Botswana anti-corruption success story is rooted in the commitment and political will of the political elite to ensure good governance, improving standard of living of the people and eradicating corruption. The first President of Botswana pursued a tough stance against corruption. Exceptional political and managerial will are necessary to promote and maintain the anti –corruption drive. Although Botswana enjoyed political stability and a positive economic growth since independence, the country was rocked by high-level cases of corruption scandals in the 1990's which were uncovered by three consecutive Presidential Commissions. The appointment of the three presidential commissions of inquiry to investigate corruption cases involving high profile political figures signals the commitment of top leadership to tackle the dragon of corruption head on. The corruption scandals of the early 1990s contrasted sharply with Botswana's international image as a beacon of good governance in a region troubled by economic mismanagement and state coercion (UNDP, 1999:57). Sebudubudu (2003:126) presents that the three Presidential commissions documented some disquieting evidence of rule being defied and instances of misuse of office by some cabinet ministers including a Vice-President and senior government officials who were forced to resign when the findings were made public.

The first Presidential commission of inquiry investigated the circumstances surrounding the supply of text books to primary schools during the 1990 academic year. Findings from the commission of inquiry revealed that there was gross flouting of the tender procedures in the procurement of the text books. Both laid down procurement and financial procedures were not followed and moreover the Central Tender Board did not approve the tender. There was no tender competition and no proper survey of experience as the owner of the awarded company had no experience in the acquisition of text books. The tender was awarded to the International Project Managers without examination of the company's employees or of their qualifications. As a result an inexperienced supplier was awarded the tender leading government to lose 27 million Pula equivalent to US 15 million then.

The second Presidential commission of inquiry dealt with the distribution of land in Mogoditshane, a Gaborone peri-urban area. The commission revealed that top ranking government officials abused their powers to illegally acquire land in Mogoditshane. Explicitly implicated were the then Vice-President and Minister of Local Government, Lands and Housing and the then Minister of Agriculture who were also chairman and secretary of the BDP respectively. The involvement of top government officials in the illegal acquisition of land compromised the integrity of government and this in turn caused permissiveness towards corruption as residents in Mogoditshane were motivated to engage in their own illicit land grabs (Sebudubudu 2003:126-7). Good (1994 :501) also claims that several of those who were themselves engaged in illegal land sales claimed that they had done no wrong since responsible people accumulated large chunks of land to enrich themselves.

The third 1992 Presidential commission of inquiry was on the Botswana Housing Corporation (BHC). BHC is a semi-autonomous corporation responsible for building public houses. Investigations started when the Chief Executive Officer of the corporation Mr Letsholo was killed in a car crash. The officers who were sent to attend to the scene of the accident discovered 8,530 pula in the car's glove compartment. The law enforcement officers became suspicious why the Chief Executive Officer was carrying such a large sum of money prompting further investigation. Upon further investigation in Letsholo's personal safe at BHC headquarters, police found stacks of bills totaling 218,000 pula (US\$100,000) whose serial numbers correlated with the cash recovered from the car. A presidential commission of inquiry examined BHC activities and concluded that there was "no option but to find that these unbanked sums were the fruits of corruption." (Kuris, 2013:5). The presidential commission also revealed that the Vice- President, two assistant Ministers, the permanent secretary in the ministry responsible for housing and the BHC deputy general manager were involved in large scale corruption where they misappropriated the corporation's funds.

The findings of the three presidential commissions of inquiry were made public and government ministers and the Vice –President who were found guilty in these inquiries were forced to resign. This shows zero tolerance to corruption by the government of Botswana and

that it was determined to investigate prosecute and adjudicate any person or institution suspected of being involved in corruption.

The three scandals however dented the reputation of the BDP as the ruling party and also attracted public outcry and heavy criticism for the government. The popularity of the BDP waned and the opposition party, the Botswana National Front gained point scoring popularity. The scandals were wake-up calls and seem to have set the stage for the re-awakening anti-corruption drive in Botswana (Gbadamosi, 2006:12). Out of moral panic the BDP government responded to these scandals by enacting a land mark anti-corruption legislation called Corruption and Economic Crime Act of 1994, Number 13 (CECA). The enactment of CECA demonstrated that the government is keen to reduce corruption because it was a danger to social, political and economic development (Subudubudu, 2003 128). In this case, Botswana's response to these scandals was immediate and decisive (Ogwang, 2007:32). The major purpose of this Act is to provide for the establishment of a Directorate on Corruption and Economic Crime; to make comprehensive provision for the prevention of corruption; and confer power on the Directorate to investigate suspected cases of corruption and economic crime and matters connected thereof. The act thus established the Directorate on Corruption and Economic Crime (DCEC) as the major anti-corruption agency and also codified the new corruption crime in Botswana.

- **Establishment of the Directorate on Corruption and Economic Crime**

Botswana effectively fought corruption through creating a well-resourced, legally empowered and centralised single anti-corruption agency. Botswana is pointed as a classic anti –corruption success story in Africa largely due to its strong anti-corruption agency. The formation of DCEC reduced cases of major scandals which beset the country in the late 1980s and 1990s (Bratty, 2002:46). The legal framework of DCEC is set out in the Corruption and Economic Crime Act of 1994. DCEC is the major anti- corruption agency in Botswana and is modeled along the Hong Kong government single anti-corruption lead agency to combat corruption - the Independent Commission against Corruption (Gbadamosi, 2006.11). DCEC was formed with the primary function and mandate to combat corruption. Since its formation in 1994, DCEC has pursued its mandate

through a three-pronged strategy based on investigation, prevention and public education (Sebudubudu, 2003:31). The directorate was formed in terms of section 3 of the Corruption and Economic Crime Act of 1994 and is headed by a Director who is appointed and is answerable to the President in terms of section 4 of the CECA. However it is important to note that one of the determinants of the independence of the anti- corruption agency is the way its head is appointed. The head in the case of DCEC is appointed by the President; this compromises the independence of DCEC.

In line with this argument Sebudubudu (2015:12) asserts that one of the major pitfalls in the fight against corruption is the weak legislation that makes the DCEC answerable to the President, which in turn has made the independence and indeed the effectiveness of the DCEC a public issue. Along the same thinking UNDP (2005:35) also reveals that the placement of the DCEC within the office of the President has raised the question whether or not the DCEC is sufficiently independent to carry out its mandate. This could be addressed by amending the legislation by ordering the DCEC to report to the National Assembly and the involvement of the judiciary services commission in the appointment of the DCEC Director. Irrespective of the aforesaid weakness, the establishment of DCEC in Botswana signaled a warning that the political elite were committed to fight corruption. The government of Botswana responded swiftly to the 1990s high profile scandals.

Botswana successfully fought corruption through an anti-corruption agency which is legally granted enormous powers to arrest, to search with or without warrant, to forfeit assets and to compel banks and other financial institutions to disclose otherwise confidential information about suspects (Batty.2002:45-46). To effectively execute its mandate, DCEC is empowered through CECA section 6 (a) and (b) to investigate cases of corruption and economic crimes. The Directorate maintains a hotline through which members of the public can alert the DCEC of suspected cases of corruption. Information for DCEC's investigations are sourced from reports it receives from the public (citizens, and mostly from the independent media and the parliament), from government departments or collected directly by the Directorate itself through its Intelligence department (Olowu, 1999:05). DCEC in the process of investigating a suspected corruption case is granted power in terms of section 8 to obtain information that would assist or expedite investigation. Under this section the DCEC Director may require by

notice any suspected person under investigation to provide information about his/her movable or immovable property, moneys or property acquired in Botswana and a certified statement of accounts at the bank of the suspected person.

The Director is also empowered in terms of section 10 of the CECA, to arrest, without warrant, any person he or she reasonably believes has committed an offence or is about to commit an offence. DCEC is also granted the power of search and seizure in terms of section 11. The Directorate staff may enter and search any premises that might bring a conviction and may also seize and detain anything which an Investigating Officer has reason to believe to be or to contain evidence of corruption. Section 12 states that a person arrested under section 10 shall be taken as soon as practicable to a police station to be dealt with in accordance with the provisions of the Criminal Procedure and Evidence Act. In short, the DCEC Director has strong investigative powers delegable to staffers, including powers to arrest, execute searches and seizures, trace and freeze assets, seize travel documents, and extradite suspects (Kuris, 2013:4). The powers granted enable the DCEC to gather evidence in its investigation of corruption and economic crime without fear. Such enormous powers are necessary because acts of corruption are committed under the cover of secrecy (Sebudubudu, 2003:131).

- **Public education anti- corruption programmes**

The massive education embarked upon by the DCEC may be yielding positive dividends because citizens' awareness is growing with more and better knowledge of the nature and consequences of corruption (Gbadamosi, 2005:18). Olowu (1999:07) alludes that the public education programme of the DCEC is one of the most important achievements of the institution. It has taken its crusade against corruption to all the nooks of the country: schools and especially the universities, ministries, cooperatives and other voluntary organizations such as trade union and churches. The DCEC public education drive has been very useful in the anti-corruption efforts of Botswana and it manifests in different forms including but not limited to brochures, newsletters, promotional materials, posters and banners, magazines and newspapers, press releases, sign posts, public awareness surveys, talks and presentations, radio and television, trade fairs and moral education (Gbadamosi,2005: 18). The public

education programme is beneficial to the battle against corruption as it creates anti-corruption sensitivity among the general populace. Through public education programme, the general populace appreciates what corruption is, its forms, its causes and its effects or dangers to the community. DCEC has also influenced the integration of corruption and ethics studies in primary, secondary schools and in tertiary institutions.

To prevent corruption, DCEC in line with section 6 (f) of the CECA examines practices and procedures of public bodies in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures which in the opinion of the Director may be conducive to corrupt practices. Annually, the operational procedures of several government departments are assessed. In other words, DCEC conducts diagnostic studies for various government departments. This assists government departments to search for loopholes in the existing rules and regulations and to ensure that the corrupt and would be corrupt find it difficult to exploit such laws (Subudubudu, 2003:32). Once the loopholes are identified, DCEC makes recommendations to the concerned public organization to improve the systems and procedures. The prevention programme is proactive; it stops corruption before it is committed.

- **Anti- corruption framework**

The government of Botswana has also provided a right legal framework to fight corruption. The CECA apart from providing a legal framework that established and spells out the mandate for DCEC, the act also spells out in sections 24 to 30 and 32 to 33 offences relating to corruption in Botswana. The offences include accepting a gift or inducement for doing a public duty, paying a public officer a bribe, acceptance of a bribe after executing a public duty, accepting a bribe for giving assistance in regard to a contract and failure to declare conflict of interest. Section 45 provides for the protection of informers, it states that in any trial in respect of an offence under Part IV, a witness shall not be obliged to disclose the name or address of any informer, or state in any matter which might lead to his discovery. This section protects whistle blowers from the detrimental effects of whistle blowing.

The Penal Code chapter 08:01 states various offenses under the heading corruption and abuse of office and these are defined in sections 99,100,101,102,103 and 104 among others. The Penal Code also teases out corrupt offenses under the heading offenses relating to corrupt

practices in Division V111 sections 384 and 385. The government of Botswana passed another anti- corruption legislation, the Proceeds of serious Crime Act, 1990 whose purpose is to deprive persons convicted of serious crimes of the benefits or rewards gained from such crimes, and to deal with the problems of money laundering. Passing of such legislation reveals that the government is fully conscious of the corrupt practices in the public domain and is openly opposed to them. Botswana has vigorously implemented these laws to arrest the perpetrators of corruption thus emerging as the least corruption prone country in Africa

It is however important to state that although Botswana is considered the least corrupt country in Africa its anti- corruption architecture is not immune to weaknesses. Absence of legislation that protects whistleblowers is a cause of concern in Botswana. This make it difficult for people to report cases of corruption fearing for their jobs and lives. Botswana should therefore draw lessons from Norway, Britain and South Africa that enacted legislation that protect whistle blowers. Botswana also lacks legislation that requires parliamentarians and senior government officials to declare their assets and business interests. DCEC's independence is also compromised by the fact that it is under the office of the president and the Director who heads DCEC is also appointed by the President. This could be addressed as earlier alluded to; by enacting legislation which requires DCEC to report to the National Assembly and also the involvement of the judiciary services commission in the appointment of the DCEC Director.

2.7.5 Zimbabwean ethics architecture

In terms of corruption, Zimbabwe is among the most corrupt countries globally. In 2007, Zimbabwe ranked number 166 out of 180 countries in terms of occurrence of corruption (Habtemichael, 2009:176). In 2012, out of the 176 countries that were assessed, Zimbabwe ranked number 163. Number 176 is the most corrupt (Transparency International, 2012:4). The 2014 Transparency International ranking scaled Zimbabwe at 156 out 175 countries. Zimbabwean corruption dropped gradually from where it was in 2007 to 2014 when compared with the most corrupt countries, but when compared with Norway, Singapore and RSA, Zimbabwe is fairing badly in terms of corruption. This is not surprising as Zimbabwe has been wrought with scandals of corruption since independence. This has been evidenced by corrupt activities perpetrated by senior government officials, both elected and appointed.

The scandals include, among others, the War Victims Fund scandal of 1980s and 1990s, the Willowvale scandal of 1988, the Very Important Persons (VIP) Housing scandal, the Kondozi Estate looting, The Zimbabwe United Passenger Company scandal, the Grain Marketing Board (GMB) scandal, the Harare International Airport extension scandal, Marange diamonds scandals and the most recent, Constituency Development Fund scandal (Anti-Corruption Trust of Southern Africa, 2012:42-3).

What is worrisome about these scandals is that the majority of the cases were not investigated and of those investigated culprits were not prosecuted. Failure to investigate and prosecute culprits of corruption worsens the scourge of corruption (Anti-Corruption Trust of Southern Africa, 2012:43). The cited cases reveal that corruption is deep-seated among the Zimbabwean political elite, and a lack of political will to combat the scourge of corruption is evident. National leaders should be virtuous by setting good examples and desisting from corruption and also by investigating and prosecuting corrupt culprits without fear of intimidation or favour. Unlike in Singapore and South Africa, Zimbabwean corrupt leaders have remained untouched in terms of prosecution and conviction, and this is a compromise on corruption clean-ups.

At local government level, in urban local authorities in particular; there is evidence of an exponential rise of cases of corruption and unethical practices (Mutema, 2012:2084). Empirical evidence cites Chitungwiza Municipality as one of the urban local authorities where corruption has been found to be deeply rooted. Mukonza (2013:42-43) cites forms of corruption which were found to be prevalent in Chitungwiza Municipality and these include the illegal selling of commercial stands, illegal allocation of residential in-fill stands, corruption in the allocation of vending spaces, illegal leasing of nursery schools and offering of tenders to companies with political connections. These corrupt activities were perpetrated by elected officials and council executives who are expected to set good examples to the community. Examples of these cases, especially supply chain or tender corruption, are not isolated to Zimbabwe, but also RSA, Nigeria and Angola, to mention but a few African countries. The Chitungwiza case is just a tip of the iceberg. The problem of corruption is deep seated in the majority of urban local authorities in Zimbabwe.

- **Ethics Integrity laws in Zimbabwe.**

Zimbabwe, like Singapore, Norway and South Africa follow the deontological route by enforcing laws. The legal framework that enforces ethics and contain corruption in Zimbabwe include Chapter 1X of the Criminal Law (codification and reform) Act. This enforces the criminal justice system in Zimbabwe, the Prevention of Corruption Act, Chapter 9:16 of 1985 Section 6, and Urban Council Act Chapter 29:15 1996 (UCAZ Capacity Building Program for Urban Councillors, Good Governance Module). The legal framework should have laws as in RSA that require local government officials to declare their assets and which also protects whistle-blowers.

Chapter 1X of the Criminal Law (codification and reform) Act Section 170 defines and criminalises bribery as a corrupt act. Section 173 mandates that an agent who does business on behalf of the principal should if need arises declare his /her conflict of interest to the principal. Declaration of conflict of interest, if managed professionally, promotes transparency thus reducing incidences of corruption. Section 107 of the Urban Councils Act 1996 (Chapter 29: 15) addresses the issue of conflict of interest when dealing with corruption. Councillors and appointed officials should disclose their interest in any council business. An official who has an interest in a contract should recuse himself or herself to enable independent and transparent discussions. Disclosure of interests is important in dealing with corruption as it guards against council officials violating the arm's length principle in executing their duties (Mukonza, 2013:44).

Mukonza further presents that, similarly, Section 108 of the Urban Councils Act (Chapter 29:15) forbids the offering of services to council by council officials be they elected or appointed and their associates. Section 108 (4) stipulates that, subject to sub-Sections (2), (3), and (4), no mayor or councillor shall, directly or indirectly: (a) sell or let on hire any goods to the council, municipality, or town concerned, or (b) for reward, provide any service to the council, municipality, or town concerned; unless he has notified . The enforcement of this law is weak in Zimbabwe as the scourge of corruption continues to escalate in urban local authorities.

The citizens' right of access to information is one of the tools that promote transparency in public institutions. The citizen right of access to information is enshrined in the Zimbabwean 2013 draft constitution. Section 62 (1) reads:

Every Zimbabwean citizen or permanent resident, including juristic persons and the Zimbabwean media, has the right of access to any information held by the state or any institution or agency of government at every level, in so far as the information is required in the interest of public accountability.

The citizens' right of access to information is also enshrined in the Access to Information and Protection of Privacy Act 2002 (AIPPA).Section 5(1) of the act reads that:

Subject to Section 10, every person shall have a right of access to any record, including a record containing information that is in the custody or under the control of a public body.

The citizens' right of access to information is critical for good governance in public institutions. It provides for public scrutiny, thus promoting transparency and holding both elected and appointed officials accountable. It is, however, critical to state that although the right of access to information is constitutionally and legally granted in Zimbabwe. MISA-Zimbabwe (2004:03) argues that this right is so limited by exclusions and exceptions that its practical impact has been extremely limited. AIPPA does impose limits on the collection of information from public institutions. In Southern African Coordination Committee region, South Africa's disclosure framework is strongly characterised by access to information and is more open than many other regimes that embrace disclosure. A citizen's right of access to information is enshrined in the South African constitution and in two key pieces of legislation: the Promotion of Access to Information (Act 2 of 2000) and the Local Government Municipal Systems (Act 32 of 2000) (Mukadam et al, 2011:01).

- **Ethics Integrity agencies in Zimbabwe**

In compliance with international anti-corruption practices, Zimbabwe instituted the anti – corruption commission. ACCZ is a signatory to the SADC protocol on corruption, African

Union Convention on Corruption and UNCAC. The legal framework of the Anti-Corruption Commission of Zimbabwe (ACCZ) is set out in the Anti-Corruption Commission Act and the 2013 Constitution of Zimbabwe, Sections 254 to 255. Section 255 presents the composition of the ACCZ which should have a chairperson and eight other members; both should be appointed by the President. The persons appointed to the ACCZ must be persons of integrity chosen for their knowledge or experience in administration or the prosecution or investigation of crime (Sachikonye *et al*, 2007:40). The anti-corruption commissioners are chosen from disciplines such as auditing, public accounting and law. Section 255 sets out the functions of the ACCZ. The functions include among others:

- To investigate and expose cases of corruption in the public and private sector.
- To combat corruption, theft, misappropriation, abuse of power and other improper conduct in the public and private sectors to promote honesty, financial discipline and transparency in the private and public sector.
- to receive and consider complaints from the public and to take action in regard to the complaints as it considers appropriate
- To direct the Commissioner-General of Police to investigate cases of suspected corruption and to report to the Commission on the results of the investigation and to refer matters to the National Prosecuting Authority (NPA) for prosecution.

The commission has three arms which: are corruption prevention and corporate governance, investigation and prosecution, and publicity and education. The Zimbabwean anti- corruption body's function is three-pronged as in other international anti-corruption bodies in Hong Kong and Botswana.

The Zimbabwe anti-corruption body has so far been considered ineffective in fighting corruption. Sachikonye *et al* (2007:40) argue that the commission seem to have remained silent on the scourge of corruption since its inception in 2005. Sachikonye *et al* question the impartiality of the commission given that salaries and conditions of the same are fixed by the executive, a branch they also are supposed to investigate. Further, the commission depends on the police and NPA to investigate and prosecute the presented cases respectively. In 2010 the Attorney General refused to prosecute Members of Parliament who had misappropriated

the Community Development Funds. Complacency on the part of the police and the NPA subsequently impact negatively on the effectiveness of the ACCZ. The ACCZ is further weakened by the following, it is not an independent body, it is poorly resourced financially, materially and in terms of the human capital and it stands indicted of having diminutive authority of bringing to an end corruption.

Sharing similar integrity structures with the RSA, the NPA, The Police Serious Fraud Department and the Auditor-General also constitutes some of the organs of the state which complement the ACCZ in fighting corruption. The NPA, which is enshrined in Sections 258 to 263 of the 2013 constitution of Zimbabwe, is mandated to institute and undertake criminal prosecutions on behalf of the state. NPA forms part of the criminal justice system and cases are referred from the police and the ACCZ for prosecution.

The Auditor-General of Zimbabwe (AGZ) is constitutionally mandated to audit the accounts, financial systems and financial management of all departments, institutions and agencies of government, all provincial and metropolitan councils and all local authorities (2013 Zimbabwean constitution section 309 (2a)). Rutherford (1983) in Zhou and Zinyama (2012:02) asserts that the Auditor General's office acts as a supreme audit institution which prevent dishonesty and abuses by instilling "fear of detection" and also enhance institutional financial accountability by providing an expert, independent and unbiased opinion on specified issues relating to the activities of an organisation. Section 219 (1a) of the Zimbabwe Constitution mandates the police service the responsibility of detecting, investigating and preventing crime. The Serious Fraud Department investigates serious and complicated corruption cases. Breaking of rules, anti-corruption laws and regulations on the part of the public servants lead to prosecution and subsequently to conviction, hence teleological, deontological and virtue ethics mix.

2.8 Comparative analysis from selected case studies

Zimbabwe, as compared to Singapore, Botswana, RSA and Norway, is more corrupt according to transparency international rating. Norway is rated lower in terms of corruption and this has been attributed to economic and political stability, homogeneity, non-partisan civil service, high moral standards among civil servants, trust and cooperation between

politicians and administrative leaders and strong ethical value systems. Singapore is among the global anti- corruption champions who have succeeded in curbing corruption because of leadership commitment, competitive public service salaries favourable policy context, small populations, stable governments, high standards of living, efficient civil service systems and a well-developed infrastructure (Quah, 2004:04). On the other end Botswana is rated as the least corrupt country in Africa. Its success story is attributed to a thriving economy that minimises incentives for country, well paid civil service, demonstrated leadership commitment and political will to fight corruption, well-resourced and a legally empowered single anti-corruption agency and a robust anti- corruption sensibility public education program among other factors. Though ethnic homogeneity is attributed to be a stronghold against corruption for Botswana and Norway, the same cannot be generalised in other similar countries. For example, empirical evidence reveals that Singapore is a heterogeneous community yet it is among the least corrupt countries in the world.

The RSA, on the other hand, has a lower corruption rating than Zimbabwe, even though it is also more corrupt compared to Norway and Singapore. From face value, the South African government has shown more commitment in fighting and combating corruption than Zimbabwe. South Africa has a relatively sophisticated and comprehensive legal and institutional framework which deals with corruption. Zimbabwe does not possess such favourable attributes. The Zimbabwean society is multi-lingual, multi-cultured, heterogeneous whilst the civil service is partisan, unlike in Norway, Singapore and RSA. As alluded to in Chapter One the roots of corruption and unethical behaviour are grounded in the country's social, cultural historical, political and economic development.

A perfect electoral competitive environment between political parties may generate incentives to monitor each other so that corrupt parties will subsequently be punished at the polls (Heywood and Meyer-Sahling, 2013:194). However, South Africa, Botswana Singapore and Zimbabwe, despite the presence of political pluralism and contested elections, these countries have had one political party winning election since independence, making it difficult to punish through polls errand political parties. Contemporary scholarly evidence is also revealing that there is no linear relationship between holding of elections and corruption as in countries where corruption is prevalent. Those that hold free elections outnumber those that do not and it is not autocratic rulers alone who are guilty of plundering state resources

(Mungiu-Pippidi, 2013:101). Fighting corruption through electoral accountability should not therefore be overemphasised as empirical evidence reveals mixed results. Political accountability alone is not a wholesome antidote of corruption, a concoction of remedies is therefore recommended.

Fritzen (2006: 1-3) argues that political will is expressed in written and spoken words and it manifests itself through action, public declarations like ratification of regional and international treaties. Political will, as earlier discussed, is also expressed through setting a good ethical example, publicly punishing corrupt actors even top-ranking officials and training staff on ethics among, others. Given the international anti-corruption bodies, the four countries, Zimbabwe, South African, Singapore and Norway have ratified and implemented the United Nations Convention against Corruption except for Botswana.

South Africa, like Singapore, adopted a deontological route to corruption eradication. Post-independence South Africa witnessed a plethora of legal instruments being enacted to fight corruption and unethical behaviour in both the private and public sector. Zimbabwe should learn from some of the best anti-corruption laws enacted in the RSA, for example, the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004). The Act as earlier discussed penalises heavily contractors or persons who commit offences relating to procurement. As earlier discussed a person or a contractor guilty of the offences relating to procurement may be excluded from government contracts by means of an endorsement on the Register for Tender Defaulters. The convicted company will have the contract terminated with some costs and will remain in the register for a period between five to ten years. While on the register, the company or persons will not be entitled to any new contracts or tenders. The Act through Section 34 (1-2), also requires people in positions of authority in both the private and the public sectors to report corruption and other crimes listed in the Act involving more than R100 000 to the police. Failure to report such cases constitutes a criminal offence. Flouting of tender procedures is prevalent in most public institutions in Zimbabwe.

The Protected Disclosure Act 2000 in South Africa and the Working Environment Act (WEA) of 2005 in Norway addresses the issues of the whistle-blower protection. Whistle-blowing is a corruption detection mechanism which should be strengthened by whistle-blower protection. Non-protection of whistle-blowers in law is an obstacle in fighting

corruption. The Norwegian legislation which protects whistle-blowers is worker-oriented as it is the employer who needs to prove that there was no retaliation versus the RSA laws in which workers need to prove that there was retaliation. The Zimbabwean anti-corruption laws are silent on whistle-blower protection so there is a possibility that workers fear retaliation hence failure to blow the whistle in the event of observing unethical or corrupt practices.

Compared to South Africa, Botswana, Zimbabwe and Norway, Singapore even though it runs short of whistle-blower protection, it stands out as the top best to fight corruption. It sets a good example of a country which succeeded in fighting corruption through commitment of leadership or rather political will to fight corruption. The Singaporean ambassador to Cambodia, Mathews, presenting at an anti-corruption conference in Cambodia (no date) argues that while private sector, civil society, non-governmental organisations and civil service have the role to play in building a coalition for transparency, there is no escaping that the most important element will be the commitment, the dedication and the tenacity of top government leaders. This is an emphasis that government leaders should be tenacious and show commitment to fight corrupt and all its manifestations. In Singapore, the approach to quarantine corruption has been strictly top-down and is managed by the office of the Prime Minister, thus revealing top leadership commitment to fight corruption. The anti-corruption agency CIPB, in comparison to ACCZ, is well-funded, independent from police and political control and can arrest and prosecute.

The Singaporean government adopted a deontological approach to fight corruption by imposing and strongly enforcing strict anti-corruption laws. POCA, for example, was thus amended to give corruption a broader definition and wider powers to CPIB. The PAP officials also expressed commitment to the eradication of corruption in a symbolic manner, when they took the oath of public office in June 1959, they all wore white shirts and white slacks to symbolise purity and honesty in their personal behaviour (Quah, 2006:64). Top leadership commitment to fight and contain corruption in Singapore yielded positive results in a relatively short period of time. In forty years corruption was successfully reduced. The Singaporean success story is also attributed to a highly paid civil service, unlike the Zimbabwean one which is paying very low and unattractive wages.

2.9 Conclusion

The chapter provided a useful conceptualisation and theorisation of the theme under study. The terms ethics, ethics architecture and its primary components as underpinned by a three-pronged blended theory of ethics are explicitly examined. The chapter concludes that the practice of good ethics and effective ethics architecture forms a sound backbone to fight and quarantine corruption and that corruption and all its manifestations tend to thrive in organisations where ethics is detached from the operations and decision-making structures of the institutions. Analysed through the lens of a three-pronged theory of ethics, the conceptual and theoretical construction offers a benchmark to provide a comparative analysis of Norway, Botswana, Singapore and South Africa ethics architecture, including that of Zimbabwe. The ultimate goal being to come up with ethics architecture practices that are internationally aligned, but locally relevant and practical to stamp out the cumulative outbreak of corruption in Zimbabwe, especially urban local authorities in the ensuing chapters.

Out of Norway, Botswana, Singapore and South Africa, from a comparative basis, the chapter reveals that Singapore stands out better, even in the whole world and Botswana in Africa. The success stories of fighting corruption in Singapore and Botswana are anchored on political will and commitment of the leadership in these countries to eradicate corruption, a strong legal framework, well-remunerated public sector employees and an effective small independent investigative centralised anti-corruption agency. From the Singaporean and Norwegian and Botswana case studies, this chapter concludes that corruption can be fought successfully even in both democratic and non-democratic countries provided that the country is politically and economically stable, top leadership is committed to fight corruption, and the public sector employees are competitively remunerated, among other factors. Zimbabwe urban local authorities can be benchmarked against this Botswana, Norwegian and Singaporean body of practice, theory of change and practical lessons.

To this end, this chapter concludes that an effective legal framework is critical in combating corruption but it is only effective if it is enforced, anchored by leadership commitment, well paid civil servants, and an effective well-resourced prosecutorial anti-corruption agency that is autonomous. This should be complimented by a paragon of virtue and a well-balanced

moral compass. Notwithstanding, this conclusion is left to be further tested by the findings of the study in the next chapters following the research design and methodology employed.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

The previous chapter discussed the theoretical and conceptual framework which fore grounds this thesis. The conceptual framework is discussed within the context of three case studies, namely, Norway, Singapore and the Republic of South Africa (RSA). A comparative analysis of the ethics architecture of Zimbabwe with the three countries assists this study to come up with ethical architecture practices that are internationally compliant but locally practicable to stamp out corruption in Zimbabwean urban local authorities. It is, however, important to recognise that the previous chapter did not provide empirical data on the Zimbabwean ethics architecture model for urban local authorities. To close this gap, data was collected to answer the research questions which are outlined in Chapter One. The data is presented and analysed in Chapter Four.

This chapter, therefore, reports on how key informants of this study were sampled and interviewed. The chapter further explains and justifies the type and purpose of research carried out, methods of collecting data that are used and how the data collected were analysed. This chapter, therefore, describes how the data were obtained and analysed in order to answer the research questions that were posed. The data collection is analysed from the five randomly selected urban local authorities in Zimbabwe.

3.2 Research design

A research design is a set of logical procedures engaged by a researcher to come up with an answer to a research problem. Research design sets the path that guides a researcher to collect and analyse data. Sekeran (2000:263) is of the view that research design involves the planning of the actual study, locating the study, selection of the sample, collection of data and how the collected data is analysed. Punch (1998:150) argues that research design situates the researcher into the empirical world and connects the research questions to data. Research design consists of a plan, a roadmap, that allows the researcher to test the validity of his/her hypothesis or answers his/her research questions, taking into account the factors that he/she believes might affect the relationship between the dependent and independent variables

(Webb & Auriacombe, 2006:589). In simple terms, research design is the entire process of research from conceptualising a problem to writing research questions, and on to data collection, analysis, interpretation and report writing (Bogdan and Taylor, 1975 in Creswell, 2007: 05). Yin (2009:26) provides another definition which seems to agree with Punch's, and he argues that:

The design is the logical sequence that connects the empirical data to a study's initial research questions and, ultimately, to its conclusions. Colloquially, a research design is *a logical plan of getting from here to there, where here* may be defined as the initial set of questions to be answered and *there* is some set of conclusions (answers) about these questions. Between "here" and "there" may be found a number of major steps, including the collection and analysis of relevant data.

From the above definitions, we can conclude that every research process or project should be guided by a plan which guides the researcher to build up measures and logistical schedules required to take on a study and to ensure the validity, objectivity and accuracy of the results. Babbie and Mouton (2001:205) identify six types of research design and these are experiments, survey research, qualitative research, participatory action research, evaluation research and unobtrusive research. This study adopted Thomas's (2009:91) research design process which include, the purpose of research, kind of research question which is refined in line with the selected literature review, kind of analysis (research paradigm) which could be either qualitative or quantitative design, for example, case study and techniques for gathering and analysing data. The two expressions 'research methodology' and 'research design' often confuse researchers but these are two different dimensions of research. A research methodology is the how of collecting data and the processing thereof within the framework of the research process (Brynard and Hanekom, 1997, in Kanyane, 2006:44). Table 3.0 clearly distinguishes between research design and research methodology.

Table 3.1 Differences between research design and research methodology

Research design	Research methodology
Focuses on the end-product: what kind of study is being planned and what kind of results are being aimed at.	Focuses on the research process and the kind of tools and procedures to be used.
Point of departure= research problem or question.	Point of departure = specific tasks (data-collection or sampling) at hand.

Focuses on the logic of the research: what kind of evidence is required to address the research question adequately?	Focuses on the individual (not linear) steps in the research process and the most “objective” (unbiased) procedures to be employed.
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Adopted from (Babbie and Mouton, 2001:75)

The differences between research design and research methodology can be summarised as follows: A research design is a plan, a blueprint or road map that spells out a given research study’s intended destination (conclusion or answer), whereas a research methodology which is also a component of the research design consists of tools and procedures employed by a researcher to get to the intended destination. This thesis adopted a qualitative research design. Justification for the choice of the qualitative research design will be explained in the next section.

3.3 Underlying philosophical and empirical assumptions for the research

The choice of a research approach is influenced by the researcher’s underlying philosophical and empirical assumptions. Creswell (2007:16) identifies these assumptions as ontological, epistemological, axiological, and rhetorical and methodological. In this thesis, the researcher was influenced by the ontological and epistemological assumptions to choose between qualitative and quantitative research. Punch (1998:170) is of the view that ontology is concerned with the nature of being “*to what exists in the world, to nature of reality.*” The practice of research is guided by two ontological assumptions. The first is the positivist traditional and scientific approach which seeks to adopt an objectivist ontological view of the nature of reality. Coghlan and Brannick in Bailey (2011:38) argue that within this ontology, reality is believed to be independent of human perception and cognition, and has an objective order that is waiting to be uncovered by the researcher. Nature of reality is single, patterned, objective and predictable. Social reality in the positivist ontological view, as Neuman and Bryman in (Ncube, 2010:11) argue, has an external pattern and order that can be objectively and logically predicted provided standardised ‘scientific’ procedures are followed. The second ontological assumption sees reality as subjective and multiple as seen by the participants in the study (Creswell, 2007:17). Denzin and Lincoln (2003:35) refer this as relativist ontology with multiple realities and it is subjective and interpretive in nature. This study assumes a relativist and subjectivist ontological assumption.

The term 'epistemology' is defined as the claims or assumptions made about the ways in which it is possible to gain knowledge of this reality, whatever it is understood to be; claims about how what exists may be known (Blaikie, 1993:6-7). Epistemology is concerned with the ways of knowing and learning about the social world and focuses on the questions such as: how can we know about reality and what is the basis of our knowledge? (Snape and Spenser, 2003:06). The epistemological assumption is also underpinned by the question: "What is the relationship between the researcher and what is being researched?" (Creswell, 2007:17). The ontological reality, in turn, affects the epistemological assumption implying that epistemology is philosophically linked to ontology (Bailey, 2011:38). The positivist epistemological assumption seeks to understand social reality through adopting methods of the natural sciences to study social phenomenon. These methods emphasise on researchers to distance themselves from the researched, objectivity in collecting data and on rigorous application of the scientific methods. The relationship between the researcher and the researched is seen as independent and distanced, hence the researcher is expected to be objective. Subsequently, researchers who are influenced by this epistemological assumption attempt to distance themselves from any influences that might corrupt their analytical capacity (Snape and Spencer, 2003:06). Data is collected through controlled experiments and survey questionnaires.

The positivist epistemological view is not appropriate for this study because the discipline of ethics is relative and subjective. This study obtained real-world information by talking to the researched and by constructing the meaning from what they said and what was observed. This study, therefore, assumes an interpretive epistemological view where social actors are seen to jointly negotiate the meanings for actions and situations (Blaikie, 1993:96). In this study, the meaning was derived from what workers representatives, councillors, the business community and appointed officials said about the ethics architecture of urban local authorities. The researcher did not distance himself from the researched. He was an active participant of the research (an insider). He entered and spent time in the field, interviewing research participants, observing them as they worked and analysing official documents at the work place. The ontological and epistemological views discussed above influenced the researcher to adopt a qualitative research approach which is discussed in detail in this chapter.

Creswell (2007:36) points that:

Qualitative research is a situated activity that locates the observer in the world. It consists of a set of interpretive, material practices that make the world visible. These practices transform the world. They turn the world into a series of representations; including field notes, interviews, conversations, photographs, recordings and memos to the self. On one hand, qualitative research involves an interpretive, naturalistic approach to the world. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them.

Babbie and Mouton (2001:270) also put forward the notion that qualitative research also attempts to study human action from the viewpoint of the social actors themselves which is referred to as the 'emic' perspective by anthropologists. This means that the qualitative researcher should engage with the people and the field he or she is researching in order to achieve a profound and holistic impression of the context under study. This is attained through interaction and involvement with the persons or organisations under study. In contrast, quantitative researchers, for the sake of generating objectivity, they disengage from the people and the field they are researching (Gray, 2009:164).

Strauss and Corbin (1998:11) define qualitative research as any type of research that produces findings not arrived at by statistical procedures or other means of quantification. In the same vein, Denzin and Lincoln (2005:10) are of the view that:

The word qualitative implies an emphasis on qualities of entities and on processes and meaning that are not experimentally examined or measured in terms of quantity, amount, intensity or frequency

Afore stated definitions define qualitative research in terms of what it is not. In this case, it is not principally based on quantification but on words, phrases and thick descriptions. Qualitative researchers bring together data in the field at the site (natural setting or naturalism) where participants experience the issue or problem under study (Babbie and Mouton, 2001:270, Creswell, 2007:37). In this study, the researcher visited selected urban

local authorities; the informants were asked questions and observed as they conducted their daily routines at their work places and organisational documents were also collected and analysed. Qualitative researchers may also immerse themselves into the study, but this was, however, not possible in this study due to time limitations. Qualitative researchers collect data through multiple sources by conversing directly with the research participants; examining relevant documents, observing the behaviour of the participants, biographical methods such as life histories and narratives and focus group discussions (Snape and Spenser, 2003:04, Creswell, 2007:38). Research design is not fixed as it can change as the research progresses and data analysis is inductive and not deductive. Qualitative research is foregrounded by research questions such as why, how and in what way?

On the other hand, quantitative research is a type of research that explains phenomena by collecting numerical data that are analysed using mathematically-based methods in particular statistics (Creswell, 1994:56). Quantitative research originated in the natural sciences such as biology, chemistry, physics and geology (Hancock, 2002:23). Quantitative research is, therefore, epistemologically linked to positivism where knowledge of the social sciences is obtained scientifically and objectively. The researcher aims to be independent of the research setting. The research design is fixed and is predetermined before the fieldwork. Quantitative research relies less on interviews, observations, subjective reports and case studies and is more inclined to collection and analysis of numerical data and statistics. Research questions such as how much, how many, how often, and to what extent guide quantitative research studies. In this quantitative research paradigm, (1) the emphasis is on facts and causes of behaviour, (2) the information is in the form of numbers that can be quantified and summarized, (3) the mathematical process is the norm for analysing the numerical data, and (4) the final result is expressed in statistical terminologies.

Due to its strong emphasis on the positivist strand, quantitative research could not be utilised in this study. This study is, therefore, exclusively qualitative. The researcher is not suggesting that qualitative approach is superior to the quantitative approach. This is in line with Silverman (2010:10) who argues that:

Never assume that qualitative methods are intrinsically superior. Indeed a quantitative approach may sometimes be more appropriate to the research

problem in which you are interested, so in choosing a method, everything depends upon what you trying to find out. No method of research, quantitative or qualitative is intrinsically better than any other.

The qualitative approach was, therefore, chosen for this study for a number of reasons. First, the discipline of ethics addresses human behaviour issues. Strauss and Corbin in Frick (2007:04) argue that:

Human behaviour, unlike that (the nature) of physical objects, cannot be understood without reference to the meanings and purposes attached by human actors to their activities.... The etic (outsider) theory brought to bear on an inquiry by an investigator (or the hypothesis proposed to be tested) may have little or no meaning within the emic (insider) view of studied individuals, groups, societies, or cultures. Qualitative data, it is affirmed, are useful in uncovering emic views; theories, to be valid, should be qualitatively grounded.

Second, the problem of weak ethics architecture in urban councils needed to be explored in detail and in context. The practice of ethics is not often secluded from and not unaffected by factors in the environment. The political, economic and social environments influence the practice of ethics. The attributes of the quantitative approach are not companionable with the notion of multiple interacting contextualised systems. Hence, the quantitative approach cannot explain in detail and in context whether the existing ethics architecture for urban local authorities in Zimbabwe is effective in fighting corruption. This detail was obtained by talking directly and observing the related activities of both appointed and elected officials in the five urban local authorities. This attribute is best provided for by the qualitative research approach. The phenomenon under study is confined to urban local authorities. As such, the results of the study were understood within the context of these institutions. If participants are removed from their setting, it leads to contrived findings that are out of context (Joubish et al, 2011:2085). The qualitative method collects contextually rich data.

Third, this approach was found appropriate for this study as the problem under investigation was explored within its natural setting. This is one of the key attributes of qualitative research. The field of study was visited and during the process of data collection the

researcher interacted face to face with both elected and appointed officials in urban councils. Relevant documents which included policy documents, acts of parliament, government directives and circulars, probe team reports and strategic plan documents from these studied institutions were also analysed in the process.

Fourth, ethical issues are difficult to quantify mathematically, hence the qualitative approach. The study of ethics is value-laden and it also involves belief systems, symbols and meanings, which are difficult to attach numerical values. Ethics, as a subject, is relative and scholars often disagree on what constitutes ethical standards. Ethics lacks objectivity but the subjective element is very strong.

Fifth, Mbizvo (2001:90) argues that qualitative research requires the researcher to become the research instrument. To this end, the study employed a qualitative approach so as to lay emphasis on the active role of the researcher as a research instrument and also as an active learner who can tell the story from the participant's view rather than an "expert" who passes judgment on participants. In this context the researcher went into the field to personally collect through face to face interactions with the research participants.

Sixth, the choice of qualitative approach for this study was influenced by Punch (1998: 245) who argues that:

If you can align yourself with a previous classic study, this makes a lot of sense. The last you want to do is to try to reinvent the wheel.

This argument is collaborated by Osifo (2012:63) who argues that qualitative research tends to be dominant in the field of social sciences and humanities. Furthermore, the majority of doctoral theses in the discipline of public sector ethics which were reviewed by the researcher adopted a qualitative research approach. For example, Kanyane (2006), Mbatha (2005), Habtemichael (2009) and Holtzhausen (2007), just to mention a few.

Seventh, ethics studies are sensitive; they involve issues of who is doing what is good or bad and what is wrong or right, so collaboration of the potential participants should be secured and willingness should be expressed. Given the sensitivity of the studied topic, the researcher drew himself closer to the informant which was best achieved through qualitative research.

Eighth, qualitative research provide, answers to the questions the researcher is interested in, what Silverman (2010:10) refer as “good fit for the research question”. The and how questions in this study fit into the qualitative research paradigm.

3.4 Study population and Sampling

Sekaran (2000:266) writes that a study population is the entire group of people, events or things of interest the researcher wishes to investigate. It consists of the general collection of persons or objects that are targeted for scientific inquiry. The 32 urban local authorities in Zimbabwe constituted the study population. The study population from these research sites is made up of all the elected officials, council executive managers, urban council employees, employees’ representatives, the business community representatives and ratepayers-associations officials.

Due to vastness and complexity of the study area, it was practically impossible to draw conclusions from the total population. Therefore, a population sample was selected. Creswell (2007:75) posits that sampling involves selecting sufficient number of elements from the population such that by residents studying the sample and understanding the characteristics and properties of the sample subjects it would be possible to generalise the properties and characteristics to the population elements.

There are two sampling strategies, which are probability and non-probability sampling. It is common to link non-probability sampling to qualitative studies. In non-probability sampling there is no way of specifying the probability of each unit’s inclusion in the sample, and there is no assurance that every unit has some chance of being included (Nachmias and Nachmias, 1996:183). This type of sampling rarely produces data which is generalisable. Researchers using non-probability sampling method first can rely on subjects available on the research site this is popularly known as convenient sampling. This method of sampling is to the convenience of the researcher, for example, distributing questionnaires to people found paying rates at a city council revenue hall on a particular day.

The method is easy and inexpensive to use but it rarely produces data of any general value and was not used for this study. Second, researchers can rely on subjects whom they judge to have the capacity to provide the needed data. This is referred to as judgmental or purposive

sampling. You can select people or organisations which direct reference to the topic under study. The sampling technique was not utilised in this study because the researcher did not seek to study an important and misunderstood unique or negative case that deserves to be studied in its own right. Third, the snowball sampling is used when the members of a special population are difficult to locate. This procedure is implemented by collecting data on the few members of the target population that a researcher can locate, and then asking those individuals to provide information needed to locate other members of that population whom they happen to know (Babbie and Mouton, 2001:167). The research did not utilise this sampling method because the research participants were not difficult to locate.

Given that the representativeness of the non-probability sampling is highly questionable, this study adopted probability sampling method the procedure which the researcher used is explained later in this chapter. The researcher used this method because the unitary nature of the Zimbabwean local government allows for generalisation to the wider population of the urban councils. This is collaborated by Hoepfl (1997: no page) who asserts that generalisability depends on the degree of similarity between the original situation to the situation to which it is transferred. In this case, the selected five urban councils operate under the same legal framework, corporate governance structure and the same social, political and economic environments with the other 27 urban councils which were not selected. First, probability sampling technique was used to ensure that the range of settings is representative of a wider population of the 32 urban councils in Zimbabwe (Pope and Mays, 2000:51).

Probability sampling is most often ignored by qualitative researchers but in this context it can have its place in qualitative research. The second reason for adoption of this method is that the designed research questions did not suggest specific categories of people to be sampled. Third, this research did not seek to study an important and misunderstood unique or negative case that deserves to be studied in its own right (Punch, 2005:146). Fourth, the goal of this study was to generalise qualitative findings from the sample to the population, hence probability sampling offers the best chance for a researcher to obtain a representative sample (Onwuegbuzie and Leech, 2007:240).

There is general consensus among researchers that the purpose of qualitative case study research is not to generalize findings. In other words, qualitative case study research has been criticized for lack of generalisability. This thesis, however, takes a different view. First,

qualitative case study research has a valuable contribution to make in future cases of public administration. This is collaborated by Punch (2005:147-148) who argues that:

We should note the central role given to the case method of teaching in professional schools of business, medicine and law as well as nursing, public administration, social work and psycho-analysis. In these training situations, historical cases are studied in great detail, and are used to train managers, doctors, lawyers and so on; to deal with situations they encounter in the future. This clearly underlines the potential generalisability of knowledge built from case studies. If every case were totally unique, there would be no transferability of knowledge from one case to another and little point in the case method of training.

Second, this study's conceptual framework is informed by four qualitative case studies of Norway, South Africa, Botswana and Singapore with ultimate purpose of drawing practical lessons which at the ultimate end influence anti-corruption policies in Zimbabwean urban local authorities. Therefore, to argue that qualitative case studies are not transferrable defeats the purpose of this study. Third, the ethics architecture model which this study envisages to design though it will be required to be locally relevant should be internationally compliant meaning that it will draw lessons from best practices internationally. Fourth, an in-depth study of a case or cases provides understanding of a persistent problematic research area whose findings would provide recommendations/solutions to similar problems elsewhere.

Cohen et al (2011 .153) argue that in a probability sample, chances of members of the wider population being selected for the sample is known and every member of the wider population has an equal chance of being included in the sample. Probability sampling is appropriate for studies that can be generalized to other cases because it seeks representativeness of the wider population. There are various types of probability sampling and these are simple random sampling, systematic sampling, random stratified sampling, cluster sampling, stage sampling and multi-stage sampling.

This study utilised the random stratified technique to get a population sample of five urban local authorities from a total study population of 32 urban local authorities in Zimbabwe. Random stratified sampling divides the study population into homogenous groups, each

group containing subjects with similar characteristics (Cohen et al, 2011: 153). In this study, the urban local authorities were stratified according to their size and functions, for example, cities, municipalities and town councils. The lottery/hat system was used to sample two councils from each of the earlier mentioned three categories. The researcher first wrote the names of cities in Zimbabwe on pieces of papers and placed them in a basket. The participating cities in this category included Harare, Bulawayo, Gweru, Mutare, Kwekwe, Masvingo and Kadoma.

The researcher then requested a colleague in the department of Local Governance Studies to randomly pick from the basket, two cities which were to participate in the study. In the process Gweru and Mutare city councils were selected to participate in this study. The same process was followed for municipalities and town councils resulting Bindura, Redcliff, Zvishavane and Chiredzi urban councils being selected for the study. This technique rested on the assumption that the cases being studied are typical of cases of a certain type so that through intensive analysis, generalisations maybe made that will be applicable to other cases of the same type (Kumar, 2011:131). Zimbabwe has a unitary government system and all the urban councils are managed by one legal framework and a similar corporate governance structure so generalisations of the findings of the selected urban councils is easy to make for the other 27 urban local authorities where applicable.

The random stratified technique was used to sample the key research informants. The key informants were grouped into six homogenous strata as follows:

Table 3. 2 Research participants

Strata	Category	Targeted #	Actual Interviews
1	Elected officials	10	8
2	Top managers, directors and heads of departments	15	12
3	Middle managers and section heads in departments	10	8
4	Lower managers and shop flow supervisors	10	8
5	Heads of employee representatives	5	5
6	Heads of resident associations and business community representatives	10	7
Total participants		60	48

Originally, the research had targeted to study six case studies, but eventually five cases participated in the study. In the sixth case, Chiredzi town council authorities were reluctant to grant written permission for the study. A written request for permission to conduct the study was submitted to the local authority. It took six months for the researcher to obtain verbal permission to carry the study despite numerous follow-ups. The researcher insisted on a written communication which never materialised as well. The possible reasons for this refusal is due to the period in which the letter of permission was written and this coincided with print media stories on allegations of corruption among councillors and senior officials, so this aggravated the sensitivity of the research topic.

Given this difficulty, the researcher finally relied on five case studies which proved to be representative and reliable. A sample of five (15.6%) urban local authorities is representative and reliable as this is in consistence with Ogolo (1996:46) who argues that a random sample of not less than 10% of the total population proves quite reliable. The researcher also insisted on studying five cases, instead of six because, after interviewing informants from the five cases, there was substantial redundancy and repetition which signalled data saturation. It is common among qualitative researchers not to be worried about the sample sizes, however this study is guided by Onweugbuzie and Leech (2007:242) who argue that, in general, a sample size in qualitative research should not be too large that it is difficult to extract thick, rich data. At the same time, the sample should not be too small that it is difficult to achieve data saturation or informational redundancy.

Based on the classification as in Table 3.2 five urban councils finally participated in the study, and 12 informants were to be interviewed per case study. So the total number of participants in this study was 60. The research eventually interviewed 48 participants, which is an 80% response rate. Bailey (1982:165) assets that a response rate of at least 50% should be adequate for the analysis of data and a figure of 60% can be seen as “good” and 70% can be seen as “very good.” The 80% response rate for this study is, therefore, a very good response rate which is suitable for analysis. The 20% non-response rate is attributed to number factors. First, informants in the heads of department and middle managers strata would keep on postponing their appointments, citing work commitments. This would go on for a number of days till the researcher got frustrated and then withdrew.

Second, some participants would out rightly refuse to accommodate the researcher, citing busy work schedules and the Official Secrecy Act. Third, the research participants among members of the residents and ratepayers association and elected councillors did not have offices to operate from. The researcher would use a mobile phone to book appointments. Follow-ups would also be done by cell phone, but to the disappointment of the researcher some research participants would not honour their appointments. Further follow-ups through mobile communication would prove futile as some participants' mobile phones would be unreachable. In this study, it was difficult to locate councillors and representatives of the residents and ratepayers association due non-availability of office space. Those whom the researcher located would be interviewed either at their residential areas or in open spaces.

Fourth, shop-floor managers who refused to participant in this study cited fear of victimisation. The researcher respected the two shop-floor managers' concerns as this research insisted on voluntary participation and the right to withdraw and obtaining informed consent.

The researcher drew some lessons mainly from the 20% non-response rate. The signing of informed consent forms and meetings with the informants before data collection would improve the response rate for the researcher's further studies.

3.5 Methods of data collection and procedures

Punch and McGowan (2006:64) define data collection as a process of how data is collected, which includes data collection instruments and data collection procedures. Data collection in this thesis is defined as a way data was gathered and recorded from the research sites and the research participants through interviews, observation and analysis of documents to answer the research questions. Data is generally collected through questionnaires, interviews, documents and observation. These data collection techniques will be explained in detail as the ultimate objective of justifying the appropriateness of the selected data collection techniques for this study.

3.5.1 The interview technique

The interview survey researcher anticipated that access to the research sites would be difficult due to the sensitivity of the research topic. The first stage was to get institutional approval to do the research. Before the data collection process started, written authority was sought to conduct the research in the sampled urban councils. A letter was written to Town Clerks and Secretaries seeking permission to carry out the study (see Appendix two). The letter requesting permission to conduct a doctoral research emphasised that data was to be collected by means of an interview survey, that the interviews would be conducted by the doctoral student and that during the research information gathered was to be treated with confidentiality. Written permission was granted in five urban local authorities (see Appendixes three to seven). There was a challenge at one local authority where verbal authority was granted six months after the letter was submitted. Efforts to obtain written permission from the local authority proved fruitless. After getting written permission to gain access into the five organisations, the researcher designed a research schedule which Town Clerks or Secretaries circulated in their organisations (Appendix eight).

To build trust and good relationship with the informants the researcher first met with each research participant privately introducing him and his study, explaining the significance of the study to both the organisation and society as a whole. In the process of these meetings the participants were assured confidentiality of the data to be released during the interviews. Key Informants were also informed of their right to withdraw from the study if they felt to do so. Informed consent was verbally sought in the process. The informants would then indicate the day and time they would be free to meet the interviewee. Though written authority was granted in the five local authorities, the researcher experienced some difficulties in gaining access to individual informants. This brings us to the attention of Bogdan and Biklen (2003) in Mothapo (2011:108) who caution that getting permission to conduct the study involves more than getting an official blessing since it involves laying the ground for good rapport with those with whom the researcher will be spending time with so that they will accept him or her and what he or she will be doing.

The researcher, being informed by Flick (2010:56-58), acknowledges that research is an intervention into an organisation; it is a disruptive factor for the system to be studied. To gain

informed consent from the informants (this was gained verbally), the researcher emphasised to the participants prior the interview sessions that data was to remain confidential and anonymity was to be respected. Research depends on the individual participant to release data. It was observed in this research that some of the informants would keep on postponing their appointments, citing work commitments and this would go on for a number of days till the researcher got frustrated and then withdrew. Some researchers would outright refuse to accommodate the researcher, citing the Official Secrecy Act. Given these isolated difficulties, observation and collection of official documents complemented this shortfall.

The researcher took notes during the interview process. He had planned to record data using a tape recorder. However, as the process of data collection progressed, the concept was abandoned. The majority of the informants refused to have their interviews recorded, citing anonymity issues. Qualitative studies need the researcher to spend more time in the field to ensure an in-depth understanding of the phenomenon (Merriam, 1995:55). The researcher, therefore, devoted six months to collect data from the field. Interviews were held in the key informants' offices for periods ranging from two to three hours. For informants who shared offices with other employees, separate interview venues which ensured respect to privacy were arranged through the Town Secretaries or Chamber Secretaries' offices. For interviews involving councillors and representatives of the Resident and Ratepayers' Associations, such interviews were either held at the informants' residential place or at open spaces.

An interview is an occasion when a person is asked questions by one or more people in order to find out about his/her opinions and ideas (Daniel and Terrel, 1989:80). The interview is one of the main data collection tools in qualitative research. It is a very good way of accessing people's perceptions, meaning, definitions of situations and construction of reality. Interviews are of two types, the structured interview and the unstructured interview, and these are suited for different situations. The choice of the interview type should be compatible with the research purpose, strategy and research questions. Interviewing could either be through face-to-face interaction, by telephone or by other electronic media (Kumar, 2011:145).

Punch (1998:76-78) and Kumar (2011:144-145) explain each of the two research types as follows:

Structured interview: In structured interviews, the respondent is asked a series of pre-established questions, with pre-set response categories. For standardisation, all respondents receive the same questions in the same order, and flexibility and variation are minimised, though open-ended questions may sometimes be used. Structured interviews follow a rigid interview structure, a rigid interview contents and rigidity in interview questions and their wording. The advantage of this interview type is that it provides uniform data which is easy to compare and that requires fewer interviewing skills than does unstructured interviewing.

Unstructured interview: This interview type is not standardised, questions are open-ended and interviews are in-depth. Unstructured interviews are dominantly used in qualitative research, and they are used to understand the complex behaviour of people and are capable of producing rich and valuable data. The interview structure and the wording of questions are flexible and can be changed as the interview progresses.

The two types of interviews that have been mentioned are opposite extreme polar ends. This study therefore settled for the **semi-structured interview** (see Appendix nine) which borrows the characteristics of both the structured and the unstructured interviews. To ensure in-depth understanding of the phenomenon under investigation, interviews were held from the months of January to June 2014 (6 months period). Such interviews were held for two to three hours per participant. The semi-structured interviews provide the best of both worlds as far as interviewing is concerned. The semi-structured interviews combine the structure of a list of issues to be covered together with the freedom to follow up points as necessary (Thomas, 2009.164). In consistent with this argument DiCicco-Bloom and Crabtree (2006) posits that semi-structured interviews are generally organised around a set of predetermined open-ended questions with other questions emerging from the dialogue between the interviewer and the interviewee. Predetermination of questions enables respondents to answer the same questions thus increasing comparability of responses and this also reduces interviewer effects and bias when several interviewees are used (Cohen et al, 2011:413). Semi-structured interviews are not tightly prefigured and so they accommodate flexibility by integrating questions that emerge from the dialogues. This thesis utilised the semi-structured in-depth individual interview format because it is the most widely used interviewing format for qualitative research (DiCicco and Crabtree, 2006). The semi-structured interviews was conducted with top management, middle management, councillors, shop-floor managers, heads of workers' representatives and heads of residents and ratepayers' associations.

3.5.2 Observation

One of the methods of collecting data is observation. Observation is a purposeful, systematic and selective way of watching and listening to an interaction or phenomenon as it takes place (Kumar, 2011:140). Researchers can observe events as they happen in an organisation, for example, a council meeting. Behaviour or qualities of the research participant can also be observed. Observation could be either participant or non-participant. A non-participant observer does not get involved in the activities of the organisation under observation but remains passive, watching and listening to its activities and drawing conclusions from this. With regard to participant observation, the observer is immersed in the organisation under study and can get involved in the activities of the organisation. For example, in a study which examines the activities of the internal audit section in an urban council. The researcher would have to join the audit section and participate in and observe the activities of the section. In this study observation was non-participant. What makes this data gathering technique distinct from others is that it offers the researcher the opportunity to gather “live” data from naturally occurring social situations.

The researcher can look directly at what is taking place rather than relying on second hand accounts (Cohen et al, 2011:456-7). The behaviour and activities of the research participants at the research sites were observed. To understand the economic environment which the studied local authorities are operating in, the researcher would conduct in loco inspections at business premises observing open and closed industries and business ventures. At urban councils workstations, the state of office buildings and furniture was observed, equipment and machinery and conditions of services in terms protective clothing and regular of pay dates were also observed. Displayed vision and mission statements in offices and at the reception centres were also checked. The data in them reveals the level of integration of ethical values in organizational vision and mission statements. Non-verbal cues were also observed as the researcher interacted with the informants.

The observation as data collection instrument was useful in this study to gain insight of the local economy which the urban local authorities are operating in, the integration of ethical values into vision and mission statements and in describing the physical settings of urban councils. This technique is advantageous. It allows the researcher to see directly what people

do rather than relying on what they say they do. However, the observation technique has its own shortcomings which include its propensity to observer bias and that it cannot amplify the understanding why people behave the way they do. It is difficult to observe the inner feelings and values of human beings and the ethical choices they take. It is, however, a good source of qualitative primary data if it is triangulated with other data collection techniques. For this reason, the observation method was used in this thesis to complement the interview technique and analysis of documents. As the research progressed the observation data collection method was triangulated with documentary review and interviews.

3.5.3 Questionnaire

Another data collection technique is the questionnaire. Borg and Gall (1990:289) define questionnaires as documents that ask questions to individuals in a sample. Brown (2001:6) also defines the questionnaire as any written instrument that present respondents with a series of questions or statements to which they are to react either by writing out their answers or selecting from among existing answers. In a questionnaire, respondents read the questions, interpret what is expected and then write down the answers (Kumar, 2011:145) A questionnaire with close-ended questions yield quantitative data and is appropriate for use in a descriptive survey research, and for this reason, this technique will not be used in this study , since it is not compatible with qualitative research.

3.5.4 Documentary surveys

A document is defined as a record of an event or process (Cohen et al, 2011:249). Documents could be private or public. Private documents include diaries, photographs and autobiographies, among others and public documents include reports, committee minutes, codes of conduct, acts of parliament, the constitution, workshop or conference proceedings, print and electronic media documents and probe team reports. Documents are presented hard or soft prints and these form a rich source of data that can be used in this qualitative research study. Electronically, this study relied on internet sources. Relevant documents from urban councils were collected and analysed in relationship to the ethics architecture for urban councils in Zimbabwe and these are Urban Council Act (Chapter 29:15); the Public Finance Management Act; the Labour Relations Act; the Prevention of Corruption Act; the Electoral Act (Chapter 2:13), Codes of ethics/conduct; full council minutes; probe team reports and the

current Zimbabwean constitution, vision and mission statement documents, strategic plan documents, ministerial directives, human resource policy documents, government circulars, print media newspaper articles, budget review statements and unpublished thesis and dissertations from institutional repositories. Accessing sensitive documents like audits and probe team reports proved difficult since officials considered the information confidential and sensitive.

As the researcher collected data through interviews verbal permission was sought to review relevant documents from the Town Clerks and Town Secretaries. The researcher did not experience any challenges in obtaining acts of parliament, strategic plan documents, policy documents, ministerial directives and government circulars. However, sensitive documents like the probe team reports and audit reports were difficult to access. To mitigate this problem, the researcher relied on the first hand data from interviews and secondary data from the print media.

3.6 Data analysis

After data collection, the study was guided by Creswell's six steps for qualitative data analysis. The analysis was in six main stages namely data organisation and preparation of data for analysis, reading through all data, coding the data manually, generating descriptions or themes for analysis, interrelating themes/description and interpreting the meaning of themes/description (Creswell, 2014:197-200). The qualitative research approach generates large volumes of data which was to be of no use if it was not collapsed into relevant themes, categories and patterns. Creswell's six stages for qualitative data analysis was employed within the framework of case study analysis. Data analysis, in this research, involved detailed description of each of the five studied local authorities and themes within the case analysis. Creswell (2007:75) refers this process the within case analysis. The case- by-case analysis was followed by a thematic analysis across the cases called a cross-case analysis. The analysis of data obtained through interviews, documentary survey and observation involved the preparation of a report of each of the individual five urban councils. Themes which emerged within each of the cases were identified. The single case analysis report was followed by a cross-case study analysis which involved a thematic analysis across the five urban councils. Data was analysed by referring collected data to the research questions.

Evidence that addressed the question was identified in the cases. Conclusions were drawn based on the weight of the evidence which was displayed in a descriptive format.

Qualitative studies are conducted through the use of the grounded theory, ethnography, case study, phenomenological research and narrative research. A case study design was used to examine the ethics architecture of the selected urban councils in Zimbabwe. The case research design was selected for this study because it is applicable to complicated real-life situations and it is more intensive than other methods. Case study research design can either be a single case study or collective or multiple case studies. In a collective case study, a number of cases are studied in order to learn more about the phenomenon, population or general condition (Stake, 2000:437-8). Punch (2005:144) also refers to it as a comparative case study.

This study employed a multiple case study research design. In using a multiple case design a question is asked: what is the sufficient number of cases deemed appropriate for a study. In qualitative studies, there are no rules to determine the sample size or the number of cases. This study took note of the following factors to determine the number of cases. First, the resources available to the research, including the time factor were limited. High costs are involved in qualitative research. It produces large volumes of data and the times spent in the field demands financial support. The researcher was part-time so the need to balance between the doctoral research and his usual work demands was necessary. Second, the researcher was influenced by Perry (1998) in Mulili (2011:126) who highlights that the recommended range to fall is between a minimum of two to four and a maximum of ten, twelve or fifteen cases, and Eisenhardt (1989) who asserts that while there is no ideal number of cases, a number between four and ten usually works.

Against this background, five cases were used in this research as already explained earlier. The cases were five urban local authorities selected using the stratified random sampling technique. The sampled urban local authorities included Gweru City Council, Mutare City Council, Redcliff Municipality, Bindura Municipality and Zvishavane Town Council. The sampled local authorities cut across three provinces in Zimbabwe which are Midlands, Mashonaland Central and Manicaland. Midlands province has the largest number of urban councils under study because it is also the province which has the largest number of urban local authorities in Zimbabwe.

While multiple cases are said to have less validity than single cases, multiple cases provide good theoretical base for the research (Eisenhardt, 1989). This study was conducted in five urban local authorities in Zimbabwe to allow generalisation to other urban local authorities where applicable. In chapter four, this study allowed for a presentation of separate, single cases and this was followed by a cross-case comparative analysis. The undermentioned advantages justify the choice of multiple case study approach employed in this study. Multiple case studies allow for replication logic (Yin, 2009:54). If similar results are obtained from the five selected urban councils then the replication logic will have taken place. Replication, as the number of occurrences of a phenomenon mount, increases the confidence the researcher can have that a finding is reliable (Babbie and Mouton, 2001:282). Using multiple cases also produces more compelling and robust studies. This is substantiated by Herriot and Firestone in Yin (2009:53) who claim that evidence from multiple cases is often considered more compelling and the overall study is, therefore, regarded as being more robust. Christie et al (2000:15-16) also argue that multiple case studies increase the scope of the investigation, provide for a more rigorous and complete approach than single case studies. And, finally, they argue that due to triangulation of data in the context of multiple case studies, differing sites and data sources are provided to satisfy theory generation and verification.

Data analysis is a critical component of a research process; its purpose is to bring meaning, structure and order to data (Anfara et al, 2002:31). So a detailed description of how data was analysed in this study is, therefore, critical. As alluded to earlier, data analysis in this study followed Creswell's six-stage qualitative data analysis process.

The first stage involved organising and preparing data for analysis. At this stage, data was transcribed from interviews. Observational notes were prepared, and relevant documents for documentary analysis were collected from the five urban local authorities. Data was sorted and arranged into different types, depending on the sources of information. Data from interviews was written in note books and this was done manually for each specific urban council. The interview notes were word-processed and stored in a computer. The presentation of the notes was guided by the questions in the interview guide. Documents gathered per each local authority were filed in preparation for documentary analysis and were arranged in the files according to their purpose.

The second stage involved reading and reflecting all data at once. At this stage, the researcher immersed himself into the data by reading and re-reading through data from collected documents, notes from interviews and observational notes. Creswell (2014:197) argues that this stage:

Provides a general sense of the information and an opportunity to reflect on its overall meaning; what general ideas are participants saying? What is the tone of the ideas? What is the impression of the overall depth, credibility and use of information?

The third stage involved coding of data. Bryman (2012:568) presents that coding entails reviewing transcripts and/or field notes and giving labels (names) to component parts that seem to be of potential theoretical significance and /or that appear to be particularly salient within the social worlds of those being studied. Punch (2005) puts it that codes are names or labels against pieces of data with the purpose of attaching meaning to the pieces of data. Punch further presents that codes serve a purpose of indexing data and summarising data by pulling together themes and identifying patterns. In this study, coding involved labelling and tagging data after reading phrases, sentences and paragraphs in fine detail from interview notes, documents and observational notes. In this study, getting guidance from reviewed literature and study questions, the researcher created the following predetermined codes or labels, leadership commitment, socialization, anti-corruption legal framework, accountability and transparency mechanisms and conducive human resource policies. Coding was done manually where codes were applied to the whole set of data by writing them on the margins of transcripts or notes and documents. In other words, collected data was fitted into these predetermined codes or labels. The researcher did not use predetermined codes only but also allowed codes to develop on the basis of emerging information collected from participants.

The fourth stage involved the use of the coding process to generate a description of the setting as well as categories and themes for analysis. This stage of data analysis became critical in coming up with a detailed description for the selected five case studies. Following the thematic approach through the coding process, themes or categories were generated for the research study. In this study, the developed themes were then analysed for each individual

case study and across the different case studies. The identified themes formed the backbone of the major findings of this thesis.

The fifth stage is the decision of how the description and themes will be represented in the qualitative narrative, in other words, data display. The thesis used the narrative format supported by verbatim quotations from informants to present data for the selected case studies.

The sixth, being the final stage of the data analysis of this study, was interpretation of research findings or capturing the lessons learned from the research study. Interpretation in this study was guided by the theoretical lens and also literature reviewed for the study. Some of the findings confirmed or diverged from literature reviewed for the study. Divergence influenced new insights for the study.

3.7 Conclusion

The choice of the qualitative methodology in this thesis is not assuming the superiority of the qualitative approach over the quantitative one, but is based on the methodological congruence to the type of research questions being answered. Of critical importance in this chapter was the use of probability sampling techniques in a qualitative study, this is not common. This is justified by the fact that the study sought to generalise findings from the five sampled urban councils to other 27 local authorities. The five local authorities share a degree of similarity with the other 27 urban councils, so generalisation was possible. As data was collected from five sites, this allowed for replication of logic to occur and the production of compelling and reliable results.

The process of data gathering was not without critical challenges, since some respondents would postpone appointment, citing work commitments, and others would refuse outrightly to participate in the research. At one municipality such a challenge was resolved through interviewing the immediate subordinate of the concerned top manager. In other cases, the researcher persistently and persuasively requested respondents to accommodate the interview sessions in their busy work schedules.

Further, to uphold ethical principles, confidentiality, anonymity, informed consent and the right of research participants to withdraw from the study were upheld during the data collection process. The quality of research in terms of reliability and validity was upheld through triangulation of data sources, getting peer review from colleagues, respondent validation or member checking to determine the accuracy of the qualitative findings, and the researcher also spend prolonged time in the field, ensuring an in-depth comprehension of the phenomenon under study.

Data analysis, in this study, involved detailed case by case description of the five selected urban councils (within case analysis) followed by a comparative thematic analysis across the five cases (cross-case analysis), hence the ensuing nine chapters. The chapters are organised into case studies of five randomly selected urban councils: Gweru (Chapter Four), Mutare (Chapter Five), Bindura (Chapter Six), Redcliff (Chapter Seven and Zvishavane (Chapter Eight). Accompanying these chapters follows a solid comparative analysis of the five case studies (chapters nine), leading to conclusions and recommendations in chapter ten.

CHAPTER FOUR

THE CASE OF GWERU CITY COUNCIL

4.1 Introduction

This chapter focuses on the examination of the ethics architecture for Gweru City Council (GCC). As earlier discussed in Chapters One and Two, the term ‘ethics architecture’ refers to systems and structures designed by urban local authorities to promote ethical conduct against corruption. In the context of this thesis, the systems and structures are in the form of set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the selected urban councils. Presentation and analysis of this case study commences with a brief background which is a critical component in setting up the research. The mission statement and core values which guide the operations of the local authority will also be outlined, thus forming the solid base on which the ethics architecture is anchored. Subsequently, data on ethics architecture (institutional, legal, political and social remedies) for the case study are presented and analysed. The process is guided by the research questions outlined in Chapter One. The chapter then folds up with a compelling conclusion.

4.2 Brief background of Gweru City Council

Gweru City Council is the third largest urban local authority in Zimbabwe situated in the Midlands province with a population of 158 233 (Zimstat, 2012 census). The city lies within the central region of Zimbabwe. Gweru is well connected by direct road and rail links with the key urban centres as well as neighbouring countries like South Africa and Botswana. Historically, the city started off as a gold mining village in 1894 and kept budding until it, granted city status in 1971.

The City of Gweru’s hinterland is endowed with cosmic, rich natural mineral resources which consist of platinum, chrome, gold, iron and nickel as well as rich farmlands under crop and livestock production (City of Gweru Strategic Plan, 2012-2016:02). The local economy of the city is sustained by major industries, including chrome smelting and production of ferro-alloys, manufacture of yeast, industrial gases, glasses, foundry products, textiles and clothing, beef and dairy products, food and beverages, footwear, concrete products and abrasives.

Before the decline of the Zimbabwean economy, the City of Gweru had an effervescent industrial sector. Documentary review of the City of Gweru's strategic plan, however, discloses that due to the current depressed economic environment, the aforementioned industries are operating at only 40% of their capacity and this has resulted in massive retrenchments, lay-offs and unemployment levels of close to 80% of the city's population. Documentary review of the City of Gweru's strategic plan and observations made during the data gathering process reveal that the demise of the Zimbabwean economy saw the closure of the following companies in Gweru: Zimcast, Kariba Batteries, David Whitehead, Fort Concrete, BP Shell, Metallurgical Supplies Private Limited and PG Industries just to mention a few. This resonates with Dewa *et al* (2013:4) who argue that the post-2000 era saw the demise and decline of most industries in Gweru. The demise of the industrial sector in Gweru compounded the deterioration of the living standards among residents, thus subsequently creating an environment which weakens the city's ethics architecture against corruption. Survival corruption thrives in poor economic environments that are characterised by high unemployment levels. Scarcity of goods and services creates opportunities for bribe-giving and taking.

According to the City of Gweru 2012 to 2016 strategic plan collected during the data gathering exercise, the city's local economy is now based on the informal sector activities which include vending, flea markets, carpentry, welding, dressmaking, hairdressing and market gardening. This economic scenario explains why residents and ratepayers in Gweru are failing to pay for services provided by the local authority, thus compromising the capacity of the city to competitively pay its employees and to provide for efficient and reliable services to its residents.

Like any other city in Zimbabwe, the city of Gweru is demarcated into 18 political wards which are represented by elected councillors of which three of the councillors are from Zimbabwe African National Union- Patriotic Front (ZANU-PF) and 15 from Movement for Democratic Change-Tsvangirai (MDC-T). The 18 elected councillors constitute the policy-making board which also provide an oversight role over council management. Council management is headed by the Town Clerk and is assisted by five Service Directors and their duty is to ensure that decisions or resolutions are correctly interpreted and implemented.

4.3 Gweru City Council's mission statement and core values

During the data gathering exercise, the researcher observed that Gweru City Council's vision, mission and core values are displayed at the reception of the city offices and in the offices of most senior and middle managers. The city of Gweru is guided by the vision to be a dynamic, green and prosperous city and in its mission statement is being committed to good governance, the provision of cost effective services to its residents and to promoting local economic development. The city is normatively guided by the core values of professionalism, customer focus, equal opportunity employer, community participation, environmental stewardship, integrity, accountability and transparency and teamwork. The imprints of ethical values in the vision and mission statement of Gweru City signal the importance to which the local authority leadership attaches to ethics. Documentary review of the City of Gweru's strategic plan also reveals that the city integrated into its strategic plan the key result area of good governance which seeks to promote accountability, integrity and transparency through introducing a code of ethics for employees, officials and councillors and formulating and implementing action plans that ensure accountability and transparency.

The application of some of the core values in the operations of GCC is evident. GCC has promoted transparency in its operations through council meeting that are open to the members of the public and the press, council documents and minutes that are available for public inspection and scrutiny, participative budgeting system and open procurement and employee resourcing systems among others. On accountability, elected officials are held accountable through regular elections, ministerial monitoring and supervision and internal and external auditing among other accountability mechanisms. On the other hand appointed officials are held accountable through internal administrative control mechanisms, legislative oversight by elected officials, and evaluation of performance contracts. However, the core value of customer focus is compromised in GCC through poor service delivery.

The researcher observed that the roads are potholed, water supplies are erratic and, garbage remain uncollected among other service delivery challenges. The perennial problem of dry water taps for more than five years in Mkoba 19 is a clear testimony that GCC is failing to fulfil its mandate thus compromising the core value of customer focus. The eradication of corruption benefits immensely from council officials who:

- Put their focus on customers.
- Are accountable to the community.
- Are transparent in their operations.
- Exude professionalism in the execution of their duties.

Accountability and transparency mechanisms when practised make corruption hard to commit. However, the practice of these core values by local government officials cannot be guaranteed.

4.4 Leadership Commitment to Ethics and Fighting Corruption

Leadership commitment to ethics or anti-corruption activities is one of the pillars that anchor effective ethics architecture against corruption. Responding to the question : Can you tell me how council leadership has demonstrated commitment in practising ethics as well as uprooting corruption in your organisation?--the representative of the Residents and Ratepayers Association, top managers, middle managers and the workers committee representative complained that councillors who served during the period under review lacked commitment to ethics. This is substantiated by lack of exemplary leadership among elected leaders. The respondents reported that GCC elected officials who fared poorly in exemplary leadership. In confirmation, the informant who represented Residents and Ratepayers responded as follows:

Councillors who served the period between 2008 and 2013 did not lead by example. For example, in 2011 one of the councillors bought a council stand using the Zimbabwean dollar currency which was no longer in circulation and another councillor who set in the Finance Committee bought a council truck for \$ 7.00. These two elected officials abused their offices to acquire council property cheaply, putting their interests first ahead of public interests. Contrary personal interests should be subordinated to public interests.

This was confirmed and documented by Dewa *et al* (2014:192) who report that an extreme case of corruption is that of a councillor who bought a GCC car for \$7.00. An independent

private newspaper The Financial Gazette of 13 January 2013 also carried a story which was verified and validated by the Voluntary Media Council in Zimbabwe. The paper reported that the GCC councillor bought a council stand in Zimbabwean dollars which were no longer in circulation. It is apparent in these two cases that the councillors failed to serve as good role models for GCC employees and the citizenry. Interviews with the middle manager responsible for the Secretariat Department revealed that the ideal method of asset disposal is through an open public auction system. In this case, GCC arbitrarily disposed the council assets by selling them at unreasonably low prices to these councillors in the process violating the standard procedure of disposing council assets through public auction.

Interviews with the Workers Representative and a Middle Manager in the Secretariat Department further revealed lack of exemplary leadership among GCC elected officials. The two respondents confirmed that, in 2012, MDC-T investigated cases of corruption among its councillors. The investigations found eight GCC councillors being accused of corruption and were subsequently suspended from their party. Responses further revealed that the aforementioned councillors were on a looting spree, they flouted tender procedures for private gain, used their positions to acquire cheap council land and later resold it at exorbitant prices and acquired council assets and properties at lower prices than the actual prices. This case clearly illustrates that the local political elites (councillors) are abusing their power to pursue wealth at the expense of the majority, the residents and ratepayers. Analysed through the lens of the virtue theory, the findings indicate that the councillors failed to demonstrate integrity and exemplary leadership consistent with the duties of the civic office they hold.

The problem of moral crisis among elected leaders is also replicated in Zvishavane Town Council, Bindura Municipality, and Mutare City Council. Councillors are board of directors for urban councils, who are expected to set the ethical tone at the top, they should preach and practise ethical leadership and set good ethical examples for the general populace and employees. Corruption, as revealed in aforementioned cases, is prevalent among elected officials in GCC and urban councils that have corruption at the highest levels lack moral authority to act against those who are corrupt at the lower level (Langseth, 1999:30). The involvement of local political leadership in corruption in turn weakens the anti-corruption drive. In the process of copying from the corrupt bosses the general public and council officials find corruption permissible.

Punishing corrupt actors even top-ranking officials is another symbol of leadership commitment to fight corruption. Globally Singapore had displayed its commitment to fight corruption through punishing corrupt actors even top ranking officials. Thus, it forms a resonant benchmark for GCC in this regard. An interview with a workers committee representative however revealed that at institutional level GCC is taking prompt action against cases of corruption and related unethical practices involving junior or low level employees whilst sweeping under the carpet cases of misconduct involving senior appointed officials. The same concern was raised by the shop floor managers and a middle manager in the Audit section.

This is contrary to the anti-corruption drive that the Singaporean government adopted in which people found guilty of corruption or unethical practices were penalised in spite of their positions or standing in society. For example, in 1975, the Minister of State Wee Toon was sentenced to four and half years in prison for accepting bribes from a property developer, in 1993, Yeo Seng Teck, the Chief Executive Officer of Trade Development Board was sentenced to four years in prison for corruption, cheating and forgery and, in 1995, the Deputy Chief Executive Officer of the Public Utilities Board was sentenced to fourteen years imprisonment for accepting bribes (Saxena, 2011:65). Failure to pursue allegations of corruption among high-ranking officials reflects lack of commitment from top leadership to contain corruption, thus weakening the ethics architecture against corruption. This resonates with Quah (2001) who argues that if the “big fish”, the rich and famous, are protected from being prosecuted and only the “small fish”, ordinary people, are caught and executed, the anti-corruption strategy will lack credibility and is unlikely to succeed.

Further evidence of lack of leadership commitment to ethics is also demonstrably reflected through failure by GCC leadership to provide ethics training to its appointed officials and employees. Middle managers, shop floor managers and the representative of the workers committee concurred that GCC does not have a budget dedicated to ethics training for appointed officials and employees. Respondents also revealed that despite the provision of ethics training programmes to its elected officials, GCC did not provide similar programmes to its appointed officials and employees. It is imperative that GCC should allocate funds and staff for the implementation of ethics training programmes as this would show commitment of top leadership to ethics and anti-corruption strategies.

However, documentary analysis of GCC's strategic plan reveals that there is evidence of imprints of ethical values in the organisation's strategic plan. The inclusion of core values like professionalism, integrity, accountability and transparency in the strategic plan of Gweru City Council signal the importance to which the local authority's leadership attaches to ethics.

Despite the failure by GCC to provide a budget for ethics training for staff, interviews with the top managers, middle managers and a representative of elected officials reveal that elected officials received ethics training during the councillors' induction programme. Respondents reported that elected officials in their induction programme were provided training on the meaning and rationale of local government, the legal framework that govern local authorities in Zimbabwe, the roles of a councillor, characteristics of an ideal councillor, and corporate ethics, among others. The aim of the corporate ethics training course is to inculcate ethical values in the newly elected officials. Evidently, this shows GCC's one-sided commitment to ethics. Training councillors in ethics, as guided by the teleological and virtue theories, equips them with skills to evaluate ethical implications of their decisions and actions

4.5 Socialisation

Socialisation is a critical component of ethics architecture and is an end-result of ethics training and the formal education process in primary, secondary and tertiary institutions. Training is an essential element to raise ethics consciousness and to build up skills capable of getting to the bottom of ethical dilemmas (Anello, 2006:20). Ethics training is a must for organisations that are taking an ethical medication route to resolve the problem of corruption. It provides employees with the opportunity to understand and apply the organisational code of ethics and to practically learn the competencies to resolve work-related ethical dilemmas. It also builds a person's inner moral fabric which subsequently exhibits good character. On socialisation, as discussed above responses from middle managers, shop floor managers and employee representatives reveal that GCC does not conduct on-the-job ethics training programmes for its employees. One of the respondents noted that:

GCC is not taking ethics training seriously as no budget was allocated to ethics programmes. On induction of new council employees, the component of ethical behaviour is ignored. Council should therefore budget for ethics

workshops where workers are trained on what ethics is and how to resolve practical work-related ethical dilemmas.

Documentary analysis of the GCC induction policy revealed that new staff is inducted on the vision and mission of the organisation, the reporting structures, the disciplinary and grievance procedure and performance expectations of the incumbents being inducted. Ethics training is excluded in the induction process. Findings from this study are revealing that ethics training is not receiving the positive attention it deserves from GCC management. This subsequently undermines the capacity of GCC employees to take and make ethical decisions when confronted with ethical dilemmas. It exposes that employees are not equipped with the necessary skills to deal with the ethical dilemmas that confront them daily.

The employees also remain ignorant of the rules, regulations and ethical values that define expected behaviour in the organisation. Failure by GCC to provide ethics training is also detrimental to the development of the requisite moral behaviour, attitudes and moral reasoning capacity that can withstand the vice of corruption. Ethics training grows the inner moral person and virtuous traits that give public officials an internal drive to behave ethically. Given that countries across the globe Zimbabwe included; have continued to witness the prevalence of corruption amidst anti-corruption initiatives heavily laden with control or compliance, the value of socialisation through ethics training cannot at this point be overemphasised for GCC. This is collaborated with Kanyane (2015:221) who argues that the drastic change in human conduct is, therefore, highly pursued as part of the arsenal, besides the existing codified ethics rules. The drastic change in human conduct is attainable through the process of socialisation whose agents include the family, the church, educational institutions and organisational ethics training programmes.

Interviews with middle managers and shop floor managers however reveal that they were morally developed through formal educational courses. A middle manager interviewed in the Engineering Department revealed that in pursuing a degree in Civil Engineering he did a course on Professional and industrial studies. The course addresses ethical issues, especially in managing tenders. The engineer further revealed that he is a member of the Zimbabwe

Institute of Engineers. The Zimbabwe Institute of Engineers has a code of conduct which governs the moral conduct of its members.

A shop floor manager in the Housing Department and a middle manager in the Chamber Secretary's office also confirmed that they received ethics training through formal education at Midlands State University where they studied a Bachelor of Science Degree in Local Governance Studies. Documentary evidence reveals that the degree programme included a module in Ethics in Local Governance, among others. Documentary review of the module outline reveals that the module addresses topics on corporate governance, corruption, ethics, and theories of ethics, ethical dilemmas and their resolutions, and a comparative analysis of ethics architecture models, among others. This resonates with Okechukwu (2012:149) who argues that teaching ethical values in a school system is a crucial means to bring sanity back into public institutions and the society at large. The formal education system provides moral knowledge on what is wrong or right, bad or good from the tender stage of primary education to the highest level of adulthood at tertiary institutions. The teaching of ethics in schools and colleges entrenches the culture of ethics and high moral good in the citizenry thus minimising the chances of corruption from occurring.

4.6 Conducive conditions of service and human resource policies

Responses from middle managers, shop floor managers, an employee representative and a representative of Gweru Residents and Ratepayers Association concurred that the conditions of service in GCC are not conducive for managing ethics and fighting corruption. It was disclosed that the lowest level employee gets a monthly salary of \$200 which is below the poverty datum line of \$500 and that GCC salaries are lagging behind by three months. One respondent revealed that:

GCC employees are not motivated at all, salaries are very low and are not paid in time, with no specific pay dates, working environment not safe as protective clothing is not disbursed on time. If employees are not paid in time and still report for duty, it implies that they are getting paid through falsifying water bills, using council equipment for private jobs,

moonlighting, flouting tender procedures and demanding bribes from ratepayers.

As alluded earlier in Chapter One, employees who are poorly paid end up leaving their employ to sell their personal wares, resulting into moonlighting incidents. In other words, lowly or erratically paid employees end up engaging in petty or survival corruption like pilferage, moonlighting or unauthorised personal use of council assets, just to mention a few. Failure to pay salaries in time violates the psychological contract between the employee and the employer. Ermongkonchai (2010) argues that misconduct occurs in an organisation when the psychological contract is violated with perceptions of injustice or unfair treatment at the workplace. Through the lens of the deontological ethical theory, failure to pay salaries in time is unethical as this violates the contractual agreement between the employer and the employee.

Explaining the reasons why GCC is failing to pay employees on time, respondents indicated that this is due to cash flow problems caused by the economic crisis the country is experiencing and also the Ministry of Local Government, Urban and Rural Development directive. According to documentary review, the ministerial directive dated 23 July 2013 based on Section 303 of the UCA (Chapter 29:15) directed all urban local authorities to write off debts in respect of rentals, unit tax, development levies, licenses and refuse charges owed by individual ratepayers as on 30 June 2013. Also written off was money owed by residents for rates, stands prescribed in terms of the Prescription Act (Chapter 8:13) as from February 2009 to 30 June 2013. Although government justified the directive as a way to cushion individual ratepayers from the severe effects of the economic challenges experienced during the period in question, respondents perceived the directive as mere political gimmick because it coincided with the 31 July 2013 elections. It was also observed that the directive saw the revenue of GCC shrinking to the extent of incapacitating the local authority from paying its workers on time and from providing effective service delivery. This reveals that GCC's economic environment is not conducive to enable the ethics architecture to effectively fight the vice of corruption through improving salaries and conditions of service.

Documentary review of the GCC's human resource policy reveals that recruitment and selection of senior employees which include Service Directors, their deputies and the Town Clerk are appointed through a procedure which is transparent and merit-based. GCC human

resource policy framework provides for advertising, shortlisting, and holding interviews for prospective senior employees. The first round of interviews recommends three successful candidates to the Local Government Board (LGB). The panel which interviews heads of departments at GCC is constituted by chairpersons of committees of council. The Local Government Board conducts the second round of interviews from which a successful candidate is appointed. Employees below the grade of deputy director are also appointed, following the processes of advertising, shortlisting and interviewing. Appointments of these categories of staff are not referred to the LGB but are finalised at GCC, following a council resolution.

However, there is evidence from documentary sources of flouting of the recruitment procedure. In a labour court case, number LC/MC/60/11, which involves the matter between City of Gweru, the appellant, and three respondents, the City of Gweru was appealing against the decision of an arbitrator ordering the appellant to reinstate the respondents or alternatively that the respondents be awarded the appropriate damages in lieu of reinstatement. The Judge President who presided over the case granted the appeal on the strength that the Head of Central Administration who was coordinating the recruitment process had corruptly, fraudulently and unlawfully recruited the three respondents. Evidence from the committee set up to investigate allegations of corruption and mismanagement against the Head of Department reveals corruption and misrepresentation in the manner that the recruitment process was conducted. It is alleged that the Head of Central Administration had numerous telephonic correspondences with the three and such correspondences occurred from the time the adverts were flighted up until the finalisation of the recruitment process. Respondents also alleged that cases of partisanship and nepotism are prevalent in the recruitment process at GCC.

For non-skilled employees, the study established that the process of recruitment is done by elected officials in the wards and this replicates the Zvishavane, Bindura and Mutare case studies. One of the shop floor managers cautions that:

The major weakness of involving councillors in the recruitment of lower level employees is that the process promotes partisan recruitment. In this case, it is irresistible for councillors to recruit members who generate the greatest electoral support for them. Employees recruited through such a

process owe their allegiance and loyalty to the councillors and not their immediate bosses; subsequently, this poses some disciplinary and supervisory challenges.

These findings reveal that despite the institutionalisation of a merit-based employee resourcing process, the system is still porous to corruption.

4.7 Transparency and accountability mechanisms

Interviews with top managers, middle managers, shop floor managers, elected officials and a representative of the residents and ratepayers association disclose that GCC promote accountability through auditing mechanisms, representative democracy which finds its expression in regular free and fair elections, internal administrative procedures, performance evaluation and use of suggestion boxes.

On administrative accountability, top managers, middle managers, shop floor managers, elected officials and employees' representative concurred that the administrative accountability structure is clear. Employees are accountable to management, management to the board of councillors, and council to the Ministry of Local Government, Rural and Urban Development. The Town Clerk is accountable to council for the day-to-day operations of the local authority. It was observed that the board of councillors and committees of council are legally permitted to insist on receiving regular reports to check on the progress made in terms of service provision. It was, however, realised through documentary review of the Urban Council Act and the Electoral Act that councillors who have a legislative responsibility and an oversight role over council operations are not appointed on the basis of their knowledge, skills and experience but on political qualifications. Councillors in Zimbabwe, like anywhere, are politicians who ascend to power through the democratic process of elections. Evidence from the Urban Councils Act (UCA) and the Electoral Act (Chapter 2:13) reveals that there is no established academic and managerial qualifications for one to be elected as a councillor. On the contrary, executive managers possess superior expertise and information. Respondents revealed that this gap in the legal framework is an impediment on the effectiveness of the board of councillors' oversight role. Councillors who play a critical legislative role of

holding top managers accountable through the committee system end up being another management-dominated tool (Pfeffer, 1972:219).

On representative democracy as an accountability mechanism earlier on referred as political accountability, one of the middle managers responsible for secretariat services revealed that GCC is governed by a council composed of 18 elected officials, 15 representing MDC-T and 3 ZANU-PF. GCC is, therefore, an MDC-T dominated local authority. The councillors are elected by the people in the wards. Each ward has one elected councillor who represents the people in that particular ward. Interviews with a middle manager in the Secretariat Department revealed that only 3 councillors were re-elected during the 31 July 2013 elections. The respondent further revealed that the other 15 councillors were rejected by the electorate for corruption and poor performance. This is in agreement with (Swift, 2006:187) who refers the process as “retrospective recall” where voters get the chance to get to cast judgment on their representatives at elections, and throw the councillors out if they don’t like them, electing a different set of councillors in their place. It is further alleged that MDC-T suspended 8 GCC councillors for corruption; this demonstrates commitment at the political level to eradicate corruption. The rejection of 15 councillors by the electorate during the 2013 harmonised general elections mirrors the effectiveness of elections as a political accountability tool.

On the issue of auditing as an accountability mechanism, an interview with one of the internal auditors revealed that GCC has a fully operational audit section which is headed by the Chief Internal Auditor. The Gweru City Council audit charter further revealed that GCC’s Chief Internal Auditor who heads the audit section reports administratively to the Town Clerk who is the Chief Executive Officer and functionally to the Audit Committee. This is positive as it enables the audit section to achieve organisational independence. It was also observed that the audit section is located in the Town Clerk’s department and its main objectives are to ensure adherence to management policies and directives, safeguard council assets, ensure compliance with statutory requirements and to secure the relevance, reliability and integrity of information and, as far as possible, the completeness and accuracy of records (Gweru City Council Audit Charter, 2014:06). The positioning of the Chief Internal Auditor in the organisational organogram, as observed, is porous to corruption. The Chief Internal Auditor, as reported by the internal auditor, is an Assistant Director and does not have a seat at the

executive table. This weakens the audit section's capacity to investigate malpractices among Heads of Departments who are bosses to the chief internal auditor.

Documentary analysis of section 97 (1) of the UCA reveals that the act mandates urban councils to appoint the Audit committee members. The act is however silent on the prerequisite qualifications for one to be appointed in the committee. The study found out that the audit committee gets its members from councillors who are democratically elected on the basis of political popularity than on academic or managerial qualifications. This creates a challenge on most occasions of the inability of the committee members to interpret and analyse financial statements and audit reports that are presented to the committee weakening the audit function.

During documentary reviews, it was observed that the office of the Comptroller and Auditor General, according to a Ministry of Local Government, Rural and Urban Development circular letter, number 1/2012, is mandated to carry out statutory audits of all local authorities as directed by the Public Finance Act, Chapter 22.19, and the Audit Office Act, Chapter 22:18. The Comptroller and Auditor General, due to capacity limitations and rotational affordability, contract out the work to registered Public Audit firms. Responses reveal that GCC is audited by Urban Development Corporation (UDCORP) and the local authority was last audited in 2011 which implies that it is behind in its external auditing by two years. This is contrary to Sections 305 (b) and 306 (3) of the UCA which require the councils to present audited financial statements to the Minister not more than six months after the end of each financial year. Failure to carry out external audits in time opens opportunities for corruption and unethical practices.

Middle managers, top managers, elected officials and the representative of the workers all agreed that GCC is accountable to the Minister of Local Government, Rural and Urban Development. The Minister has powers in terms of the UCA to monitor and supervise local authorities. Respondents further cited that the minister has structures in place to assist him to carry out the monitoring and supervisory role. The cited structures include the Office of Permanent Secretary at the ministry's head office, the provincial office and the District Administrator's offices. One of the middle managers responsible for Secretariat Services highlighted that the ministry performs the monitoring and supervisory role through

attendance at council meetings (the District Administrator attends council meetings), analysis of minutes of council and reports, monitoring visits and systems audits.

Section 91 (1) grants the Minister responsible for Local Government unrestricted access to all council records, minutes and any document in the possession of any council which relate to the council's meetings, resolutions and affairs. Section 314 of the UCA, also reveals that where the Minister is of the view that any resolution, decision or action of a council is not in the interests of the inhabitants of the council area concerned or is not in the national or public interest, the minister may direct the council to reverse, suspend or rescind such resolution or decision or suspend such action. Section 314 of the UCA is evidence of ministerial supervision as an accountability tool for urban local authorities. The GCC in particular and urban councils in general remain accountable to the Minister in their decisions and actions through sections 91 (1) and 314 of the UCA. Errant councillors are disciplined in the process.

On the issue of transparency, interviews with top managers, middle managers shop floor managers, elected officials and employee representatives reveal that GCC promotes transparency through council meetings that are open to the public, council minutes and documents that are available for public inspection or scrutiny, open tender system and advertising of posts in the local and national media. On the open tender system, interviews with one of the middle managers in the buying office said that prior to 2012, GCC's procurement system was managed by the municipal procurement board which was established in terms of Section 210 of the UCA. However, documentary evidence from statutory instrument 160 of 2012 found out that the system of managing procurement for all local authorities changed in 2012. Local authorities are procuring entities as guided by statutory instrument 160 of 2012. The new statutory regulations require every local authority to have a procurement committee which is headed by a head of department and no elected official sits in this committee. The procurement methods are now prescribed by the Procurement Act which is administered by the State Procurement Board (SPB).

Analysis of Statutory Instrument 160 of 2012 revealed that the procurement committee replaced the Municipal Procurement Board whose composition was elected councillors. The set procurement committee's responsibility is to adjudicate all tenders of councils following the specific requirement of each procurement category. Interviews with top managers, middle managers and shop floor managers and review of procurement legislation reveal that GCC in

particular and Zimbabwean local authorities in general are guided by three procurement methods or categories. The first method or category is for competitive quotations (from \$1 to \$10 000). In this, category local authorities are required to source at least three competitive quotations. The quotations are expected to be sourced from the State Procurement Board (SPB) suppliers list, which for transparency purposes, is created after flighting an advert in newspapers. For adjudication purposes, a comparative schedule must be prepared using quotations from the suppliers. In compliance to the Procurement Act (Chapter 22:14) of 2002 Section 35, a record of approved procurements must be maintained. The evaluation of the tender is based on the specifications of the goods and services. The procurement committee adjudicates the submitted tenders and makes recommendations to the accounting officer who approves and submits the copies to the SPB. For audit purposes, a record of all procurements is kept.

The second category involves informal tender above \$10 000 to \$300 000 for goods and services and \$1million for construction works. Documentary evidence from statutory instrument 160 of 2012 shows that local authorities requiring goods and services exceeding \$10 000 but not exceeding \$300 000 should invite tenders through newspaper advertisement. The advert should inform prospective bidders the closing date which is normally within 30 days, and where to collect the tender documents. The opening of the tenders to promote transparency is done openly in the presence of all interested parties. The adjudication of the opened tenders is done by the procurement committee which recommends to the accounting officer who is the town Clerk, in the case of GCC. The Town Clerk records his /her decision on the comparative schedule, retain the copy and transmit another copy to the SPB. The accounting officer finalises the procurement and advises the SPB.

The third and final category is the formal tender which exceeds \$ 300 000. The accounting officer prepares the draft tender document and draft advertisement and sends to the SPB. Documentary analysis of statutory instrument 160 of 2012 reveals that all formal tenders should be published by the SPB in the Government Gazette and national newspapers. The SPB receives and opens tenders which are dispatched to the local authority. The local authority evaluates and recommends, with clear justifications, to the SPB which, in turn, will carry out its own evaluation and compare with the accounting officer's recommendations, award the tender and notify the accounting officer and the bidders of the award result. Interviews with the middle manager in the procurement office and a top manager in the

Secretariat department confirmed that GCC follows this procedure which promotes a transparency procurement process.

4.8 Anti-corruption legal framework

On the anti-corruption legal framework (laws that are put in place to reduce corruption) documentary review of the UCA and respondents reveal the UCA makes provisions for the management of conflict of interest, meetings which are open to the public and the press. Section 108 (1) to (5) of the UCA forbids the offering of professional services for a reward or selling of goods to council by councils officials be they elected or appointed and their associates. Section 108 of the UCA addresses the problem of conflict of interest which if not managed escalates into corruption. Kanyane (2014:37) asserts that conflict of interest arise when private interests of a public official clash or even coincide with public interests. For example conflict of interest arises in a council setup when the daughter of the Town Clerk is shortlisted as one of the interviewees to a council post, in the process the Town Clerk fails to declare his or her interests and then goes on to participate in the interview in which the daughter is appointed to the post. In this scenario the Town Clerk fulfils his or her private interests by appointing her daughter to the advertised post versus the public interest of the organisation, of recruiting on merit a competent employee for the post. When personal interests of a public official outweighs that of the organisation then conflict interest is likely to degenerate into corruption. Chapter IX of the criminal law (codification and reform) Act Section 170 defines and criminalises bribery as a corrupt act. Section 173 of the above act also addresses the conflict of interest challenge.

The legal instruments are also supported by codes of conduct for appointed officials and for councillors; the documents were availed to the researcher during the data gathering process. The disciplinary code of conduct forms the basis of managing discipline and grievances for GCC employees, including managerial employees. An interview with the employees' representative however revealed that the employment code of conduct is not yet registered in accordance with the provisions of the Labour Act, Chapter 28:01. Documentary evidence from GCC code of conduct handed to the researcher in February 2014 revealed that the code was yet to be registered with the ministry of labour. So to ensure legality, disciplinary cases in GCC are currently handled through the national code of conduct as defined in statutory

instrument 15 of 2006. The anti-corruption legal framework is only effective in fighting corruption if the enforcement side is strong.

4.9 Effectiveness of the ethics architecture

To analyse the effectiveness of the existing ethics architecture for Zimbabwe's urban local authorities against corruption, the views of respondents who participated in this study were sought. Apart from the respondents' views the effectiveness was also evaluated against the operating local economic environment, the enforcement of anti-corruption legal framework, transparency and accountability mechanisms, leadership commitment, public procurement safeguards, and the operating social environment. The respondents expressed mixed feelings on the effectiveness of the ethics architecture for GCC. A fraction of the respondents said that the ethics architecture for fighting corruption is effective but majority said it is not. The respondents who said that the GCC ethics architecture is not effective in fighting and containing corruption cited a number of reasons that hinder its effectiveness. They said that the anti-corruption legal framework weakens the ethics architecture in Zimbabwe because it does not provide for the protection of whistle-blowers and asset disclosures and financial declaration by both elected and senior appointed officials. Respondents argue that workers in GCC fear to blow the whistle in the event of detecting ethical violations. Whistle-blowing as a tool for accountability and also as a corruption-detection mechanism is as a result weakened. The absence of whistle blower legal protection makes it difficult to get full involvement and collaboration from employees and members of the public in the process; this weakens the anti-corruption drive. They also argued that it is difficult to monitor illicit enrichment among elected and appointed officials in the absence of the law that enforces asset and financial declarations. This is an area of great concern; leaders will pursue the self-enrichment agenda from the proceeds of corruption without restraints.

Another respondent cited that the recorded corruption cases involving councillors in this study coincided with the amendment of the UCA and the electoral act in year 2008 to reduce the age qualification of councillors from 30 to 21 years and also the removal of property qualification requirements where a person aspiring to be a councillor was required to have property in the form of a house in the ward in which he or she intended to contest as a

councillor. Councillors, as observed, were thus under pressure to acquire property to match their new status. One respondent observed that:

Councillors who served from 2008 to 2013 were young, they had a lot of things to achieve in life and they considered councillorship as an opportunity to better their lives.

Third, respondents also cited how the poor macroeconomic environment which characterised the period under review impacted on GCC's capacity to provide an environment that is capable of fighting and quarantining corruption. It emerged from the City of Gweru's strategic plan document and observation that most industries in Gweru are closed, capacity utilisation is at 40% and the city's unemployment rate had soared to 80%. It was also observed that the local economy is poor and the residents' capacity to pay rates and user charges is compromised, resulting in low revenue inflows in GCC's coffers. As observed, this subsequently impacted on the ability of the city to pay its employees competitively and on time. As stated earlier, salaries are low and are lagging behind and employees' medical aid contributions are not paid on time. Respondents further argue that employees engage in corrupt activities like moonlighting not out of greediness but as a survival strategy in order to sustain their lives.

The interview survey with the employee representative reveals that GCC's anti-corruption architecture is more reactive than preventive. The respondent explains that there is more emphasis on compliance to rules and regulations than on integrity-building through on the job ethics training and availability of soft laws such as codes of ethics.

The responses from an interview with the representative of the Gweru United Residents Association stated that the association's capacity to hold GCC accountable is weak. The association depends on donor funds which the representative claims were difficult to source. It was further observed that the association does not have an office to coordinate its activities. The researcher had to track the interviewee on his mobile phone. This was also evidenced by the fact that the interview with the representative of the resident association was conducted at the latter's residential place. What emerged from the researcher's dialogue with the representative was that the civil organisation is not well coordinated; residents do not have a centre to get information from and to air their grievances, and the funding for engagement and dialogue is not available.

Finally, respondents interviewed complained that GCC councillors who were expected to lead by example and to be good role models failed to do so. It was said and verified through documentary analysis that MDC-T party suspended eight GCC councillors for corruption.

4.10 Conclusion

The poor economic environment is an impediment to the city's ability to provide supportive conditions of employment to its employees and efficient services to the community. Regrettably, a fertile ground for corruption and unethical practices to prevail is created among officials. Emerging from the ensued discussions on the adoption of the ethics architecture practices in GCC, there are significant efforts to adopt ethical architectural remedies against corruption. Corrupt officials are publicly punished including top-ranking firebrands. The chapter confirmed that the employee resourcing process for GCC is ethically enriched by core values of transparency, fairness and meritocracy. There are substantial measures to promote good corporate governance principles of accountability and transparency and this is evidenced by internal and external auditing processes, full council meetings that are open to the public and press, council minutes that are open to public inspection, open procurement and employee resourcing systems and council elections after every five years. This shows that GCC has the necessary ethical architecture to fight corruption which needs leadership commitment to enforce it.

GCC is however, lagging behind in adopting some of these ethics architectural remedies against corruption, especially failure to pay salaries in time which are in arrears by three months, external auditing is lagging behind by two years, non-provision of ethics training to employees, lack of registered code of conduct and the problem of moral crisis among elected officials is evident. Overall, GCC's ethics architecture is not effective against corruption because of anti-corruption legal framework that does not protect whistle-blowers and that does not enforce asset and financial declarations for both elected and senior appointed officials, poor and non-performing local economy and weak residents and ratepayers associations which lack the capacity to hold council officials accountable. As such, GCC's ethics architecture against corruption is more reactive than preventive. More emphasis is placed on compliance to rules and regulations than on integrity-building. So GCC should adopt ethics architecture practices which place more emphasis on developing ethics

consciousness and building capacities to identify and resolve ethical dilemmas within its elected and appointed officials through socialisation process.

CHAPTER FIVE

THE CASE OF MUTARE CITY COUNCIL

5.1 Introduction

This study focuses on the examination of the ethics architecture for Mutare City Council. This chapter presents findings collected from this study site using the research methods discussed in Chapter Three. Presentation and analysis of this case study commences with a brief background of Mutare City Council which is a critical component in setting up the research. The mission statement and core values which guide the operations of the local authority will also be outlined, forming the solid base on which the ethics architecture is anchored on. Subsequently, data on ethics architecture (institutional, legal and social remedies) for this case study are presented and analysed. The process is guided by the research questions. The chapter folds up with a compelling conclusion.

5.2 Brief background of Mutare city council

Mutare City Council (MCC) is the fourth largest city in Zimbabwe. The name, Mutare, is derived from a Manyika term “nyautare”, meaning “piece of stone”. The early British and Portuguese colonisers who established the city were attracted by gold which was discovered along Penhalonga valley through which Mutare River flows. The city is the provincial capital of Manicaland province. The city of Mutare is strategically located 265 kilometres from Harare and 300kilometres from port of Beira in Mozambique (City of Mutare strategic plan, 2005 to 2009). The city is located along the Zimbabwe-Beira route which gives it several advantages in business exploits in industry, commerce and international trade.

In terms of industrial base, Mutare prides itself as the hub of the timber industry. Its hinterland is home to various timber plantations which range from softwoods such as pine to hardwoods such as mahogany and mukwa. This makes the city suitable for timber-based industries such as board and paper manufacturing, timber milling, joinery, roof trusses and

furniture manufacturing. Vegetable and fruits like bananas, apples, oranges, mangoes, avocado pears, grapes, tomatoes, beans and peas are produced in large quantities in Manicaland province. This resulted in the establishment of agro-processing food-canning and freezing industries in Mutare. Economically, the City of Mutare is also surrounded by a wide range of excellent tourist resorts and facilities in Zimbabwe. These include Nyanga, Vumba and Chimanimani Mountains for excellent game-viewing, scenic views, mountain-climbing and luxurious botanical gardens. Mutare also lies in a rich gold belt in Penhalonga along Mutare River. The discovery of diamond in Chiadzwa promoted mining activities around the city, bringing a boost to the local economy.

It is, however, important to recognise that the local economy of Mutare has not been spared from the harsh economic conditions the country is currently experiencing. The researcher observed that capacity utilisation of the local formal industry is very low. The majority of the companies in the heavy industrial areas are operating at low capacity or are closed. As the researcher drove through Nyakamete heavy industrial area, one respondent showed him major industries which include Mutare Board and Paper Mills, Boarder Timbers, Cairnsfood and Karina Textiles which closed down, leaving the majority of residents of Mutare unemployed. The Respondent said that at its full capacity Mutare Board and Paper Mills used to pay rates and user charges that were sufficient to pay salaries of the council's monthly labour costs. As a result of the current economic hardships and the depressed job market, the local economy in Mutare is becoming more informal.

The demise of the formal industry and the growth of the informal sector are affecting negatively the cash injection which is flowing into the city's financial coffers. The city has been experiencing cash flow problems over the past five years and a number of factors have contributed to this situation. The factors include the July 2013 ministerial directive to write off debts, reluctance by ratepayers to pay rates in/on time, and a relatively high salary bill. The liquidity problem, as noted, impacted on Mutare City Council's capacity to provide efficient services to its stakeholders and payment of staff salaries in/on time. The researcher observed that during the time the data-gathering exercise was carried (June 2014) Mutare City Council (MCC) owed employees nine months in salary arrears.

MCC administers the city which is divided into 19 political wards. Each ward is represented by an elected councillor who sits on the city's full council as a board member. The council which is led by a Mayor is the highest policy-making board whose roles include legislation, policy formulation and resolution, monitoring and oversight. This resonates with Kanyane et al (2015:07) who assert that politicians set the policy framework and provide vision. They give political leadership. They must be seen and heard by the public as part of their accountability. MCC is currently dominated by two political parties the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and Movement for Democratic Change-Tsvangirai (MDC-T). The 2013 harmonised elections created a pluralistic political environment where MDC-T emerged with thirteen councillorship seats and ZANU-PF with six. In this situation; a favourable political environment for the two parties to check on each other as they execute their duties in the council chambers is created. Furthermore, holding of elections after every five years; present the citizens with the power to hold local leaders to account through the electoral process (political accountability).

The administrative arm which oversees the day-to-day running of council operations is headed by the Town Clerk who is supported by Service Directors and a staff compliment of 1 300 from the Departments of Finance, Central Administration, Housing and Community Services and Engineering Services. The Town Clerk and Service Directors are responsible for the execution of policies formulated by councillors. There is a clear separation of powers between elected and appointed officials; if this demarcation is respected by the two camps working together and by not interfering in the duties of another, the performance of urban councils will be enhanced.

5.3 Mission statement and core values

Evidence from Mutare City Council strategic plan 2005-2009 availed to the researcher during the data-gathering exercise reveals that the town is guided by the vision to become:

- A prime investment and tourism destination of the East.

- The city council in its mission statement is committed to provision of quality service to all stakeholders in a transparent manner, at competitive cost

The city council is driven by the core values of transparency and accountability, professionalism, good corporate governance, responsiveness, gender sensitivity, equal opportunity, stakeholder participation and efficiency and effectiveness. The core values should not be abstract on paper; they need to be translated into tangible actions that benefit the community. MCC as shall be discussed in this chapter translated the core value of transparency into action through council meetings that are open to the public and press, open procurement and employee resourcing systems among other systems. Respondents further revealed that accountability is promoted through regular elections, internal and external auditing processes, council's oversight system and internal control systems. On responsiveness to stakeholders needs, evidence from respondents reveal that the internal stakeholder and the employees' needs are not addressed since they are not paid in time and regularly. Service provision for the major stakeholders such as the residents is poor as evidenced by erratic water supplies, potholed road networks and inconsistent refuse collection schedule.

5.4 Leadership commitment to ethics and fighting corruption

The representative of the residents and ratepayers association, top managers, middle managers, councillors and workers committee's representative concurred that councillors and some appointed officials who served during the period under review fared poorly in exemplary leadership. Respondents revealed that elected officials involved themselves in unethical practices of borrowing money for personal use from council treasury, claiming travel and subsistence allowances for responsibilities that do not warrant the allowances, for example, budget consultative meetings and also illegally acquiring stands. It was disclosed that by year end of 2012, councillors owed city of Mutare USD 24 644 in unpaid debts. Cases were also reported of councillors who illegally acquired stands and then swapped them with vehicles. It also emerged from the responses and documentary evidence from the probe team report that the councillor for Ward 10 who also served as the chairperson for the Municipal Procurement Board in connivance with the Buyer, the Committee Officer and the Water and

Sewer Engineer actively participated in misleading and informing council that the successful bidder had capacity to honour the contract entered with the council. The officers were sent by council on a fact-finding assignment to gather information on the company (Shitazburg Enterprises). The team was tasked by council to confirm the capacity of Shitazburg Enterprises as a contractor to supply and fix water pipes. It is alleged the team provided council with the wrong information that influenced MCC to award the tender to the briefcase company. It was observed that the company eventually failed to supply and fix the water pipes after receiving a down payment of 50% of the total cost for the water pipes. Subsequently, the Ward 10 Councillor was fired by the Minister of Local Government for involving himself in corrupt activities. The city of Mutare also fired the Buyer, the Engineer and the Committee Officer following an internal disciplinary hearing.

Evidence from the interview survey also reveals the suspension and eventual dismissal of a top level manager in the Department of Housing and Community Services on allegations of unprocedural allocation of stands and signing of cessions and agreements of sale. The dismissal of the Buyer, Engineer, Committee Officer, the Director of Housing and Community Services and the Councillor for Ward 10 signal the commitment of MCC to fight corruption and unethical practices. Contrary to the GCC scenario high ranking officials and middle managers in these cases were investigated and sanctioned for corruption, this shows MCC's commitment to punish corrupt actors even high ranking officials. The interview with the Mayor revealed that MDC-T as a party have shown zero tolerance to corruption by punishing heavily those who are found guilty of corruption. The mayor cited the example of Ward 10 councillor who was fired from the party for corruption and also that in 2010 MDC-T expelled from the party councillors who were found guilty of illicit land deals.

The cases cited above reveal that:

- That corruption cuts across both appointed and elected officials.
- It is also coming out clear in the case involving the former Councillor for ward 10, the Buyer, the Water and Sewer Engineer and the Committee Officer that elected officials who are expected to provide an oversight role

to appointed officials can connive with appointed officials to commit corrupt activities.

- There is evidence that the ward 10 councillor could also have overstepped his role as the Procurement board chairperson by involving himself in the fact finding mission which is an administrative issue. This is contrary to the ideal situation where Councillors are expected to give direction in terms of policy and administrators to provide technical advice and guidance to elected officials (Kanyane et al, 2015:06).
- The ward 10 councillor, the Director of Housing and Community Services, the Committee Officer, the Buyer and the Water and Sewer Engineer as leaders failed to display exemplary leadership by committing acts of corruption. Exemplary leadership is one the critical ingredient of leadership commitment to fight the vice of corruption.
- Corruption, if investigated, sanctioned and publicised has far reaching negative repercussions to the perpetrator, the ward 10 councillor and the appointed officials had their professional and political careers prematurely terminated respectively. Corruption can thus be reduced if the public perceive it as a high –risk and low-reward activity, this is only possible when perpetrators of corruption are caught and punished severely.

5.5 Socialisation

Top managers, middle managers, workers committee representative and the representative of elected officers concurred that MCC conducted training workshops on ethics and corporate governance for its top managers, middle managers and elected officials. The review of the course outline of the training workshop revealed that the purpose of the course was to increase the ability of the local public officials, both elected and appointed, to ensure good corporate governance. Documentary analysis from the workshops programmes revealed that workshops included topics in corporate governance, pillars of corporate governance, corruption, its causes, effects and resolution, ethics, the code of ethics and resolving ethical dilemmas. MCC contrasts with the other four case studies because it is the only local authority in this study, which provided ethics training to appointed officials. Ethics training

is a critical component of the socialisation process. It creates ethical awareness, equips employees with skills to resolve ethical dilemmas and builds the inner person's moral fabric. By providing ethics training to its workers, MCC is acknowledging that corruptions should not only be resolved utilising the legal route but also employing ethical solution. Interviews with the representative of elected officials and one of the top managers also revealed that councillors were trained in corporate ethics during their councillor induction programme. Respondents, however, revealed that training in ethics was not extended to low-level employees. Respondents recommended that ethics training should form part of the employee induction programme and should be an ongoing activity for all employees of the MCC.

5.6 Conducive conditions of service and human resources policies

Reflecting on the capacity of the human resource policies and conditions of service which MCC have adopted to fight corruption and to sustain best ethical practices, middle managers, top managers, elected official, workers representative and the shop floor managers concurred that the conditions of service for the period under review do not have the capacity to sustain best ethical practices and to fight corruption. Responses reflected that MCC was owing its employees nine months salaries in arrears, council no longer have a fixed pay date and that the salaries were not paid in full, but in bits and pieces. The representative of the workers' committee cautioned that it is difficult to restrain employees from engaging in corrupt activities if they are not paid their salaries in time. He said: What would you expect from a person who reports for work at 7am and knocks off at 5pm and is not paid his salary? Such a person is likely to engage in unethical and corrupt practices to make up for his/her unpaid salary.

It also emerged from the respondents that the lowest paid employee is earning a salary of USD300, which is below the poverty datum line of USD500, and that the council has failed to pay medical aid contributions for its employees. It was further observed that MCC is failing to fulfil some of its statutory obligations. For example, the researcher observed refuse collectors in the Cleansing Department carrying out their day-to-day chores without protective clothing. Unfavourable working conditions create a conducive breeding ground for

corruption and unethical practices. Employees who are not paid their salaries in time or who are paid low salaries are tempted to engage in petty corrupt practices like moonlighting, pilferage, abuse of council property and soliciting of small bribes, to mention a few. This resonates well with Rose-Ackerman (1999:72) who argues that when public sector pay is very low, corruption tends to be a survival strategy. High salaries incentivise urban councils' employees not to be corrupt or unethical, and low salaries increase conditions for corruption to thrive. Analysed through the lens of the deontological rights based theory failure to pay employees' salaries is unethically .MCC is violating the rights of workers of getting a salary for work done. When workers are not paid their salaries for a period stretching to nine months they will justify any act of corruption or related unethical practices they are likely to commit.

Regarding the issue of Human resource management policies, fair and impartial human resources management policies can ensure that selection and promotion processes in local authorities are based on merit and not discrimination based on political affiliation, race, ethnic background, tribe or gender. Interviews with the top managers, middle managers, shop floor managers and the mayor and workers' committee representative revealed that MCC adopted a merit-based recruitment and selection process. According to the interview with the Town Clerk, all the vacant posts for managerial and skilled workers are advertised in the national newspapers and selection is done through a selection interview panel. Some responses, however, revealed that lower-level employees are recruited from the wards. The ward councillor submits names of candidates who should be employed to council management. The responses also pointed out that the policy of recruiting low-level employees is porous to partisan recruitment. Councillors are said to have a tendency to prefer recruiting employees on partisan grounds. One middle manager pointed out that employees who are appointed on partisan lines are difficult to manage, and she alleged they politicise disciplinary measures and consider them as a tool for political victimisation.

5.7 Transparency and accountability mechanisms

Interviews with middle managers, top managers and shop floor managers reveal that, like in other local authorities in Zimbabwe, MCC also adopted the new procurement method in which a procurement committee was set up to adjudicate all tenders. Responses also pointed

out that in order to ensure transparency in procurement, tender bids above \$10 000 but below \$300 000 are advertised in national newspapers. The tenders are then opened in public and are adjudicated by a team of technocrats who constitute the procurement committee. Respondents pointed out that before the adjudication process, MCC sends a team to the bidder's company premises to analyse the capacity of the company to provide the required services or goods. The decision made by the procurement committee is recorded on a comparative schedule and transmitted to the State Procurement Board (SPB) for accountability purposes. For a threshold of \$1 to \$10 000, the Buyer revealed that the municipality sources at least three (3) quotations and these are expected to be on the SPB suppliers list. A comparative schedule is prepared which forms the basis on which to award the tender.

As earlier alluded to, for the formal tender, the Town Clerk prepares a draft tender document and draft advertisement which are sent to the SPB to check for compliance. Once the formal tender (above a threshold of \$300 000) is approved, the SPB advertises the tender in the Government Gazette and national newspapers. The SPB opens the tenders and dispatches to MCC. The city council evaluates and recommends with justification to the SPB. Basing on the recommendations, the SPB will then award the tender. Responses, however, noted that officials sometimes manipulate the procurement system for their personal benefit. The case of Shitazburg Enterprises water pipes tender scandal was noted as a good example. In this case, a team, as earlier presented, was composed of the Buyer, the Engineer and a Committee Officer was tasked by MCC to confirm the capacity of Shitazburg Enterprises as a contractor to supply and fix water pipes. It is alleged the team provided council with the wrong information that influenced MCC to award the tender to the briefcase company. The company eventually failed to supply and fix the water pipes.

On issues of accountability, top managers, middle managers, shop floor managers, elected officials and a representative of the workers' committee concurred that council officials are held to account through regular free and fair elections, internal and external auditing, and the committee system, legislative oversight, administrative control, an active civil society and a probing media. On regular free and fair elections, it was observed that the MCC community, like in ZTC, GCC, Bindura and Redcliff Municipalities, elects councillors after every five years. An interview with the Mayor revealed that only five councillors who served the 2008 to 2013 term of office was re-elected in 2013. The voting out of 13 councillors who served

during the 2008 term shows the effectiveness of elections as an accountability tool. Councillors are held to account for their actions at the end of their term of office and the electorate usually votes out non-performing and corrupt councillors. Respondents explained that MCC councillors were voted out for corruption.

The participants concurred that both internal and external audits are an effective accountability tool to dissuade corruption in urban councils. During the observation session, it was realised that the MCC has an operational internal audit department which reports to the Town Clerk administratively and functionally to the Audit committee. It was also observed that the audit section is located in the Town Clerk's department.

Responses from the middle manager responsible for Internal Auditing revealed that MCC is externally audited annually. It emerged that the local authority was last audited for the 2011 financial year. MCC is, therefore, not up-to-date with the auditing of its books of accounts. This is at variance with Sections 305 (b) and 306 (3) of the UCA which require the councils to present audited financial statements to the Minister not more than six months after the end of each financial year.

Review of documentary sources and confirmation from respondents reveal that the activities of the MCC, like in other urban councils, are monitored and supervised by the Minister in various ways. First, section 91(1) of the UCA which provides for the Minister's right of access to records of council reads:

The Minister shall have unrestricted access to all council records, minutes and any documents in the possession of any council which relate to the council's meetings, resolutions and affairs.

Second, the Minister is empowered by Section 114 of the UCA to suspend a councillor for corruption or for committing any offence involving dishonesty. During the period under review, respondents disclosed that the Mayor and Councillor for ward 10 were suspended and finally fired by the Minister on allegations of corruption. Third, the Minister, in terms of Section 314 of the UCA, may reverse, suspend, and rescind resolutions, decisions of councils. Fourth, the Minister may also appoint a team of investigators to probe issues of bad governance or failure of a council to undertake any function or provide any service which it is

empowered by the act to provide. Respondents cited that, in 2012, the Minister appointed a probe team to investigate the Mayor on allegations of flouting tender procedures.

On the issue on whistle-blowing, interviews with the top managers, middle managers, shop floor managers, workers' committee representative and representative of elected officials revealed that MCC does not have a whistle-blowing procedure and an anti-corruption hotline.

Respondents also revealed that the Town Clerk and the Mayor have an open-door policy. Upon receipt of the reports, the Town Clerk institutes investigations through the office of the internal auditor and if there is overwhelming evidence of misconduct, the concerned staff will be tried through an internal disciplinary procedure as guided by the code of conduct.

On the issue of transparency, interviews with top managers, middle managers and representative of residents and ratepayers association and documentary evidence reveal that the Urban Councils Act, Chapter 29:15, contains some provisions that allow disclosure of what is happening in council chambers to its stakeholders. As indicated in the responses, the tools which MCC use to promote transparency include, among others, full council meetings that are open to the public and press, open tender system, public inspection of full council minutes and advertising land that is being disposed and vacant posts which need to be filled. Documentary evidence reveals that Section 87(1) of the Urban Council Act provides for full council meetings in which the public and the press are allowed to attend. It was observed that MCC, like ZTC, invites the public to attend its full council meetings through council public notice boards and on notice boards at major retail outlets. In full council meetings, members of the public and the press do not participate in deliberations and decision-making but they attend as observers.

Regarding institutional mechanisms to fight unethical practices, middle managers, top managers, shop floor managers and head of employees' representative revealed that MCC institutionalised internal control mechanisms to curb malpractices in the stores and the Housing Departments. Documentary review of the city of Mutare's financial regulations reveal that once goods or services are supplied through tender arrangements, the Buyer or receiving department should check whether the goods are in good order in terms of quantity and specifications. To confirm that the Buyer or the receiving department should sign the necessary delivery notes and checks that the original invoices are made available for

correctness of price, quality and quantity of goods and services before submitting for payment. It was observed that no payment is made on the basis of duplicate or copy invoices unless certified not previously paid for by the relevant department or Buyer. The system, if implemented, prevents the payment of goods and services which are not offered or supplied. However, the Shitazburg Enterprises water pipes scandal reveals that officials lack the commitment to implement internal controls systems to curb malpractices as the company involved was paid the money before the pipes were delivered in full and the work was not completed.

On disposing council land, interviews with the internal auditor reveal that the intention to do so is communicated to the public by notice published in two issues of newspapers and posted at council notice boards. The notices describe the land concerned and stating the objectives, terms and conditions of the proposed sale. The copy of the proposal to dispose land is open for public inspection during office hours at the office of the council for a period of 21 days from the date of last publication of the notice in a newspaper. Members of the public who object the disposal of land are free to do so within 21 days. It, however, emerged from the respondents that despite MCC having a transparent system of disposing land, both elected and appointed officials manipulate and bypass the system to advance their personal interests. A case was cited of a top official in the Department of Housing and Community Services who was fired by council for illegally selling council land. This finding reveals that councils are guided by regulations which officials are expected to comply with, to avoid entangling themselves in corruption.

5.8 Effectiveness of the ethics architecture

Responding to the research question: How effective is the ethics architecture in fighting corruption? The majority of the interviewed respondents said that it is not effective and a minority said it is effective. The effectiveness of the ethics architecture against corruption was evaluated against the following factors operating local economic environment, the enforcement of anti-corruption legal framework, transparency and accountability mechanisms, leadership commitment, public procurement safeguards, and the operating social environment. The respondents who said that the MCC ethics architecture is not effective in fighting and containing corruption cited a number of reasons that hinder its

effectiveness which included non-protection of whistle-blowers by law, antagonistic relationships between the centre (ZANU-PF) and the periphery (MDC-T), political interference, poor macro-economic conditions, low revenue inflows in councils caused MCC stagnant local economic development and, finally social factors which are not well matched with anti-corruption best practices.

5.9 Conclusion.

Field evidence from this case study leads to the conclusion that Mutare City Council (MCC) has taken up and is implementing some elements of the ethics architecture against corruption. Documentary analysis and interview surveys point towards the ethics architecture which MCC have adopted is inclusive of the anti-corruption legal framework, transparency and accountability measures, integration of ethical values in vision and mission statements, internal and external auditing processes, ethics training for both elected and appointed officials and a transparent procurement process, among others. The adoption of the aforesaid ethical architectural remedies is evident in MCC.

The study, however, revealed that despite the adoption of these ethics architectural remedies, MCC is experiencing prevalent cases of corruption, which imply the ineffectiveness of the ethics architecture. The majority of the respondents in this study also revealed the ethics architecture for MCC is not effective enough to counter the vice of corruption. Respondents attributed the ineffectiveness of MCC's ethics architecture to the following factors: non-protection of whistle-blowers by the law, antagonistic political relationships between the centre (ZANU-PF) and the periphery (MDC-T), payment of low and erratic salaries to employees, non-declaration of assets and financial interests by elected officials and senior appointed officials, moral leadership crisis among elected officials and a static non-performing local economy characterised by massive closure of companies.

CHAPTER SIX

THE CASE OF BINDURA MUNICIPALITY

6.1 Introduction

This study focuses on the examination of the ethics architecture for Bindura Municipality. This chapter presents findings collected from this study site using the research methods discussed in Chapter Three. Presentation and analysis of this case study commences with a brief background of Bindura Municipality which is a critical component in setting up the research. The mission statement and core values which direct the business of Bindura Municipality will also be delineated, forming the concrete pedestal on which the ethics architecture is anchored. Consequently, data on ethics architecture for this case study are presented, analysed and discussed through the lens of the three-pronged ethical theories. The chapter will fold up with a conclusion.

6.2 Brief background of Bindura Municipality

Bindura is the provincial capital of Mashonaland central province and it is situated on the north-east of Harare, 86 kilometres away. The municipality is the industrial hub of the province. The unearthing of gold and nickel in the 1890s led to the invasion of what is now known as Bindura. Bindura is a mining town since its setting up through discovery of Trojan Nickel Mine and the Freda Rebecca Ashanti Goldfields. The town is also enclosed by a rich farming hinterland with diverse cash and consumption crops. In 1913, a settlement was created around Bindura hills which influenced the name Bindura. Later, in 1914, the first village management board was set up to oversee the affairs of the settlement. In 1929, the board was substituted by the town management board which later graduated to a town council in 1990 and to a municipality in 1999.

The corporate governance structure for Bindura Municipality is composed of two units, the elected councillors and the administrative arm which is headed by a Town Clerk. In 2008, Bindura Municipality was a Movement for Democratic Change-Tsvangirai (MDC-T) dominated local authority with all the 12 wards represented by councillors from MDC-T. The

Minister of Local Government, Rural and Urban Development, however, appointed three special interest councillors to represent special interests. The 2013 July 31 harmonised elections saw Zimbabwe African National Union-Patriotic Front (ZANU-PF) winning in 10 wards and MDC-T in 2 wards. Bindura Municipality was, therefore, an MDC-T dominated local authority from June 2008 to July 2013. The July 2013 elections saw ZANU-PF attaining political dominance over Bindura Municipality. It is interesting to note from the interview with a top manager from Central Administration that none of the councillors who served the 2008 to 2013 political term were re-elected in the July 2013 harmonised elections.

The Town Clerk who heads the administrative arm is assisted by five directors responsible for Finance, Housing and Community Services, Engineering Services, Central Administration and Health Services. This is what constitutes the Executive arm which is responsible for the day-to-day operations of Bindura Municipality.

6.3 Mission statement and core values

The documentary review of Bindura Municipality's strategic transformational plan 2013 to 2018 which was availed to the researcher during the data collection process reveals that Bindura town is guided by a vision to become a floating symbol of excellence locally and regionally and seeks to achieve a mission of creating a conducive environment for the promotion of socio-economic development and to satisfy the needs of the residents of Bindura through the provision of quality service, timeously, efficiently and effectively.

Bindura Municipality's vision and mission statement are underpinned by the ethical core values of transparency, accountability, integrity, commitment, efficiency, effectiveness, professionalism, responsiveness, teamwork, respect, loyalty and motivated workforce. It was observed during the data-gathering process that the vision, mission statement and core values were visibly displayed at the municipality's notice boards. An eye-catching banner with the mission statement, vision and core values is also displayed in the municipality's revenue hall. As earlier alluded to, integration of ethical core values into the organisation's strategic plan is a signal of top leadership commitment to ethics and anti-corruption.

The application of some of the core values in the operations of Bindura Municipality is evident. Bindura Municipality has promoted transparency in its operations through council documents and minutes that are available for public inspection and scrutiny, participative budgeting system and open procurement and employee resourcing systems among others. However, Interviews with the representative of Residents and Ratepayers Association revealed that Bindura have violated the principle of transparency by deliberately concentrating on holding special council meetings where members of the public and press are not invited. Further, the study disclosed that irrespective of legislation which provided for a transparent procurement system, corruption remained prevalent in the procurement process at Bindura Municipality.

On accountability, elected officials are held accountable through regular elections, ministerial monitoring, supervision and internal and external auditing among other accountability mechanisms. On the other hand appointed officials are held accountable through internal administrative control mechanisms, legislative oversight by elected officials, and evaluation of performance contracts. By adopting integrity as a core value, Bindura Municipality expects its appointed and elected officials to be incorruptible, honest, fair, selflessness, objective and to display high standards of propriety and probity in the stewardship of public funds and assets.

Integrity as a core value is the anti-thesis of corruption and unethical practices. Integrity as earlier discussed in chapter two is rooted in internalised norms and values and it is absorbed from upbringing through socialisation by parents, peers, in schools, the church and on the job ethics training. This has not been the case with Bindura municipality officials. Interviews with a top Managers and middle managers revealed that the Mayor was prosecuted for theft of council funds and councillors would abuse their power to get cheap land at a cost of USD750 per stand and would later resale the stands for USD 3500 to USD 4000. In 2012 two councillors for Bindura Municipality were dismissed by the Local Government Minister for cases of mismanagement of council property and council affairs (Hansard, 2013:08)

As far as respect is concerned, appointed and elected officials in Bindura Municipality should treat others or stakeholders with consideration or decency without resorting to intimidation or violence and discrimination. This was not the case as respondents from the Audit and Secretariat departments revealed that the acting heads of department maliciously destroyed

application documents for aspiring candidates for the substantive HODs posts so that they would continue serving in their acting capacities.

6.4 Leadership commitment to ethics and anti-corruption

Evidence from interviews with top managers, the mayor and the representative of the Residents Association of Bindura and the representative of workers committee reveals low commitment to ethics and corruption eradication by elected and appointed officials who served Bindura Municipality during the political term of 2008 to 2013. Like the cases in Zvishavane and Gweru, elected officials fared poorly on exemplary leadership. In March 2013, it was revealed that the Bindura mayor was jailed for theft of council money amounting to USD 460. Respondents cited that the Mayor claimed the council money as travelling and subsistence allowances for a business trip to Nyanga but did not go to Nyanga. Instead of following the proper procedure of returning the money, she converted the cash to her personal use. This is a clear evidence of abuse of travelling and subsistence allowances, which is not expected from a top ranking official who is expected to exhibit exemplary behaviour for the community and council employees to learn from.

Further evidence from an interview with one of the top managers disclosed that councillors earning an allowance of USD 140 per month ended up driving posh cars and buying expensive houses from the proceeds of corrupt deals. Interviews with the mayor, top managers and middle managers further revealed cases of corruption and unethical practices perpetrated by Bindura Municipality elected officials. In the first example, it is alleged councillors would use their influence to get cheap land at a cost of USD750 per stand and would later resale the stands for USD 3500 to USD 4000. First, this resulted in 200 cases of double allocation of stands and second, in the allocation and selling of land which is not designated for construction, for example, in wetlands and under Zimbabwe Electricity Supply Authority (ZESA) poles.

The second example involves partisan recruitment involving 50 junior municipal police officers. As a way of rewarding supporters who had campaigned for them during the 2008 harmonised elections, councillors recruited and employed from the wards 50 junior municipal police officers. The result was that the municipality ended having unnecessary and

unbudgeted people on its establishment. The junior municipal police officers ended up being deployed to key areas like the housing department. This explains the chaotic repossession of stands from bonafide owners and the unprocedural allocation to councillors. Responses further revealed that the Council which served during the period under review kept the posts of heads of departments under acting capacities and HODS who failed to comply with demands of the councillors would be punished by removal from the acting positions. A cited case was that of the Internal Auditor who was forced to step down from the acting position of the Chamber Secretary after he queried the appointment of 50 junior municipal police officers.

The third case, according to an interview with the middle manager responsible for Internal Auditing, involved heads of department (HODs) who served in acting capacities from 2009 to 2011. It is alleged that these HODs maliciously destroyed application documents for aspiring candidates for the substantive HODs posts, so that they would continue serving in their acting capacities. This, respondents, further argued, explains the length of time Bindura Municipality spent without a substantive Town Clerk and a Chamber Secretary. Respondents further alleged that the five acting HODs were also arrested and detained for flouting tender procedures by purchasing second-hand vehicles.

6.5 Socialisation

The workers committee representative, shop floor managers and middle managers, concurred that Bindura Municipality does not provide ethics training programmes for its staff members. Ethics training is a critical component for moral and ethical development; it is the media through which municipality staff attains good moral values and ethical analysis skills. So failure to provide staff-training programs on ethics by Bindura Municipality militates against the ability of staff to make ethical decisions when confronted with ethical dilemmas. Conversely, it emerged from the responses from the Mayor and a middle manager in the secretariat department that elected officials received ethics training. This is complimented with evidence from documentary review of councillors' induction booklet which reveals that elected officials received training incorporate ethics, procurement, human resource management, the ideal councillor, meetings of council and framework for council operations, among others.

6.6 Conditions of service and human resource policies

On conditions of service and human resources policies, the representative of the elected officials, middle managers, shop floor managers and top managers concurred that the payment of salaries is up-to-date. Responses disclose that Bindura Municipality resolved the problem of salaries in arrears. Apart from the basic salary, Bindura Municipality pays its employees housing, transport and service charges allowances. The respondents, however, concurred that the salaries paid to workers are not competitive enough to dissuade council employees from the vice of corruption and unethical practices. It was observed that Bindura is a mining town whose main source of revenue is derived from employees of the two major mining companies, the Bindura Trojan Nickel Mine and Freda Rebecca Gold Mine. The two mines were once closed and are now operating at low capacity, thereby affecting the revenue base of Bindura Municipality.

Bindura Municipality is also sustained by farming ventures. The redistribution of land in the post-2000 era saw some pieces of land being idle as it was allocated to beneficiaries who lacked the capacity to farm productively. The other problem cited was the Ministerial directive to write off council debtors from 2009 to 2013. This, as noted impacted heavily on cash inflows into the local authority. The problems, as observed, are further compounded by the national economic downturn experienced by the country in general.

On recruitment and selection of staff, interviews held with the top manager and middle manager responsible for Central Administration, revealed that the low-level employees in grades 13 to 14 are recruited from the wards through councillors. The councillors submit names of those who should be employed to council's executive management. The respondents were, however, of the opinion that the recruitment of the low-level grades is prone to nepotism and partisanship as councillors could manipulate the system to employ their political supporters and relatives. The responses led to the conclusion that the system of recruiting low-level employees, to some extent, leaves Bindura Municipality prone to corruption. Respondents also complained that employees employed through this system are difficult to discipline because of political connections. The respondents further recommended that low-level employees should be recruited through the Ministry of Labour to avoid partisan employee resourcing.

Respondents reveal that the recruitment of shop floor employees from grade twelve to nine is executed through internal adverts which are posted on council notice boards and the institutional website. Posts in grade eight to one are advertised in national newspapers to attract a wide pool of applicants. Review of Bindura Municipality Conditions of Service and Code of Conduct document reveals that Bindura Municipality has a transparent selection process which is conducted by a panel of interviewers. The panel uses a pre-set interview score sheet to evaluate the suitability of the prospective candidate for the post. The candidate who scores the highest average score is considered the best candidate and is recommended to council for appointment. This applies to posts which are below HODs level. Once council approves, an appointment letter is written to the successful candidate. For HODs level posts, the first three candidates ranked in terms of performance are referred to the Local Government Board for further interviewing. The best candidate in the board's interview is appointed to fill the vacant post.

Further discussions reveal that the employee resourcing process is influenced by nepotistic tendencies, political connections and bribe-giving. One respondent revealed that:

In this highly polarised political environment, we cannot ignore one criteria which influences recruitment, that of 'political correctness.' Councillors prefer employees and officials who would display unquestionable political loyalty.

Evidence was given, as cited earlier, that in 2009 councillors manipulated and politically influenced the recruitment and appointment of 50 junior municipal police officers. Allegations of malicious destruction of aspiring candidates' application letters and documents also reveal that the system of recruitment is prone to manipulation. This shows that though urban councils have clear accountability and transparent measures, these are still prone to manipulation by elected and appointed officials who are self-seeking.

On the issue of promotions, respondents concurred that the process is based on the recommendations from section heads or HODs and that no performance appraisals back up the promotions. The promotion policy for Bindura Municipality is thus porous to corruption as it depends on the individual supervisor's personal judgement. Evidence from respondents

also exposes that councillors would “promote” officials who would not frustrate their self-aggrandisement intentions to positions of acting heads of departments.

6.7 Transparency and accountability mechanisms

On the issue of procurement, interviews with the shop floor manager responsible for procurement, a middle manager in the Internal Audit section and a top manager in the Central Administration Department revealed that, prior to 2013, Bindura Municipality’s procurement system was managed by the Municipal Procurement Board formed in terms of Section 210 of the Urban Councils Act (UCA). The procurement board which consisted of elected officials was responsible for handling tenders and procurement of goods. Documentary review of the UCA reveals that the responsibility of the procurement board was to ensure an open, transparent and fair procurement process for urban councils. It was the mandate of the procurement board in terms of Section 211 (2) of the UCA to invite tenders by notice sent to public notice boards and advertised in two issues of newspapers before entering in any contract. The Act further provided for the opening of the received tenders in public (Section 211(4)). The respondents further disclosed that irrespective of legislation which provided for a transparent procurement system, corruption remained prevalent in the procurement process at Bindura Municipality. One respondent revealed that:

Elected officials abused their political power to override recommendations made by the technocrats. Insider trading was rife as councillors would occasionally divulge privileged information to bidders.

It was also observed that the buyer was not incorporated into the municipal board to provide technical expertise. Case evidence reveals that, during the period under review, both appointed and elected officials ended up flouting tender procedures. Respondents reported that the 2010 contract to rehabilitate the road network for Bindura town was poorly managed. The tender was awarded at a cost of USD 400 000, but the Municipality ended up paying USD1.6 million. Respondents revealed that payments were made for work not done. The project manager who certified payment certificates for the project is a building inspector who does not possess qualifications in civil engineering.

The second case involves the 2010 to 2011 USD 1.1million rehabilitation of the sewer network project in Chipadze suburb. The tender was awarded to a sister company of the company which was awarded the tender to rehabilitate the road network. Respondents alleged that the contractor did not complete the project and it charged three times more than one of the companies which participated in the contract bids. It is also claimed that the company supplied the materials for the project in part and that it later abandoned the site before completing the project as soon as it was paid its full amount. Respondents further alleged that as these two contracts were running, councillors earning a monthly allowance of USD 140 ended up driving luxurious cars and buying or building houses.

Further, interviews with the shop floor manager responsible for buying, a middle manager in the Internal Audit section and a top manager in the Central Administration Department revealed that Bindura Municipality, in compliance to the ministerial directive, formed the procurement committee which took over the responsibilities of the municipal procurement board. The new procurement system excludes councillors from participating in the procurement process. The procurement committee is chaired by a head of department and it reports to the Accounting Officer who, in this case, is the Town Clerk. The Buyer sits in the committee as an advisor. Findings from the respondents reveal that the procurement process in Bindura Municipality replicates that of GCC.

On transparency mechanisms, documentary review of the Urban Council Act and interviews with middle managers, the top managers, elected officials, representative of the Business Association, representative of the Residents and Ratepayers Association concurred that Bindura Municipality have adopted mechanisms which promote transparency. Like any other urban councils the mechanisms include council meetings that are open to the public and the press, council minutes that are available for public inspection, participatory budgeting and advertising of posts and tenders. As observed, Bindura Municipality advertises its vacant posts and tender bids on its website and in the local and national newspapers.

Respondents further revealed that during the budgetary preparatory system the draft budget is presented in all the wards for objections or additions. In the event of any objections, they would be considered and a final draft will be prepared. Once a final draft is prepared, it is advertised in the national newspapers inviting objections. If objections are more than 30, an objections committee is set to consider them and then re-advertise. A copy of the draft is sent

to the Minister of Local Government for gazetting if he/she is satisfied. Participatory budgeting is an anti-dote for corruption. This is in consistency with Masiya and Makanza (2009: 04) who argue that with participatory budgeting, corruption is minimised as citizens take care of and watch carefully and make sure that the capital allocated for a project as well as the material purchased for various purposes are properly placed. Giving citizens space to give voice to their priorities helps municipalities to reduce scope for corruption, thereby enhancing credibility and mutual trust.

On the issue of council meetings that are open to the public and press, the representative of the resident and ratepayers association commented that:

Although the UCA provides for council meetings that are open to the public and press, the media have never been invited to attend full council meetings. Further, Bindura Municipality authorities concentrate on holding special council meetings which exclude members of the public and when they hold ordinary council meetings the public is not invited.

This response led to the conclusion that though the UCA provide for council meetings that are open to the public and the press, municipal functionaries manipulate the system to deny the public the opportunity to attend full council meetings. It was also further noted from documentary review of the UCA that legislation does not provide a mechanism that makes it mandatory for the public and press to attend full council meetings.

Regarding accountability, according to interviews with the top managers, middle managers, employee representative, an elected councillor and shop floor managers, Bindura Municipality is held accountable through internal and external auditing, regular free and fair elections, an active civil society and a probing media, supervision and monitoring by the office of the Minister of Local Government and through internal administrative control mechanisms.

On the issue of auditing, it was observed that, Bindura Municipality, like Gweru City Council (GCC) and Zvishavane Town Council (ZTC), has an operational internal auditing department which reports administratively to the Town Clerk and, functionally, to the audit committee. Evidence from documentary sources reveals that Bindura Municipality's internal audit

section is responsible for monitoring compliance with organisational policies, procedures and governing statutes, detecting and prevention of corruption and examination of the internal control systems. The audit section produces audit reports which are first presented in the audit committee. The audit committee deliberates the report and makes recommendations to full council. The recommendations are deliberated in full council to come with resolutions which are implemented by management. Internal audits sections are critical; they provide a framework through which rules, procedures and standards are enforced. Effective internal audit departments “instil fear for detection” among employees, thus dissuading them from indulging in corrupt and unethical practices. In executing their duties, internal auditors can require appointed and elected officials to account for their actions and activities. Evidence from the interview with Bindura Municipality’s middle manager responsible for internal auditing discloses some challenges which weaken the internal audit function. First, it was noted that the internal auditors in urban councils do not have seats on the executive table, they are not HODs, and so their stamina to require senior appointed officials and councillors to account for their actions is weakened. Second, the audit section is accountable to an audit committee which is constituted by elected officials who, on most occasions, lack the financial and technical expertise to provide an effective oversight role.

Regarding external auditing, Bindura Municipality is audited by the Office of the Comptroller and Auditor General who can outsource the responsibility to private audit firms. Bindura Municipality is up-to-date with the auditing of its books of accounts. The researcher observed that the data-gathering exercise (April 2014) coincided with external auditing of the 2013 financial year. This is in line with Sections 305 (b) and 306 (3) of the UCA which requires the councils to present audited financial statements to the Minister not more than six months after the end of each financial year. External auditing assists organisations like Bindura Municipality to assess whether the resources entrusted to both elected and appointed officials are managed to the benefit of the intended beneficiaries who are the residents and ratepayers. Regular independent external audits assist municipalities to achieve transparency, accountability and operational efficiency. Documentary review of the UCA reveals that the Town Clerk is required to keep a record of audited financial statements these should be availed to the public for inspection. This enhances transparency. The audited financial statements should further be presented to the Minister of Local Government, thus providing a tool to supervise and to hold local authorities accountable.

One of the cornerstones of liberal democracy is to hold elected officials accountable through periodic elections. Interviews with the top manager responsible for Central Administration revealed that Bindura Municipality like other local authorities in Zimbabwe hold elections for councillors after every five years. As noted earlier, elections held on 31 July 2013 voted out all the councillors who served during the 2008 to 2013 political term of office. The respondent alleged that the councillors were voted out for corruption, this is testified by three councillors who were dismissed for corruption by the Minister responsible for Local Government. The results of Bindura Municipality 2013 elections testify the effectiveness of elections as a tool to hold councillors politically accountable.

6.8 Anti-corruption legal framework

On the anti-corruption legal framework, documentary review of the UCA and respondents reveal that the UCA makes provisions for the management of conflict of interest, meetings which are open to the public and the press, and Section 88(5) of the same Act permits members of the public to inspect or have access to council documents like minutes of full council meetings. According to an interview with a middle manager responsible for secretariat services, Bindura Municipality has made it a requirement for committee members to declare conflict of interest if conflicted. In the event that a member is conflicted, he/she requested to recuse him/herself from participating in the deliberations of the item he/she is conflicted. The right to access council information through meetings which are open to the public and the press is also supported by the Zimbabwean 2013 constitution Section 62 (1), and the Access to Information and Protection of the Privacy Act 2002 Section 5(1). The other legal instrument that governs anti-corruption is Chapter 1X of the Criminal Law (Codification and Reform) Act. It enforces the criminal justice system in Zimbabwe and the Prevention of Corruption Act, Chapter 9:16 of 1985, Section 6. The legal framework also provides for an open tender system through the Procurement Act (Chapter 22:14) of 2002 and statutory instrument 160 of 2012.

The disciplinary code of conduct forms the basis of managing discipline and grievances for Bindura Municipality employees, including managerial employees. An interview with the top manager responsible for Central Administration revealed that the employment code of conduct is a legal document because it was registered in accordance with the provisions of

the Labour Act Chapter 28:01. The respondent viewed Bindura Municipality's codes of conduct as a critical component of the organisational anti-corruption architecture.

Rasheed (1993:299) confirms that codes of conduct or ethics are pro-integrity and anti-corruption tools because they are aimed at checking outright bribery and corruption, patronage, nepotism, embezzlement, use of one's position for self-enrichment, bestowing favours on relatives and friends, abuse of public property, moonlighting, absenteeism and leaking and/or misuse of information. All these are widespread in a number of public institutions in Sub-Saharan Africa. Clear rules governing conflicts of interest and declaration of assets and income are also set in ethical codes. Codes of conduct in this line of argument guide behaviour of both elected and appointed functionaries in municipalities and they have a verifiable outcome on the behaviour of bad people in organisations. Officials who serve in organisations with codes of conducts hesitate to commit unethical practices because they know chances of being caught are high as they would be surrounded by people who are more likely to recognise wrong doing. The findings however reveal that Bindura municipality ethics architecture model is not supported by legislation which protects whistle-blowers and that also requires leaders to declare their financial interests and assets. This is replicated in GCC, Mutare City Council (MCC), ZTC and Redcliff Municipality.

6.9 Effectiveness of the ethics architecture

The interview survey found that the majority of the respondents said that the ethics architecture of Bindura Municipality is not effective in fighting and containing corruption and a minority said it is effective. Respondents gave a number of reasons why the ethics architecture for Bindura Municipality is not effective in fighting and containing corruption. Respondents cited cases where councillors and senior appointed officials flouted recruitment and tender procedures. Evidence of corruption among elected leaders implied that the leaders lacked political will to fight and contain unethical practices and corruption and this hindered the effectiveness of the ethics architecture. Corruption is fuelled in public organisations when civil leaders fail as role models as in the case of Bindura Municipality. Corruption perpetrated by elected and appointed leaders is a deadly and contagious virus; it spreads and affects leaders' followers in the polity. This resonates with Ittner (2009:37) who argues that:

Political leaders play an immense part in shaping societal behaviour and public opinion. Already, Machiavelli had observed that: “What the prince does, the many will also soon do-for, in their eyes, the prince is ever in view.” Therefore, corruption among leaders is very dangerous because of their influence on society, but also because they are usually the ones authorised to combat corruption. If leaders are corrupt, they may well condemn corruption verbally, but they are unlikely to take serious action against it. What is more, their corrupt behaviour or failure to condemn corruption can serve as a rationalisation for the dishonest conduct of subordinate officials. Werner refers to this as the “leader-follower spill over effect....”

Respondents complained that the problem of poor legislative oversight weakens the capacity of Bindura Municipality’s ethics architecture to contain and fight corruption. An interview with the manager responsible for internal auditing reveals that:

Bindura elected officials are not effective in holding management accountable because of limited educational qualifications. One of our councillors cannot even read or write, he signs an “X” for a signature.

Respondents further said that the electoral system does not guarantee the best candidature because councillors are democratically elected and are not appointed on the basis of their skills, competence and knowledge. This resonates with Duri and Bhoroma (2001:06) who argue that there are no established academic and managerial qualifications for the election of councillors who often make administrative decisions. This tends to impact negatively on the quality of council debates and the potential independence of councillors. The responses further pointed out that elected officials lack the expertise to deliberate on complex, strategic, financial and technical issues. This undermines their capacity to hold executive management accountable.

According to responses given, there was agreement among the participating informants that the ethics architecture for Bindura Municipality is weakened first by absence of legislation that protects whistle-blowers and also by absence of legislation that requires both elected and appointed officials to declare their assets and financial interests. On the absence of a law that

protects whistle-blowers, respondents cited a case of three Chitungwiza Municipality employees who were suspended for providing evidence to a parliamentary portfolio committee of a secret account from which 18 managers were withdrawing funds to finance their hefty salaries.

Respondents also confirmed that the absence of an immediate recall system for non-performing and morally bankrupt councillors weakens political accountability. Councillors are held to account for their poor performance or their corrupt tendencies at the end of their term of office and not in between which shall be referred in this thesis as retrospective recall system. This concern is in consistency with Chakaipa (2010:41) who argues that the law should be such that elected officials are held to account for their actions even before the end of their terms of office. In other words, the elective community should be granted full democratic control over councillors by immediately calling back corrupt councillors and replacing them with others.

It emerged from the respondents that political interference by former elected officials hinders the effectiveness of the ethics architecture for Bindura Municipality. A case was cited that, in 2011, former elected officials who had served the previous term of office organised a mass demonstration against the new executive management team that was trying to clean up the town of corruption. It is thus emerging from the respondents that: ‘corruption fights back when you fight it.’

6.10 Conclusion

From the discussion that ensued there is evidence that Bindura Municipality has made significant efforts to adopt ethical architectural remedies against corruption. Like GCC, Redcliff, MCC and ZTC, it has incorporated ethical values in the vision and mission statements as a demonstration for leadership commitment to ethics. There were also efforts to openly discipline corrupt actors, even top-ranking firebrands. The mayor who was fired on corruption charges is a case in point. However, this is but one example as Bindura, often than not, is lagging behind in adopting some of the ethics architectural remedies against corruption. Issues of moral deficit among elected and appointed officials is evident, nepotistic

tendencies, political connections and bribe-giving imply that the system is prone to manipulation by officials who are inclined to further their self-interests.

The Bindura Municipality's ethics architecture is, therefore, not effective to fight the ravaging menace of corruption. The effectiveness of the ethics architecture against corruption is compromised by a number of factors which include the problem of moral leadership crisis, weak legislative oversight, absence of a legal instrument that provides legal protection to whistle-blowers, absence of the law which enforces elected and senior appointed officials to declare their assets and financial interests, political interference in the investigation and sanctioning of corruption cases and absence of an immediate recall system for non-performing and morally bankrupt councillors.

CHAPTER SEVEN

THE CASE OF REDCLIFF MUNICIPALITY

7.1 Introduction

This study focuses on the examination of the ethics architecture for Redcliff Municipality. This chapter presents and analyse the findings collected from this study site using the research methods discussed in Chapter Three. The presentation and analysis of this case study commences with a brief background of Redcliff Municipality which is a critical component in setting up the research. The mission statement and core values which guide the operations of the local authority will also be outlined, forming the solid base on which the ethics architecture is anchored. Subsequently, data on ethics architecture (institutional, legal and social remedies) for the case study are presented and analysed. The process is guided by the research questions outlined in Chapter One. The chapter folds up with a compelling conclusion.

7.2 Brief background information on Redcliff Municipality

Redcliff Municipality is one of the urban local authorities in the Midlands Province. The Municipality is located in the iron-rich area of the illustrious Great Dyke. The growth of Redcliff to an urban settlement is accredited to iron and steel production which was up to 2004 the source of revenue for the local economy. Redcliff Municipality oversees major residential areas namely Rutendo, Torwood and Simbi Park, just to mention a few. The municipality is demarcated into nine wards which are represented in council with democratically elected councillors. The day-to-day operations of the municipality are superintended by the Town Clerk who is assisted by four service directors. Politically Redcliff Municipality is dominated by the Movement for Democratic Change-Tsvangirai (MDC-T). The 2013 harmonised elections saw MDC-T winning in seven wards and ZANU-PF in two wards.

At its inception, Redcliff was a vibrant industrial mining town. Major industries in the town included the steel giant Zimbabwe Iron and Steel Company (ZISCO), Zimchem and Steelmakers, to mention but a few. The closure of the steel giant, ZISCO, over a decade ago

marked the collapse of Redcliff as a town. The industrial decline meant that Redcliff Municipality could no longer collect the needed revenue to sustain service delivery and administrative costs. The closure of ZISCO left about 4000 of the local residents unemployed and incapacitated to pay rates.

Documentary review of the Director of Finance 's budget performance review for the period January to August 2013 reveals that the general financial performance of Redcliff Municipality since year 2009 to year 2013 has remained very weak. This was attributed to recession in the local economy, the closure of ZISCO which accounted for 60% of the Redcliff Municipality revenue and the ministerial directive to write off council debts. In compliance to the directive, Redcliff Municipality wrote off a total of USD 8.18 million. Redcliff's weak financial performance has impacted negatively on the municipality's cash, the shortage of cash resources continues to affect the level of service delivery. Further, due to cash flow problems, evidence from interviews with the workers committee representative revealed that the municipality owes employees seven months in salary arrears and this has dampened employees' morale.

7.3 Mission statement and core values

Evidence from the Municipality of Redcliff strategic plan 2013-2018 availed to the researcher during the data-gathering exercise reveals that the town is guided by the vision to become:

A vibrant, prosperous, connected and sustainable city by 2020.

The municipality in its mission statement is committed:

To provide affordable, quality services and a pleasant environment through organisational excellence and strong community leadership that creates and sustains economic growth.

The municipality is driven by the core values of transparency where all operations are conducted in an open manner, professionalism, integrity, commitment, innovativeness and accountability where leaders are responsible for their actions and decisions. The core value of accountability if practically embraced ensures that abuse of power by public officials is put

under check and the misuse of public resources is minimised through effective auditing systems among other benefits. Interviews with respondents and documentary analysis of the UCA revealed that Redcliff Municipality officials are accountable to the community through internal and external auditing process, regular elections, and ward feedback meetings. Interviews with the Town Clerk revealed that Redcliff Municipality has conducted operations in an open manner through open employee resourcing and procurement systems, participative budgets, organisational websites and council meetings that are open to the public and press.

7.4 Leadership commitment to ethics

On the issue of leadership commitment to address the vice of corruption, evidence from documentary sources reveals that management held a meeting with all staff members dissuading them from engaging in corrupt and unethical practices. At this meeting, management declared publicly their commitment to uproot the problem of corruption and also addressed workers to shun corruption.

Though these rhetoric statements are critical in displaying leadership commitment, it is difficult to ascertain the level of commitment of these leaders to ethical reforms. In support of this view, Copper and Menzel (2013:54) point that though Kenneth Lay the Chairman and Chief Executive Officer of the defunct Enron, repeatedly professed his commitment to ethics and propagated it throughout the company, he did not practise what he preached and, in the end, his fraudulent actions led to the organisation's downfall. There is a gap between what public leaders say are committed to combating corruption and what is on the ground.

Documentary sources also reveal that both elected and appointed leaders fared poorly on moral leadership during the period under review. In 2010, the Minister of Local Government appointed a probe team to investigate the extent of corruption and the possible abuse of funds by councillors and the alleged mismanagement of council, leading to decline in service delivery and imminent collapse of the municipality. Some top manager fired on corruption allegations following the results of the probe team.

7.5 Socialisation

On the issue of socialisation as an antidote to unethical practices, interviews with the two top managers, the workers' committee representative, middle managers and shop floor managers concurred that the process is implemented through induction of newly elected councillors and the induction programme of new employees. Respondents further revealed that the staff induction programme is managed by the human resource section. The contents of the staff induction programme which was availed to the researcher during the data-gathering exercise covers, among other things the general conditions of employment, an overview of the organisation, an orientation of the job which the new appointee is inducted into, the performance expectations, the duties involved and the behavioural expectations as spelt out in the organisational code of conduct. It, however, emerged from the responses that the staff induction programme only informs the new appointee about rules and laws governing behaviour in the organisation but fails to provide guidance on what to do when confronted with ethical dilemmas. Added to this, respondents further revealed that elected councillors are provided with ethics training during their induction process. It, however, emerged from respondents that Redcliff Municipality does not offer on the ethics training programmes to its employees.

Non-provision of ethics training weakens the socialisation anti-corruption remedy. It deprives the Redcliff Municipality employees of knowledge which assist them in dealing with ethical dilemmas. Acts of corruption are committed under the cover of secrecy, which implies that corruption can evade detection, prosecution and sanction. Against such a background the need for proper socialisation of the inner person can therefore not be overemphasised for Redcliff Municipality. The growth of the moral fabric of the inner person needs more emphasis if the vice of corruption is to be conquered.

7.6 conditions of service and human resource policies

For the purpose of this study, supportive conditions of service include paying workers in time a competitive living wage and also remitting staff pensions, contributory medical aid, funeral policy contributions and pay-as-you-earn taxes to the respective institutions. Top managers, middle managers, shop floor managers, the representative of the workers' committee and elected officials all agreed that Redcliff Municipality's conditions of service for employees

do not provide a favourable environment to fight unethical and corrupt practices. It emerged from the aforementioned respondents that Redcliff Municipality owes employees seven months in salary arrears. This challenge is further compounded by failure of the municipality to remit: Staff pensions to the Local Authority Pensions Fund (LAPF) and the National Social Security Authority (NSSA). Pay-as-you-earn taxes to Zimbabwe Revenue Authority (ZIMRA). Respondents believed that failure to pay living salaries would escalate corruption and related unethical practices among employees. The representative of the workers' committee stated that:

Employees who are paid low wages are tempted to moonlight, engage in bribery transactions to supplement their salaries. Salary backlogs, therefore, fuel corruption and employees engage in corrupt practices as a survival strategy and not out of greediness.

This resonates with Rose- Ackerman (1999:72) who argues that when public sector pay is very low, corruption tends to be a survival strategy. It is common to find employees who are paid low salaries engaging in survival means like moonlighting, pilferage and bribery.

Regarding the recruitment and selection of staff, the middle manager responsible for human resources revealed that the process is transparent and is based on merit. This was also attested by evidence from the recruitment and selection policy and procedures document which was availed to the researcher during the data-gathering exercise. The policy document that was perused shows that internal recruitment is restricted to grade one to grade seven categories of employees and these are low level employees and shop floor managers. To fill posts in these grades, adverts are placed on all council notice boards and the adverts run for a period of not less than two weeks. The initial vetting and longlisting is done by the Human Resource Manager who will send the long list to the relevant Head of Department for the final shortlisting.

Respondents, however, complained that the shortlisting process is susceptible to corruption as it is executed by an individual when it should be done by a shortlisting panel. The shortlisted candidates are invited for interviews and are interviewed by a panel of interviewers and the candidate with the highest score will be regarded as the best preferred. For positions in grade eight to twelve middle management and grade thirteen to seventeen, top management

recruitment is done externally. It was observed that these positions are advertised in the national media. For external recruitment, adverts will run for a period not less two weeks. According to an interview with one of the top managers elected officials are not involved in the recruitment of employees who are not HODs. This is a distinct and critical policy position to counter partisan recruitment in Redcliff Municipality. It was, however, noted that the mayor, the deputy mayor and chairpersons of committees of councils form part of the panel that is involved in interviewing prospective candidates for the post of Town Clerk and HODs.

7.7 Transparency and accountability mechanisms

Results from the interview surveys with top managers, the workers' committee representative, the elected officials representative, middle managers and shop floor managers revealed the existence of transparency and accountability mechanisms that encourage ethical behaviour and at the same time dissuading corruption and unethical practices in Redcliff Municipality. On transparency, it was observed that council meetings are open to the public. The data-gathering exercise coincided with a full council meeting in which members of the public and the media were not barred from attending. This observation relates to Section 87 (1) of the UCA which provides for full council meetings that are open to the public and media. Interviews with the two top managers and the representative of the Rutendo and Torwood residents and ratepayers association revealed that full council minutes can be assessed by the public. It was noted that if a member of the public wants a hard copy of the minutes, he/she can get the copy after paying a one United States dollar. These responses relate to Section 88 (5) of the UCA which permits any member of the public to inspect or to get an extract of the council minutes upon paying a fee as prescribed by a resolution of a council. Respondents further revealed that Redcliff has adopted transparency through advertising for vacant posts and also by using an interview panel during the staff selection process.

Interviews with the Town Clerk and documentary review reveal that procurement of goods and services is no longer under the custody of the municipal procurement board as required by Section 210 of the UCA. The legal provision mandated all urban local authorities to establish procurement boards to oversee the process of procuring goods and services. In 2013, all local authorities following a Local Government ministerial circular number 82 of 2013 adopted new procurement methods as directed by Statutory instrument 160 of 2012 that

prescribed all local authorities as procuring entities and also in compliance with the Procurement Act (Chapter,22:14) of 2002. This instituted the procurement committee to oversee the procurement of goods and services in urban councils.

Responses reveal that, like in other local authorities in Zimbabwe, Redcliff Municipality adopted the new procurement method in which a procurement committee was set to adjudicate all tenders. The procurement committee was set by the Town Clerk to oversee the procurement of municipal goods and services. To ensure transparency in procurement, tender bids above\$10 000 but below \$300 000 are advertised in national newspapers. The tenders are then opened in public and adjudicated by a team of technocrats who constitute the procurement committee. The decision made by the procurement committee is recorded on a comparative schedule and transmitted to the State Procurement Board (SPB) for accountability purposes. For a threshold of \$1 to \$10 000the Town Clerk revealed that the municipality sources at least three quotations from suppliers who are on the SPB suppliers list. A comparative schedule is prepared which forms the basis on which to award the tender.

As earlier alluded, for the formal tender, the Town Clerk prepares a draft tender document and draft advertisement which is sent to the SPB to check for compliance. Once the formal tender (above a threshold of \$300 000) is approved, the SPB advertises the tender in the Government Gazette and national newspapers. The SPB opens the tenders and dispatches to Redcliff Municipality. The municipality evaluates and recommends with justifications to the SPB. Basing on the recommendations, the SPB will then award the tender. It emerged from the responses that the new procurement system which excludes elected officials promotes transparency and accountability. The system, as noted, requires local authorities to document all procurement transactions and then submit to SPB. This enables tracking through audit trails, thus holding municipalities accountable for any procurement decision or action. It also emerged from the interview with one of the top managers that in comparison with the old procurement method, it is easier to police corrupt practices using the new procurement system. In the new system, the Buyer is included as an ex-officio member to provide technical advice. The system also emphasises advertising of tenders and proper recording and reporting of transactions to the SPB.

Top managers, middle managers, shop floor managers, elected officials and the representative of the workers' committee concurred that council officials are held to account through regular

free and fair elections, internal and external auditing, the committee system, legislative oversight, administrative control, an active civil society and a probing media. On regular free and fair elections, it was observed that the Redcliff community elects councillors after every five years. An interview with the Town Clerk revealed that only one councillor who served the 2008 to 2013 term of office was re-elected in 2013. The voting out of eight councillors who served during the 2008 term shows the effectiveness of elections as an accountability tool. Councillors are held to account for their actions at the end of their term of office and the electorate usually votes out non-performing and corrupt councillors.

The respondents concurred that both internal and external auditing is an effective accountability tool to dissuade corruption in local authorities. During the observation session, it was noted that Redcliff Municipality has an operational internal audit department which reports to the Town Clerk administratively and functionally to the Audit committee. It was also noted that the audit section is located in the Town Clerk's department and its main objectives are to ensure adherence to management policies and directives, safeguard council assets, ensure compliance with statutory requirements and to secure the relevance, reliability and integrity of information and, as far as possible, the completeness and accuracy of records.

Responses from the Town Clerk and the Internal Auditor revealed that Redcliff Municipality is externally audited annually. It emerged that the local authority was last audited for the 2012 financial year and was ready for the 2013 financial year. Redcliff Municipality is up-to-date with the auditing of its books of accounts. The researcher observed that the data-gathering exercise (February 2014) coincided with the coming of the external auditor in a week's time to audit the 2013 financial year. This is in line with Sections 305 (b) and 306 (3) of the UCA which require urban councils to present audited financial statements to the Minister responsible for Local Government not more than six months after the end of each financial year. It, however, emerged from an interview with the Internal Auditor that Redcliff is audited on an annual basis with UDCORP, this contradicts best corporate governance practices that require audits firms to be rotated after every three years. Failure to rotate an external auditing firm compromises the independence of the external auditor.

According to an interview with the Town Clerk HODs in local authorities are held to account for their performance through signing performance contracts. This is in line with ministerial directive on the performance contract dated 28 November 2013. The directive instructed all

HODs to draw up and sign a performance contract. The performance contract template also includes the key result area on corruption eradication. The review of the performance contracts documents revealed that all HODs signed performance contracts with the Town Clerk and the Town Clerk signed performance contract with the Mayor. The performance contracts form the basis for performance monitoring and evaluation. Respondents further revealed that HODs are also held to account through management briefing meetings which are held weekly, every Tuesday, and also through monthly service delivery reports. It also emerged from the respondents that central government hold the municipality accountable through supervision and monitoring of councils. Review of documentary sources reveals that the activities of the municipality are monitored and supervised by the Minister in various ways. First, Section 91(1) of the UCA provides for the Minister's right of access to records of council. To quote:

The Minister shall have unrestricted access to all council records, minutes and any documents in the possession of any council which relate to the council's meetings, resolutions and affairs.

Second, the Minister is empowered by Section 114 of the UCA to suspend a councillor for corruption or for committing any offence involving dishonesty. Third, the Minister in terms of Section 314 of the UCA may reverse, suspend, and rescind resolutions, decisions of councils. Fourth, the Minister may also appoint a team of investigators to probe issues of bad governance or failure of a council to undertake any function or provide any service which it is empowered by the Act to provide.

On the issue of whistle-blowing interviews with the top managers and the head of internal audit revealed that Redcliff Municipality does not have a whistle blowing procedure and an anti-corruption hotline. However, it emerged from responses that the municipality relies on suggestion boxes to report unethical practices. The suggestion boxes are opened by the Internal Auditor in the presence of the Acting Chamber Secretary. Once a case of corruption is reported through a suggestion box the Town Clerk directs a full scale investigation to be carried out and anonymity of the source of the report is maintained. It was also reported that the office of the Town Clerk has an open-door policy for members of the public to report any malpractices or unethical behaviour committed by Redcliff Municipality employees. It was found out that one such malpractice which was reported to the Town Clerk's office involved

the illegal subletting of council houses. The Town Clerk promptly instituted a probe team to carry out some investigations on the case.

7.8 Effectiveness of the ethics architecture

One of the objectives of this study was to analyse the effectiveness of the existing ethics architecture for Zimbabwe's urban local authorities against corruption. Respondents were, therefore, asked how effective is the Redcliff municipality's ethics architecture against corruption is? Most respondents argued that it is not effective. Respondents gave various factors that inhibit or enhance the effectiveness of the ethics architecture. They cited that the local economy of Redcliff is poor; the economic engine for the municipality, ZISCO, was closed and non-functional for the past ten years. It emerged from the responses that 60% of the revenue inflows into the municipality coffers came from ZISCO. As ZISCO, which is considered the cash cow for Redcliff, remain closed the liquidity position of the council remains challenged and resultantly increasing cash flow problems for the municipality. Subsequently, it emerged from the respondents that the municipality has been incapacitated to pay its employees living wages and in time. The researcher observed that during the time in which the data-gathering exercise was conducted (February 2014), Redcliff Municipality was owing its employees seven months in salary arrears. As alluded earlier, salary backlogs provide a fertile ground for unethical practices like moonlighting and absenteeism, among others.

It also emerged from the respondents that the anti-corruption legal framework does not provide for whistle-blower protection, and asset and financial declaration for senior appointed and elected officials. Respondents complained that in the absence of legal protection, workers fear to blow the whistle and once they detect any malpractice they would rather keep quiet than report it. Non-declaration of assets and financial interests make monitoring of illicit enrichment among elected and senior appointed officials difficult or next to impossible.

Respondents also cited that the antagonistic relationship between Zimbabwe African National Union- Patriotic Front (ZANU-PF) and MDC-T remains one of the thorniest issues at sub-national level. As reported, Redcliff municipality is dominated by MDC-T and the central government by ZANU-PF. It was reported that this situation created a highly polarised

political environment. Political polarisation is often cited as one of the major impediments in the battle against corruption. Respondents cited cases where the Minister of Local Government has rebuffed requests from MDC-T to suspend or dismiss corrupt MDC-T councillors. This is corroborated by Jonga (2013: 28) who argues that:

Party politicking between ZANU-PF and MDC-T has created a situation where firing of corrupt councillors is difficult. The two parties blame each other for administrative problems in the municipalities. In some instances, the MDC-T party fires its corrupt councillors and the Minister of Local Government wants to benefit ZANU-PF by refusing to dismiss them. He will protect them using his powers granted by the UCA.

Cases of MDC-T councillors who lost their party membership on corruption charges but retain the councillorship post are evidence of an antagonistic relationship between the two parties. An ideal situation is that these two parties should work together to fight corruption at sub-national level.

Lastly, respondents cited that the social environment in Zimbabwe in general and in Redcliff in particular does not provide supportive conditions to fight unethical practices like nepotism and gift-giving. For example, reports cited that the Shonas who constitute the majority in Redcliff value the need to provide contracts and jobs to their relatives. This relates with the Shona proverb: *chawawana idya nehama mutorwa ane hanganwa*, translated literally to mean if one attains a position of authority in an organisation, he/she should share the spoils like jobs and tenders with relatives and not with aliens. Nepotism, in this case, is deeply rooted in the Zimbabwean social fabric.

7.9 Conclusion

As far as the adoption of the ethics architecture against corruption, Redcliff has implemented some of its elements like the anti-corruption legal framework, transparency and accountability measures, integration of ethical values in vision and mission statements, internal and external auditing processes, operational suggestion box system. Redcliff Municipality have also implemented an open-door policy for members of the public to report

any ethical violations by municipality employees, meritocracy in employee resourcing and a transparent procurement process, among others. This also includes a distinct policy position of countering partisan recruitment by excluding the involvement of elected officials in the recruitment and selection of employees. In spite of this prevailing positive atmosphere, this chapter concludes that the ethics architecture for Redcliff municipality is not effective enough to counter the vice of corruption because there is still non-protection of whistle-blowers by law, and the antagonistic political relationships between the centre and the periphery. The Redcliff Municipality's ethics architecture against corruption is further weakened by payment of low and erratic salaries to employees, non-declaration of assets and financial interests by elected and appointed officials, moral leadership deficit among elected officials, a social environment which is not well-matched with anti- corruption best practices and a static non-performing local economy characterised by massive retrenchments.

CHAPTER EIGHT

THE CASE OF ZVISHAVANE TOWN COUNCIL

8.1 Introduction

This study also focuses on the examination of the ethics architecture for Zvishavane Town Council (ZTC). This chapter presents findings collected from this study site, using the research methods discussed in Chapter Three. Presentation and analysis of this case study commences with a brief background of ZTC which is a critical component in setting up the research. The mission statement and core values which guide the operations of the local authority will also be outlined, forming the solid base on which the ethics architecture is anchored on. Subsequently data on ethics architecture (institutional, legal and social remedies) for the case study is presented and analysed. The process is guided by the research questions which guide this study. Thus, the chapter folds up with a compelling conclusion.

8.2 Brief background of Zvishavane Town Council

Zvishavane town is located in the mineral rich Midlands province. The town was setup by the Presidential Proclamation of 1 May 1999, in terms of Urban Councils Act 29.15. Responding to the demands from the mining neighbourhood and the farming environs, the town emerged from Runde Rural District Council Town Management Board to Zvishavane Town Council (ZTC). The surrounding area for Zvishavane town is endowed with rich mineral deposits of gold, asbestos, platinum, diamonds and emeralds, thus offering an opportunity for a thriving local economy. An interview with one of the top managers revealed that the local economy is growing due to mining companies that surround the town such as Mimosa, Sabi Gold Mine and Murowa Diamonds.

ZTC administers the town of Zvishavane which is divided into 10 political wards. Each ward is represented by an elected councillor who sits on the town's full council as a board member. The council, which is headed by a chairperson, is the supreme policy-making board whose roles include legislation, policy formulation and resolution, monitoring and oversight. ZTC is currently dominated by two political parties, Zimbabwe African National Union- Patriot Front (ZANU-PF) and Movement for Democratic Change-Tsvangirai (MDC-T). The 2013

harmonised elections produced a pluralistic political environment where MDC-T emerged with six councillorship seats and ZANU- PF four. These elections which are held after every five years present the citizens with the power to hold local leaders to account through the electoral process (political accountability). The administrative arm which oversees the day-to-day running of council operations is headed by the Town Secretary who is supported by Service Directors and a staff compliment of 157 from the Departments of Finance, Central Administration, Housing and Community Services and Engineering Services.

8.3 Mission statement and core values

During the observation sessions, it was noticed on the institutional notice boards and various staff offices that ZTC seeks:

To provide efficient and effective service delivery to Zvishavane Town Council community, through a well-motivated workforce

The mission statement, according to Zvishavane Town Council strategic turn-around plan (2006-2016: 03), is anchored on the core values of:

- Responsiveness to stakeholders' needs
- Accountability to the community
- Ethical and professional conduct
- Transparency in operations
- Efficient and effective

The core values underpin the way elected and appointed officials behave and how they treat one another and also their stakeholders. It appears that the core values for Zvishavane Town Council if they are practised lay a firm foundation for effective ethics architecture against corruption. Accountability, transparency and ethical and professional conduct core values are some of the components of the ethics architecture. Integration of these ethical core values into the organisation's strategic plan is a signal of top leadership commit. Interviews with top, middle managers, elected officials and documentary analysis of the UCA revealed that ZTC has promoted accountability to the community through internal and external auditing processes, regular elections, and ward feedback meetings. ZTC also has promoted

transparency in its operations through council meeting that are open to the members of the public and the press, council documents and minutes that are available for public inspection and scrutiny, participative budgeting system and open procurement and employee resourcing systems among others. However, both elected and appointed officials compromised the core values of ethical and professional conduct by committing corrupt activities. Documentary evidence from Ministry of Local Government, Urban and Rural Development report, dated 20 February 2012, on the investigation into alleged fraud and corruption at ZTC involving the council chairperson reveals that the Council chairperson abused his office by illegally acquiring and selling council land and abuse of council vehicles.

8.4 Leadership commitment to ethics and to fighting corruption

Respondents were asked how council leadership has demonstrated commitment in practising ethics as well as uprooting corruption. On exemplary leadership, documentary evidence from the Ministry of Local Government, Urban and Rural Development report, dated 20 February 2012, on the investigation into alleged fraud and corruption at ZTC involving the council chairperson reveals that ZTC fared poorly on moral or exemplary leadership during the period under review (2008 to 2013). A Council chairperson in a town council is the head of a board of councillors who oversee the operations of the local authority. A probe team of investigators from the Ministry of Local Government who were appointed by the Minister in terms of Section 311 (2) of the Urban Council Act Chapter 29:15, unearthed corruption and fraudulent activities committed by the ZTC chairperson. Results from the probe team reveal that the Council chairperson abused his office by illegally acquiring and selling council land, abuse of council vehicles, unauthorised purchase of the mayoral chain and gown (town council chairpersons are not entitled to purchase this type of regalia), gross abuse of tender procedures, failure to produce genuine receipts for vehicle repairs and accessing unauthorised travelling and subsistence claims. The report further revealed that councillors and appointed top council officials acquired more stands for themselves at the expense of deserving citizens.

On abuse of tender procedures, documentary evidence from the probe team report revealed that the ZTC procurement board which was manned by five elected officials appointed in terms of section 210 of the UCA would ask suppliers to inflate figures. They would naturally buy from them and give them a small percentage as a token of appreciation thus robbing the

government of its already overstretched fiscus. Responses provided from one of the middle managers exposes moral deficit among municipal functionaries. It was cited that in 2008 the then Director of Housing and Community Services allocated stands to miners, one of them was his eight-year-old son. Responses from top and middle managers and the representative of employees also revealed that councillors who served the period between 2008 and 2013 fared poorly on exemplary leadership and were quoted as saying:

Observance of ethical conduct among our councillors has been perceived very low and everyone knows about the unethical practices among our elected councillors. The majority of our elected officials are poor and unemployed; hence they consider the office of councillorship as a source of livelihood. They create unnecessary trips in order to claim travelling and subsistence allowances. They occasionally flout tender procedures to get kickbacks and they grab and sell council land to enrich themselves.

The involvement of the council chairperson and the Director of Housing and Community Services of ZTC in corruption cast doubts whether they were committed to fight corruption. It is because when leaders engage in corruption their moral will power to fight corruption at the lower level is compromised. Furthermore, corruption perpetrated by the highest office in an organisation in turn causes permissiveness of corruption acts. Subordinates learn what to do and what not to from their bosses. The failure by the chairperson of ZTC to display exemplary behaviour influences employees negatively to act unethically. The violation of ethical principles by elected and appointed leaders in ZTC is contrary to Fernando (2006:287) who asserts that in order to create an ethical and corrupt free environment, the initiative must be supported by or, better still, come from, the top management and leaders in the organisation. Fernando (2006:287) further argues that it is important for leaders to tell a compelling and morally rich story; ethical leaders must also embody and live the story. Both administrative leaders (Executive Managers) and political leaders (councillors) should therefore set the ethical tone in the urban local authorities by leading by example.

Punishing corrupt actors even top ranking official is another symbol of leadership commitment. Evidence from interviews with top and middle managers documentary evidence from a filed letter at the council offices further reveals that the Council chairperson was in 2012 subsequently fired by the Minister of Local Government and was also expelled

from his party (MDC-T) for corruption. The expulsion of the ZTC council chairperson from his party and his dismissal as a councillor by government shows zero tolerance to corruption and also political determination to investigate, prosecute and adjudicate any person or institution suspected of being involved in corrupt practice or act (no political covering up) (United Nations Office on Drugs and Crime, 2002). This is in line with the deontological theory and the compliance ethics management approach which are regulatory in character and ensures that strict rules are followed and wrongdoers are investigated and sanctioned.

Still, on this issue, according to the responses from top managers, middle managers shop floor managers, ZTC's leadership has shown commitment to upholding the practise of ethics by employing the "stick" and "carrot" method which involves punishing heavily those who are found guilty of corruption and rewarding or reinforcing good behaviour. The use of the "carrot" method is confirmed by the Chairperson of the Employee Representatives who said:

Good behaviour is rewarded through the departmental worker of the month award. If an employee has a pending disciplinary charge he or she is disqualified from the worker of the month award competition.

The use of the "stick" method at ZTC was confirmed with one top manager, who said that:

After thorough investigations, council managed to prosecute and dismiss 15 employees for various corruption offences within a period of four months.

It appears the use of the carrot and stick method in managing ethics and fighting corruption is corresponding with Dassah (2014: no page) who recognises that:

the necessity of waving 'carrots' ('sugar plums', incentives or rewards to reinforce exemplary conduct), 'sticks' ('slaps', prohibitions, sanctions or severe punishment to serve as a deterrent)and 'sermons' (high-level communicative statements exhorting exemplary conduct) into the tapestry of the public service ethics regime – this in order to make it more effective in curbing unethical conduct and corruption.

8.5 Socialisation

Documentary evidence from ethics in local governance course outline and interview responses from a shop floor manager, top managers, a middle manager, a workers representative and councillors agreed that socialisation in ZTC is acquired through formal education courses and on the job training courses. ZTC councillors, through an induction programme, spearheaded by the Ministry of Local Government, Rural and Urban Development received training on corporate governance and ethics, among other training courses. The Councillors Induction Manual availed to the researcher indicates that the corporate governance and ethics module covers topics on corporate governance structure for local authorities, expected qualities of a councillor, examples of unethical behaviour, the meaning of ethical behaviour, code of conduct of councillors, conflict of interest and the councillor's disciplinary code. Underpinned in the teleological theory, the module on corporate governance and ethics infuse ethical values in councillors and also provide them with skills for making correct decisions when faced with ethical dilemmas. This relates with Okechukwu (2012:149) who argues that ethics training helps employees to be aware of rules and regulations and equip them with the skills for making the right decisions when confronted with the ethical dilemma. Commenting on the effectiveness of councillors' induction courses in minimising corruption, one of the middle managers complained that:

The councillor induction programme has failed to bear fruits because the elected officials went on to engage in corrupt activities after receiving the training.

Interviews with top managers, middle managers, a shop floor manager and the employees' representative revealed that formal education is equipped with necessary ethical judgement skills. They cited religious and moral education syllabus which is taught from primary to secondary school levels and diploma and degrees programmes which includes ethics modules. These respondents listed business ethics, public sector ethics, corporate governance and ethics in local governance as formal education modules offered in degree programmes. The ethics modules prepare students to act ethically and to deal with ethical dilemmas at their workstations. The book published by Kanyane in 2014 entitled "*21 Narratives of ethical dilemmas and their therapeutic resolutions in the 21st century*", Wandsbeck, South Africa:

Reach Publishers is one of the books on the shelves of the libraries to be considered as resource material for the ethics module.

According to the responses from one top manager and one middle manager, the internalisation of ethics is also done through professional bodies. The professional bodies provide profession specific area for ethical concern. The documentary review of Zimbabwe's Institute of Engineers' code of ethics reveals that the Zimbabwe Institute of Engineers expect its members to pursue their profession with due regard for public interest and to discharge their duties with integrity, among other expectations. In the same vein, the Institute of Internal Auditors-Zimbabwe, in its code of conduct, emphasises that members should observe the ethical principle of objectivity, integrity, confidentiality and competency. These professional bodies provide training programmes to inculcate the expected ethical values to its members.

On ethics training, respondents highlighted that ZTC does not offer its employees standalone ethics training programmes. Respondents considered ethics training as being given low priority yet it is a long-term investment due to financial crisis which is currently bedevilling the country. ZTC joins other three urban councils GCC, Redcliff municipality and Bindura municipality who are not providing on the job ethics programs. An ethics training programme is critical. It provides a media for ethical awareness in organisations. It is also one of the processes through which virtuous traits are cultivated among public officials. Non-provision of ethics training at ZTC, compromises the anti – corruption drive. Employees remain ignorant on how to respond to ethical dilemmas. The scarcity of men and women of good character in positions of leadership remain a nagging problem in public institutions and this could only be resolved by passing down moral values through ethics training.

8.6 Conducive conditions of service and human resource policies

According to responses given, there was concurrence that ZTC's conditions of service are conducive for managing ethics and fighting corruption. Managers (top, middle and shop floor) and the employees' representative agreed that ZTC is up-to-date in terms of payment of salaries and statutory obligations such as pensions, Zimbabwe Revenue Authority pay as you earn taxes and employee deductions such as medical aid and funeral policies. Interviews

with the top managers, middle managers and employees' representative confirm that ZTC also offers staff 20% of their basic salaries thrice a year as assistance towards payment of school fees for their children. This has assisted staff to meet the education costs of their children.

Respondents also refer ZTC as a learning organisation, where employees are given opportunities to further their studies at various tertiary institutions throughout the country. This was confirmed by two housing assistants who are enrolled for a degree in Local Governance Studies at Midlands State University, and one secretary who is pursuing a degree in Office Administration at Great Zimbabwe University, among others.

Analysis of the ZTC human resource policy document which was handed to the researcher during the data gathering exercise reveals that vacant posts for the heads of departments, middle managers and technical staff are advertised in the national print media. Advertising of posts in the press promotes openness and fairness as prospective candidates who are interested to participate in the race for the posts get the information and are also given a fair opportunity to do so. Candidates who are shortlisted after the adverts are interviewed by a panel of interviewers. Middle managers and professional and technical staff candidates who are successful in the interviews are appointed after the board of councillors' approval. For heads of departments, appointment of a successful candidate is done after approval by the Local Government Board.

Respondents further revealed that low-level unskilled contract workers are recruited from the wards through councillors. Respondents offered different views on the merits of this system of recruitment. Elected officials argued that this system is done as a form of economic empowerment which geographically benefits every ward. Appointed officials on the other hand argue that recruiting from the wards creates a fertile ground for partisan recruitment and nepotism. The ward councillor has an upper hand on unchecked discretionary powers of who to recommend for recruitment thus embedding politics of patronage in the system. On human resource policies, top managers, councillors, middle managers, and the employees' representative concurred that ZTC is offering competitive salaries and fringe benefits for its staff which are capable of dissuading employees from engaging in corrupt activities. As observed, ZTC pays competitive staff salaries regularly and on time and this creates an environment which incentivises moral behaviour. In comparison with the other four case

studies ZTC stand out better in paying competitive salaries. This is attributed to the vibrant and growing economy of Zvishavane which is anchored by uncorrupted mining companies that surround the town such as Mimosa, Sabi Gold and Murowa Diamonds.

8.7 Accountability and transparency mechanisms

On the issue of accountability and transparency mechanisms, the top managers, middle managers, councillors, employees' representative and the residents association representative agreed that ZTC has systems in place that promote transparency and accountability. This is also confirmed through observation and documentary analysis.

On accountability analysis of the Urban Council Act 29:15, 1996, reveals that ZTC like all other the local authorities in Zimbabwe, transacts its business through the committee system. The committees in place as observed: are finance, audit and health and housing, among others. These committees of council are manned by elected officials whose major roles are to hold appointed officials to account through debating on presented reports and question and answer sessions. Section 96 of the UCA appoints these standing committees. Decisions made in committee meetings are ratified or approved in full council meetings. The full council maintains an oversight role over the management and operations at ZTC. The committee system provides for checks and balances and also diffuses centralisation of power provided that the system does not have a domineering figure or faction. Evidence from the probe team report on the investigation into alleged fraud and corruption at Zvishavane Town Council involving the council chairperson reveals the ineffectiveness of the committee system as an accountability tool. The probe team report reveals that the council chairperson was the dominant figure and no one in council could oppose him.

Interviews with top and middle managers and a representative of the Residents and Ratepayers Associations reveal that elected officials are held accountable through periodic sub national government elections. This political accountability is expressed through regular free and fair elections. In Zimbabwe, as earlier stated, local government elections are held concurrently with senatorial, presidential and parliamentary elections after every five years. According to responses given, ZTC held its local government elections in 2008 and 2013. In 2008 elections ZTC was predominantly MDC-T with nine councillors from MDC-T and one

Councillor representing ZANU-PF. The 2013 elections produced results which show ZANU-PF gaining political ground in ZTC. MDC-T won in six wards and ZANU-PF in four wards. An interview with one of the top managers revealed that none of the councillors who served the 2008 to 2013 term of office were re-elected in 2013. The interview with the residents and ratepayers' association representative disclosed that the councillors were not re-elected because of corruption and poor service delivery. The voting out of all councillors who served during the 2008 term shows the effectiveness of elections as an accountability tool. This is consistency with Mutema (2012:2092) who argues that elected councillors are held to account for their actions at the end of their term of office and the electorate usually votes out non-performing councillors.

The issue of regular free and fair elections add value to the governance process of local government institutions. The residents are free to vote in and vote out their leaders, in the process making elected officials accountable. The elected officials would know that their re-election depend greatly on their accountability to the people. The threat of loss of the political offices and credentials encourages councillors to be more responsive to the needs of the people. Furthermore, ZTC is not predominantly MDC-T or ZANU-PF, it has an almost equal number of councillors from the two parties. Such a competitive political environment provides for checks and balances between the political parties where they check on one another even in matters to do with corruption. However, it is common knowledge in Zimbabwe that when two political parties share power, be it at local and national level, inter party conflicts and political polarisation cannot be ruled out. When such happens the battle against corruption is weakened.

Auditing and financial reporting is part of the cornerstone of the accountability principle. To make it possible for ZTC's major stakeholders such as the Ministry of Local Government, Rural and Urban Development, the ratepayers and the business community to assess the work and decisions of elected councillors and appointed municipal functionaries, the Urban Councils Act (UCA) requires the local authority to produce audited financial statements for the minister's information and to have an operational audit committee. Section 97 of the UCA provides for the establishment of the audit committee whose function in terms of section 98 includes:

- Enquiring into and reporting upon the manner in which the finances of the council, assets and human resources are being used.
- To ascertain whether funds and assets of council are applied to the purpose intended are consistent with any regulations and standing orders issued by the council, or the Minister, as the case may be.
- To call for information, explanations and evidence in respect of which the auditors have made observations.
- To receive and consider reports of internal and external auditors and make appropriate recommendations to the council.
- To recommend to the council appropriate methods of investment of moneys and custody of any other properties of the council.

However an Interview with one of the middle managers responsible for the audit section disclosed one of the weaknesses of the audit committees in urban councils. He argues that:

Audit committees are composed of councillors who are democratically elected into office not on the basis of academic or professional qualifications but on political popularity. The best practice is that the audit committees should be manned by cadres with financial accounting knowledge, who possess financial craft literacy and craft competence”.

Responses further disclose that ZTC is not immune to the aforementioned problem; its audit committee is composed of membership drawn from elected councillors. Councillors, as earlier alluded to, are selected through the democratic method of ballot vote and the UCA is quiet on the bare minimum academic and professional qualifications accepted from councillors. Responses from the internal audit section further reveal that no regard of financial qualifications was considered when members were appointed into the audit committee. It was further revealed that contribution from members of this committee to council business is thus next to zero. This challenge is common among the selected urban councillors. However, the need for further investigation on the actual qualifications of the councillors who constitute the audit committee is critical for further studies.

Evidence from Section 304 of the UCA reveals that it is a statutory requirement for urban local authorities to appoint an external auditor on or before the commencement of each financial year. This accommodates an independent opinion on the state of council affairs. Section 305 authorises external auditors to require urban local authorities to produce to them all relevant books, papers, writings and minutes in their possession. External auditing is an effective accountability tool as in the process of analysing the aforementioned documents the auditors may call upon any councillor or employee of council for any clarification and information he/she may have need of in order to make it possible for him /her to discharge his/her duties (Mutema, 2012:2093). Responses from one of the top managers reveal that ZTC is externally audited annually. During the time of carrying the field work of this research (March, 2014), the local authority was ready and had prepared for the 2013 financial year external audit. This shows that ZTC is up-to-date with auditing of its books of accounts.

On the issue of transparency, interviews with the Town Secretary, the representative of residents association and documentary evidence reveal that the Urban Councils Act, Chapter 29:15, contains some provisions that allow disclosure of what is happening in council chambers to its stakeholders. As indicated in the responses, the tools which ZTC use to promote transparency include, among others, full council meetings that are open to the public and press, open tender system and public inspection of full council minutes.

Documentary evidence reveals that Section 87(1) of the Urban Council Act provides for full council meetings in which the public and the press are allowed to attend. It was observed that ZTC invites the public to attend its full council meetings through council public notice boards and on notice boards at major retail outlets. This could also be improved in this modern day of advanced technology by posting on ZTC websites and by informing the public of an impending council meeting through both electronic and print media. In the full council meetings, members from the public and the press do not participate in deliberations and decision-making but they attend the meetings as observers. This, however, presents members of the community with the chance to examine the methods, processes and procedures of council and to analyse resolutions made by the local authority. The attendance of the public and the members of the press in full council meetings is also a vehicle to make known information of what is emerging in urban local authorities and this creates an environment of openness where operations are transparent and nothing is shrouded in secrecy (Mutema 2012:2093).

The UCA, however, legally authorises urban local authorities to exclude members of the public and the press from their full council meetings if they consider issues on the agenda to be conveniently and advantageously discussed in private. Making full council meetings open is no guarantee that the public and the press will attend these meetings. Further, Section 87(2) falls short of specifying the matters that councils may resolve themselves in committees that exclude the public and the press. Concealing of malpractices and under-performance through this legal provision is highly probable. The other grey area is that the ZTC public gallery which accommodates members of the public and press, as observed, is not spacious enough to accommodate a reasonable sample from the municipality residents.

Documentary evidence further reveals that in order to promote transparency and accountability, Section 88(5) of the Urban Councils Act of 1996 authorises any interested persons from the public to inspect minutes for committees of council and full council meetings on condition that the minutes do not relate to staff matters or matters of internal or national security and any matters which council may have resolved should not be open to inspection. Section 88 (5) also provides for members of the public to obtain a copy or an extract of the minutes upon paying a fee as prescribed by a resolution of a council. Allowing members of the public access to council minutes is a democratic right in Zimbabwe. It is a key mechanism that enables the disclosure of key organisational issues to residents, business community and other role players.

Public disclosure of organisational information discourages both elected councillors and municipal functionaries from involving themselves in corrupt and unethical practices. They know that the wall which demarcates them from the public is made of transparent glass and whatever transpires inside the organisation is seen by the public. Disclosure of minutes of council to the public also acts as a public statement against which council officials can be held to account. Although Section 88(5) promotes transparency, the provision has its own shortcomings; it leaves the conditions of such access to the urban council's discretion. Urban councils can conceal information to its stakeholders by considering requests of specific document as unreasonable or can use a council resolution as an excuse for not handing over the document to whoever is interested in its contents (Mutema, 2012:2093). Requesting the public to pay a fee to obtain a copy is counterproductive to the principle of transparency.

8.8 Anti-corruption legal framework

On the legal framework, the top managers, shop floor managers, middle managers and employees' representative and councillors agree that the legal framework serves a purpose of communing the bare minimum requisite standards and principles of behaviour for every appointed official and municipal functionary. According to the documentary review, the legal framework that enforces ethics and contains corruption in all Zimbabwean urban local authorities include Chapter 1X of the Criminal Law (codification and reform) Act, 2004, which enforces the criminal justice system in Zimbabwe. It also criminalises and prosecutes corruption and bribery. The Prevention of Corruption Act Chapter 9:16, 1985 criminalises and prosecutes corruption and bribery.

The Urban Council Act Chapter 29:15, 1996, addresses the issue of conflict of interest when dealing with corruption. Section 107 of the Act requires councillors and appointed officials to disclose their interest in any council business. The new Constitution of Zimbabwe Amendment (No: 20) (Chapter 13) on Zimbabwe Anti-Corruption Commission Section 225 provides functions as stated below:

- a) To investigate and expose cases of corruption in the public and private sectors.
- b) To combat corruption, theft, misappropriation, abuse of power and other improper conduct in the public and private sectors.
- c) To promote honesty, financial discipline and transparency in the public and private sectors.
- d) To receive and consider complaints from the public and to take such action in regard to complaints as it considers appropriate.
- e) To direct the Commissioner-General of Police to investigate suspected corruption and to report to the Commission on the results of any such investigation.
- f) To refer matters to the National Prosecuting Authority for prosecution.
- g) To require assistance from members of the Police Service and other investigative agencies of the State, and
- h) To make recommendations to the Government and other persons on measures to enhance integrity and accountability and prevent improper conduct in the public and private sectors.

It however, emerged from the responses that the Zimbabwean anti-corruption legal framework is weak on enforcement even at national level and this has tended to affect the observance of ethical conduct at sub national level. Respondents lament states that Zimbabwe lacks a legal framework:

- a) that protects whistle blowers against occupational detriment
- b) Supports declaration of assets and financial interests by political leaders and top managers in the public sector. This has made it almost impossible for urban local authorities to monitor illicit enrichment among its officials hence cases of rags to riches among elected officials are prevalent.

8.9 Effectiveness of the ethics architecture

On the effectiveness of the ethics architecture in fighting corruption, the majority of respondents said that it is not effective and a minority said it is effective. The respondents who said that the ethics architecture is not effective ZTC raised the following challenges discussed below. Top managers, middle managers, councillors, employee representatives and the representative of the residents association concurred that political, economic, social, legal and institutional factors hinder or contribute to the effectiveness of ethics architecture in fighting and containing corruption and related unethical practices. Responses indicate that despite ZTC having mechanisms in place to fight corruption, it is difficult to control it in the current unstable economic environment. Few residential stands are serviced to cater for a ballooning waiting list. Scarcity of residential stands is a challenge to corruption eradication in the housing department. This creates opportunities for corruption and the probability that those in positions of authority corruptly allocate the scarce resource after their palms have been greased is high. Documentary evidence from the probe team report reveals that land was corruptly acquired and allocated in ZTC by both elected and appointed officials during the period under review.

Respondents indicated that the Zimbabwean anti-corruption legal framework does not provide for the: (a) protection of whistle-blowers (b) declaration of asserts and financial interests by senior public managers, ministers and elected officials. Whistle-blowing is corruption detection mechanism which has been adopted internationally to fight the scourge of corruption. The process of whistle-blowing can be detrimental to the whistle-blower.

Evidence across the globe has shown that whistle-blowing is not without costs. Whistle-blowers can lose their lives, their promotions or their jobs. Respondents further indicated that without legal protection, staff at ZTC fear to blow the whistle in the event of detecting ethical violations. Another challenge cited by respondents on whistle-blowing is that, culturally, in Zimbabwe whistle-blowing is not encouraged. It was explained that elders use the following Shona proverb to discourage whistle-blowing “*Ndezvameso muromo zvinyarare*” translated to mean that: “one should not disclose what he or she sees”. This Zimbabwean culture, however needs a paradigm shift from a culture of silence to a culture of publicly disclosing cases of corruption that stalls development. Zimbabweans should be schooled that corruption is an enemy of any form of development be it social, economic and political hence it is the responsibility of every Zimbabwean citizen to fight it.

On the issue of asset and financial declarations by senior public managers and elected officials, the business community representative and representative of the Zvishavane residents and ratepayers association concurred that both elected and appointed officials of ZTC did not declare their assets and financial interests when they were elected or appointed into office. In other words, both local and central government systems in Zimbabwe do not have an enforced corruption prevention system of financial and asset declaration. One of the respondents raised his concern over “the quick riches mentality” among councillors who served during the period under review. He noted that:

Many councillors had nothing in terms of properties when they got elected but within a short period of time they were found driving posh cars and building mansions. The question is: where did they get the money? If not from corrupt practices because we know they are not employed and that their councillorship allowances cannot sustain such lavishness.

Asset and financial declarations the respondents argue are, therefore, a critical component of monitoring the wealth variations of elected and appointed officials, a way of managing conflict of interests and detecting illicit enrichment among officials. Non-declaration of assets and financial interests is, therefore, an impediment to corruption prevention and detection at ZTC.

Another challenge that impedes the effectiveness of the ethics architecture is lack of support from members of the community to overcome corruption and unethical practices. Responses from the top managers, councillors and low-level shop flow managers revealed that community members conceal corruption committed by council officials if they are benefiting from it. One of the top managers gave an example of a driver who hired out a tractor meant for refuse collection to transport building materials. The driver pocketed the money which he got paid for hiring out the tractor. The malpractice was exposed when the tractor broke down in the process of transporting the building material. The driver was charged for the act of misconduct. Other cases cited are when members of the public pay bribes to jump the queue on the housing waiting list or when a ratepayer pays a bribe to have a water disconnection reversed. It is evident from the cited cases that members of the general public conceal corrupt practices by council officials if they benefit from the process.

8.10 Conclusion

Emerging from the ensued discussions on the adoption of the ethics architecture practices, there is evidence in this chapter that ZTC has a wealth of systems, procedures, practices and necessary architectural remedies against corruption. ZTC has demonstrated its commitment to fight corruption by publicly punishing corrupt officials including top-ranking firebrands. Similar to cases of GCC, MTC, Bindura and Redcliff, this chapter is also confirming that the employee resourcing process for ZTC is ethically enriched by core values of transparency, fairness and meritocracy. There are also notable measures to promote good corporate governance principles of accountability and transparency and this is evidenced by internal and external auditing processes, full council meetings that are open to public and press scrutiny, council minutes that are open to public inspection, open employee resourcing systems and council elections after every five years. In comparison with the other four case studies, ZTC stand out better in paying competitive salaries which is attributed to a vibrant and growing local economy of Zvishavane.

However, like in the case of GCC, elected and appointed leaders have engaged in corrupt and unethical practices failing to present themselves as role models to their subordinates. Conspicuous cases include the Council chairperson who abused his office by illegally acquiring and selling council land, abuse of council vehicles, gross abuse of tender

procedures, failure to produce genuine receipts for vehicle repairs and accessing unauthorised travelling and subsistence claims and a Director of Housing and Community Services who illegally and corruptly disposed council land. This shows a moral deficit among these ZTC leaders. On socialisation, this chapter is also revealing that ZTC is not providing ethics training for its staff members. This implies that employees are not equipped to make decisions and to take actions that are ethically sound.

Despite ZTC having adopted the legal and institutional architectural remedies, corruption escalated during the period under review. This is a litmus test on the effectiveness of Zimbabwean urban councils' ethics architecture against corruption. Respondents in ZTC reveal that the effectiveness of the ethics architecture against corruption is weakened by a number of factors. First, the anti-corruption legal framework does not guarantee legal protection for whistle-blowers so employees fear the occupational detriments for exposing corruption like demotions, threat to life and job losses. It also emerged from this case study that the Zimbabwean society value system does not encourage whistle-blowing. The legal framework does not also provide for declaration of assets and financial interests for elected and appointed senior officials, so it is difficult to manage conflict of interests and illicit enrichment among officials. Second, ZTC is encased with a national poor macroeconomic environment which subsequently has created scarcity of the sought-after resource of residential stands. Such environment creates a fertile ground for bribe-giving and taking. Third, the study established that there is lack of support from members of the community to overcome corruption and unethical practices. Members of the general public conceal corrupt practices by council officials if they benefit from the process.

CHAPTER NINE

COMPARATIVE PERSPECTIVES OF THE CASE STUDIES OF THE FIVE URBAN COUNCILS

9.1 Introduction

Having discussed the findings in Chapters 4 to 8, this chapter cross-analyse the findings of the selected five urban councils as guided by the three research questions posed in Chapter One which are: How have urban local authorities in Zimbabwe adopted the ethics architecture practices? What are the factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in the area under study and how they should be resolved? Lastly, how effective is the existing ethics architecture for Zimbabwe's urban local authorities against corruption? This chapter discusses the contrasting and common issues that emerged from the five case studies. The comparative analysis strongly forms the basis of compelling conclusions and recommendations in Chapter 10.

9.2 Contrasting issues emerged from the five city councils

The study established emerging contrasting issues. The study revealed that ZTC, unlike the other four cases which are characterised by poor local economic environments, is enveloped by a thriving local economy which is providing a favourable revenue base for the local authority. ZTC's thriving local economy is attributed to the mining companies in the district for example Murowa Diamonds and Mimosa. From the ZTC case study, the study reveals that it is the only local authority when compared with the other four urban councils which is providing favourable conditions of service for its employees. The payment of salaries is up-to-date, consistent and is not in arrears. ZTC is also up-to-date with the payment of statutory obligations such as pensions and pay-as-you-earn taxes. ZTC, has, thus, provided a favourable environment to dissuade corrupt practices among its employees. The strategy of providing favourable conditions of service to dissuade corruption resonates with the Singaporean case study. The Singaporean government successfully fought corruption through reforming the civil service and improving the conditions of service. It is also revealed from the study that ZTC combined the carrot (rewarding good behaviour) and stick (punishing bad

behaviour) methods to fight corruption. In comparison the other four urban councils use the reactive compliance based punitive method as the most popular approach. The approach is underpinned by the deontological theory which is rule and duty-bound. On a monthly basis, ZTC offers its best-performing staff awards. Any employee who is charged with an act of misconduct is disqualified to participate in the competition. From this ensuing discussion, one can infer that despite the urban councils sharing the same legal framework and governance systems, they differ in their experiences and these contrasts are attributed to social, economic and political environmental factors which can differ from town to town.

From Redcliff Municipality emerging contrasting issues, one finds that the municipality adopted only one of its policy positions of countering partisan recruitment by excluding the involvement of elected officials in the recruitment and selection of employees who are below the grades of heads of departments. This is a bold policy position which the other four selected urban councils who participated in this study did not adopt to fight the unethical practice of partisan recruitment, which is quite prevalent in local government institutions. As earlier alluded to, partisan and pal recruitment generates corrupt relationships between patrons and clients. The other four local authorities should therefore learn from Redcliff Municipality

With regard to Bindura Municipality, it is the only urban council which participated in this study, which is politically dominated by ZANU-PF. The other four study urban councils are MDC-T dominated urban local authorities. The possibility of a soared inter-governmental relationship between the periphery and central government is highly unexpected. In other four urban councils, the tensions with the centre are evident. As four of the selected case studies are MDC-T dominated local authorities, on the other end, the Minister is a ZANU-PF functionary, so the probability is high that he interferes in the best interest of his political party, creating a platform for inter-party squabbles and political polarisation, a scenario which is porous to corruption. This is in agreement with Kanyane (2014:168-169) who argues that:

When top officials do not share the same political affiliation or ideology, infighting occurs ... another well-known case is that of the Minister of Home Affairs, leader of the Inkatha Freedom Party (IFP) and his Director General, an African National Congress (ANC) member. Their differences over “Home

Affairs” issues always appeared to be an inherent political squabble between ANC and the IFP. Each side accused the other of serving its own interests instead of those of the public.

The Bindura case study, sharply contradicts with the other four urban councils, in terms of promoting transparency through council meetings that are open to the public and the press. The study established that although the UCA provides for council meetings that are open to the public and the press, the media and the public are rarely invited to attend full council meetings. This violates section 87 (1) of the UCA. A closer analysis of the UCA reveals that the act does not penalise local authorities who do not invite the press and members of the public to attend full council meetings. This as a result has weakened the enforcement of section 87 (1) of the UCA. Further, respondents said that Bindura Municipal authorities exclude members of the public from their council special meetings. As such, the Bindura community members are deprived of the rights to know what is transpiring in the municipality. This violates the principle of transparency which is a critical component of the ethics architectural remedies against corruption.

The MCC contrasts with other city councils in that it conducted training workshops in ethics and corporate governance for its top managers, middle managers and elected officials. This differs with the other four case studies where ethics training was only provided for elected officials. This creates an environment where employees acquire competencies to deal with ethical issues. Ethics training is a critical component of the socialisation process. It creates ethical awareness, equips employees with skills to resolve ethical dilemmas and builds the inner person’s moral fabric. This relates with Okechukwu (2012:149) who argues that ethics training helps employees to be aware of rules and regulations and thereby equip them with the skills for making the right decisions when confronted with the ethical dilemma. By providing ethics training to its workers, MCC is acknowledging that corruption needs also to be resolved through ethical solutions.

Finally, the study further reveals that MCC and GCC are lagging behind in terms of the auditing of books of accounts whereas the other three sites are up-to-date in their external auditing processes. GCC and MCC are violating Sections 305 (b) and 306 (3) of the UCA which require councils to present audited financial statements to the Minister not more than

six months after the end of each financial year. This is so because there is no clear penalty imposed by the act for failure to present audited financial statements within the prescribed period and more often than not the responsible minister does not seem to be following up on those councils that fail to have their financials audited on time (Coutinho, 2010:85-86).

9.3 Commonalities of issues that emerged from the five urban councils

There are a number of common issues that are emerging from the five case studies in this study. Common issues among the five urban councils emerged from the ethical architectural component of leadership commitment. Leadership commitment is one of the critical components that provide for the effectiveness of the ethics architecture. Leadership commitment is made visible through integrating ethical values in organisational vision and mission statements, top leadership setting a good ethical example (Boston, 2010:66, Mafunisa, 2000:05 and Chapman, 1993:34), publicly punishing the corrupt actors even top ranking officials (Klitgaard et al, 1996:34), training staff on ethics and assuming responsibility for instilling ethical behaviour and allocating resources for ethics programmes (Chapman, 1993:25). Evidence to support the visibility of leadership commitment in the five case studies is provided in the next paragraphs.

On the issue of integrating ethical values in organisational vision and mission statements, the research found out that all the five local authorities had a strategic plan that clarified their visions, missions and core values. It also emerged from the study that all the five local authorities integrated ethical values in their organisational vision and mission statements as a representation for leadership commitment (see table 4.1).

Table 9.1 Integration of ethical values in organisational vision and mission statements

Urban council	Adopted core values
Gweru City Council	Professionalism, customer focus, integrity, accountability, transparency and teamwork.
Zvishavane Town Council	Ethical and professional conduct, accountability to community, transparency in operations, responsiveness to stakeholders and efficiency and effective service delivery.
Bindura Municipality	Transparency, accountability, integrity, commitment, efficiency, loyalty,

	responsiveness and teamwork.
Redcliff Municipality	Transparency, accountability, integrity, commitment and innovativeness.
Mutare City Council	Transparency and accountability, professionalism, good corporate governance, gender sensitivity, equal opportunity, stakeholder participation.

Source: documentary review of organisational strategic plans

As alluded to earlier, integration of core values in organisational vision and mission statements signal leadership commitment to ethics. The core values provide a moral or ethical compass to guide individuals within an organisation to resolve ethical challenges. Core values are the glue that holds together both employees and management in an organisation; they guide behaviour and action and provide strength to the interior individual character. Integration of ethics in the vision and mission statement is driven by the virtue theory which emphasises on integrity, professional responsibility, incorruptibility, honesty and fairness. Organisational members acquire these core values through ethics training, formal education courses and socialisation through upbringing, peers and the church. It is believed that the acquisition of these core values enables council officials to make ethical decisions and to take ethical actions. However, the practice of these core values by both central and local government officials cannot be guaranteed.

The second symbol of leadership commitment to ethics is publicly punishing corrupt actors, even top-ranking officials. This research also reveals significant efforts by the five selected urban local authorities to openly punish corrupt actors even top-ranking officials. For example, in GCC, eight councillors were suspended on allegations of corruption. In Bindura the Mayor was jailed and was subsequently fired and in Mutare, a Committee Officer, an Engineer, a councillor and a top Manager in the Housing department were fired on allegations of corruptions. In ZTC a council chairperson and Director of Housing were fired, and in Redcliff Municipality, the Town Clerk was also fired for using improper recruitment procedures. This is in agreement with Klitgaard et al (1996:34) who suggests that naming and shaming publicly and punishing big corrupt actors is a clear message to both the public and officials that the anti-corruption drive is more than words. As earlier discussed, the Singaporean government managed to contain the devastating scourge of corruption through vigorously pursuing allegations of corruption at the top level of government.

In Zimbabwe, at national level, such commitment was displayed in December 1988 when the President of Zimbabwe, Robert Mugabe appointed a commission which was chaired by Justice Sandura to investigate the illegal resale of automobiles. This case, which is popularly known as the Willowvale scandal, involved cabinet ministers and other senior politicians who abused their positions to source many cars each from a government-owned Willowvale Mazda Automobile Assembly Plant. The purchased cars were later resold at great profit. Revelations from the results of the Sandura commission report implicated top cabinet ministers. These were forced to resign from their government posts after being implicated in this scandal.

Punishing offenders through dismissal is underpinned by the deontological theory and the compliance ethics management approach discussed in Chapter Two. These emphasise on the stick method where violators of rules and regulations are slapped with fines, demotions and dismissals. This punitive method seems to be common in the five local authorities which were studied. The punishment for corruption should however be stepped up from just losing a job or a top government post to heavy fines and long prison terms.

The third symbol of leadership commitment to ethics is exemplary leadership and this is underpinned by the ethical theory of virtue. Regarding this issue of leadership setting a good example, findings from all the five case studies reveal that both elected and appointed officials fared poorly on exemplary ethical behaviour. Evidence is abound to support this pre-conclusion, for example, in 2012, eight GCC elected officials were suspended from MDC-T on allegations of corruption. In ZTC, the council chairperson was fired by the Minister of Local Government for gross abuse of tender procedures and illegal acquiring and selling of council land, and in 2009, the Director of Housing and Community Service was dismissed for illegal sale of council land. In Bindura Municipality, the Mayor was jailed for theft of council money and councillors acquired cheap land from council and sold it at exorbitant prices. In MCC, the Mayor and a Councillor in Ward 10 were fired by the Minister of Local Government on allegations of abusing tender procedures; a buyer, a committee officer and an engineer were fired for flouting tender procedures. A top manager in the Housing Department was dismissed for illegally selling council land.

These cases, among others, reveal the prevalence of corruption and unethical practices among councillors and senior appointed officials who served during the period under review. The

ideal scenario is that elected leaders and appointed senior officials should act as role models to their subordinates. A subordinate learns what to do and what not to from the superordinate. In relation to the above, Schmidt and Posner (1986) in Chapman (1993:24) argue that in 1982 a survey of Federal Public Service executives in United States of America found out that the behaviour of one's superior was perceived as the most significant factor in influencing subordinates to act ethically. Urban local authorities' leaders should be seen to be "clean" by their subordinates and should take harsh measures against corrupt elements. In other words, if elected officials in urban councils are to set a good ethical example, they should be morally blameless in the sight of their subordinates. Unless both appointed and elected officials show good character, the ethics architecture would not miraculously contain corruption. Leaders, whose virtue and integrity are questionable, lack the moral authority to fight corruption. Getting guidance from the ethical theory of virtue, cases outlined above are a clear testimony that the five urban councils lack leaders with virtuous traits that enable them to transact council business in an ethical manner. This is in consistency with Hart (1993:107) who remarks that:

The widespread publicity about the costly ethical failures of organisational leaders during the last quarter of the 20th century gives evidence that the most critical problem is the scarcity of men and women of good character in the positions of significant leadership, whether private, educational, or religious. For too long, the management orthodoxy has taken as axiomatic the propositions that "good systems will produce good people" and that ethical problems will yield to better systems design. But history is clear that a just society depends more upon trustworthiness of its citizens and its leaders than upon structures designed to transform ignoble actions into socially useful results. Systems are important, but good character is more important.

It is critical to state at this stage that exemplary leadership is an important ethical remedy of corruption and unethical practices. When senior appointed and elected officials engage in corrupt activities, the moral authority to fight corruption is weakened. This resonates with Langseth (1999:30), who argues that organisations that are prone to corruption lack moral authority to act against those who are corrupt at the lower level. Leaders thus lose the urge and zeal to tackle the problem of corruption and any threat to expose corruption among such leaders is met with strong resistance and brutality in some cases. Corrupt leaders also cause

permissiveness towards corruption among their subordinates. This collaborated with Sebudubudu (2003:126) who asserts that the involvement of top government officials in the illegal acquisition of land compromised the integrity of the Botswana government and this in turn caused permissiveness towards corruption as residents in Mogoditshane were motivated to engage in their own illicit land grabs.

It is important to realise that anti-corruption success stories are anchored on exemplary leadership and that the problem of corruption and unethical practices among the leadership of Zimbabwean urban councils gives evidence that the most critical problem is the scarcity of men and women of good character and moral standing in the positions of significant leadership. With such a scenario, lack of exemplary leadership weakens the effectiveness of the ethics architecture against corruption. Zimbabwean leaders should therefore understand that virtue or integrity is an indispensable arsenal against corruption.

Socialisation is one of the critical components of the ethics architecture. Regarding socialisation, all the five cases reveal that elected officials received ethics training during their induction programmes. The topics covered in the induction courses include corporate ethics, the characteristics of an ideal councillor and corporate governance, among others. The study outcome also pointed out that employees confirmed that they were morally developed through formal education courses in local governance ethics, engineering ethics, business ethics and in religious and moral education. This seems to agree with Chapman (1993:26) who argues that evidence is increasing to support that moral development can be effectively promoted through formal education courses as opposed to on-the-job short training courses.

It also emerged as a common issue in the four sites namely ZTC, GCC, Bindura Municipality and Redcliff Municipality that employees were not provided with ethics training programmes. Ethics training, as underpinned by the virtue theory, seeks to cultivate virtuous traits among both elected and appointed officials. Teleologically, ethics training grounds and conscientises urban council officials in ethical decision-making when faced with ethical dilemmas. Failure to provide ethics training will produce ethically incompetent staff. Preston (1994), in Bishop and Preston (2000:04), wrote that nothing is more dangerous to the well-being of the body politic than a public official who is technically competent or strategically astute but ethically illiterate or unfit. In other words, Preston is cautioning the danger of having public officials who lack ethical competence. Ethics training raise awareness on rules

and regulations of ethical behaviour (these are packaged in codes of ethics and anti-corruption laws) and ethical values that drive the behaviour of public officials. Okechukwu (2012:149) provides grounds that ethics training helps employees to be aware of rules and regulations to equip them with the requisite skills for making the right decisions when confronted with ethical dilemmas. To this end, if four of the urban councils in this study are not providing ethics training to their employees, the socialisation remedy against corruption becomes a fundamental omission.

Conducive human resource policies and conditions of service are other components that frame the ethics architecture. It was established that four out of the five urban councils that participated in this study are paying low salaries that are incapable of discouraging corruption and related unethical practices. It is further revealed in this study that GCC, MCC, Redcliff Municipality owe employees three months, nine months and eight months in salary arrears respectively. These three councils which constitute 60% of the studied cases are also not remitting staff pensions and pay-as-you-earn-taxes in time. Being informed by the deontological theory failure to pay council employees in time is unethical. First the urban councils are violating the rights of workers to get remunerated for work done. Second, urban councils are also violating the contractual agreement between them and workers. The deontological contractualism approach states that action is morally right if it is in accordance with the rules that moral agents would agree to observe upon entering into a social contractual relationships.

The study is further revealing that the lowest paid employees for all the five sites are earning salaries below the poverty datum line of \$500. Payment of salaries which are below the poverty datum line and also failure to pay them in time provide a conducive environment for corruption and unethical practices. This is in agreement with Bannarjee (1996:110) who argues that if bureaucrats are paid high enough wages, even a small chance of losing their job would discourage them from being corrupt. On the other hand, if they are underpaid, even the most rigid honest bureaucrats will be tempted to go beyond the law to preserve their standard of living. Underpaid employees do not value their jobs and will have little to lose if they are dismissed for misconduct or corruption. Payment of low salaries compounds the problem of corruption and underpaid employees are unlikely to produce the best in terms of moral uprightness. One would want to question the survival strategies of council employees whose salaries are in arrears for more than five months as revealed by respondents in MTC and

Redcliff Municipality. The possibility is high that such employees will survive through corruption means.

Employees value their jobs if paid well and in time and will not easily succumb to corruption and if they do, it will be out of greediness. This, ties well with Bauman (2012:21) who asserts that the main instrument of anti-corruption in Singapore is the high wage of state employees, where market –based methods are used to calculate the salaries. Stapenhurst and Kpundeh (1999:112) also confirm that Singapore’s civil service is among one of the best paid in the world, hence Singaporean officials are least in succumbing to corruption.

The research also established that in all the five study sites, the employee resourcing process is ethically enriched by core values of transparent, fairness and meritocracy. The study revealed that vacant posts for technical staff, middle and top managers are advertised in national newspapers thereby providing opportunities to all who are qualified and interested to apply for the vacant posts. Shortlisted candidates are interviewed by a panel of interviewers. This shows that the employee resourcing framework for urban councils provides a platform for transparency and meritocracy if implemented judiciously. The study, however, established that the involvement of elected officials in recruitment of staff in the four of the studied urban councils (GCC,ZTC, MCC and Bindura Municipality), particularly low-level employees open doors for unethical practices like nepotism and partisan recruitment. This is confirmed by the Bindura case study where it is alleged that councillors manipulated and politically influenced the recruitment of fifty junior municipal police officers. It also emerged from this study that the employee resourcing process for urban council is prone to manipulation by officials who are bent to advance their personal interests ahead of public interests.

The study also established that in the five study sites, management, which is headed by either a Town Clerk or Town Secretary account for their actions and decisions to a board of elected councillors. Evidence from documentary analysis of the UCA reveals that business is transacted through the committee system for all the studied sites. The committees are responsible for departmental outputs. The committees will demand reports from managers which are then deliberated on and recommendations are made to full council for resolution-making. Council, as found out in the study, provides an oversight role to management through regular reports and check on progress made on service provision. The study,

however, established that councillors are elected and not appointed on the basis of their knowledge, skills and experience. Review of the legislative framework that guides the elections of councillors reveal that the electoral system does not guarantee best councillors as it is silent on academic and professional qualifications. This resonates with Duri and Bhoroma (2001:06) who argue that there are no established academic and managerial qualifications for the election of councillors who often make administrative decisions. The respondents at the selected study sites agree that this weakens the legislative and oversight role of councillors. This is collaborated with Pfeffer (1972:219) who argues that councillors who play a critical legislative role of holding top managers accountable through the committee system end up being dominated and controlled by management.

The study also reveals that five urban councils are also held accountable through internal and external auditing. It also found out that all the selected sites have operational internal auditing departments which report administratively to the Town Clerk / Secretary and functionally to the Audit committee. The research further established that effective internal auditing instils fear of detection among employees, thus dissuading them from indulging in corrupt and unethical practices. Two major common challenges pertaining to the audit function emerged from this study. First, it was observed that the internal auditors in the five urban councils do not have seats on the executive table as they are not HODs. So their stamina to hold senior appointed officials and councillors to account for their actions is weakened. Second, it was clear from the five study sites that the audit section is accountable to an audit committee which is constituted by elected officials who on most occasions lack the financial and technical expertise to provide an effective oversight role.

On external auditing, the research found out that the five urban local authorities are expected to be audited annually by external auditors in terms of Section 305 of the UCA. Lagging behind in terms of auditing books of accounts was found to be common in two urban councils, namely MCC and GCC, whilst the other three urban councils ZTC, Redcliff and Bindura Municipalities are up-to-date. The absence of audited financial reports on a timely basis may compromise decision- making and accountability by those charged with governance (Report of the Auditor General on local authorities for the year ending December 2012: 04). Failure to produce audited financial statements and to present them to the minister responsible for Local Government, is in agreement with Coutinho (2010:85-86) who argues that most urban councils have audit backlogs because there is no clear penalty

imposed by the Act for failure to present audited financial statements within the prescribed period and, more often than not, the responsible Minister does not seem to follow up on those councils that fail to have their financials audited on time. GCC and MCC should therefore facilitate audit within the stipulated 180 days of each financial year as required by law. At national government level the Act should therefore be amended to provide for a penalty on local authorities that violate the law by failing to have finances audited within the prescribed time.

It also emerged from the five sites that the working anti-corruption legal framework does not provide for whistle-blower protection and asset and financial declaration.

It is worth to state that it is difficult to monitor illicit enrichment among elected and appointed officials in the absence of the law that enforces asset and financial declarations. Langseth (1999:31) writes that senior decision-makers should declare their assets publicly. This is further collaborated by Messick (2009:01) who is also of the view that public officials should be mandated to divulge information about their finances and assets as a way to reduce corruption. Messick further argues that asset and financial declarations are a critical component of monitoring the wealth variations of elected and appointed officials, a way of managing conflict of interests and detecting illicit enrichment among officials.

Whistle-blowing is a corruption detection mechanism which has been adopted internationally to fight the scourge of corruption. The process of whistle-blowing can be detrimental to the whistle blower. Evidence across the globe has shown that whistle-blowing is not without costs. Whistle-blowers can lose their lives, their promotions or their jobs. When employees are not protected by law, they fear to blow the whistle in the event of detecting ethical violations. This is collaborated by Holtzhausen (2007:01) who argues that one of the obstacles in the fight against corruption is the fact that, without legal protection, individuals are often too intimidated to speak out or blow the whistle. So the courageous undertaking of unearthing incidents of unethical practices and corruption should be supported by legal protection of whistle-blowers. In the absence of legal protection, workers fear to blow the whistle and once they detect any malpractice they would rather keep quiet than report it.

The other main challenge here that is common among Zimbabweans is that, culturally, whistle-blowing is not encouraged. It was explained that elders use the Shona proverb to discourage whistle blowing: “*Ndezvameso muromo zvinyarare*”, translated to mean that one should not disclose what he or she sees. The culture of silence is therefore embedded in the socio-cultural values of Zimbabwe. A radical paradigm shift is therefore necessary to change the mind-set of the citizenry of Zimbabwe. This could be done through the anti-corruption public awareness campaigns.

Another common issue that emerged from the study is that four of the selected cases are dominated by MDC-T versus the central government dominated by ZANU-PF. This situation creates a highly polarised and hostile political environment. Political polarisation is often cited as one of the major impediments in the battle against corruption. Respondents cited cases where the Minister of Local Government has rebuffed requests from MDC-T to suspend or dismiss corrupt MDC-T councillors. This collaborated by Jonga (2013: 84) who argues that:

Party politicking between ZANU-PF and MDC-T has created a situation where firing of corrupt councillors is difficult. The two parties blame each other for administrative problems in the municipalities. In some instances, the MDC-T party fires its corrupt councillors and the Minister of Local Government wants to benefit ZANU-PF by refusing to dismiss them. He will protect them using his powers granted by the UCA.

Cases of MDC-T councillors who lost their party membership on corruption charges but retain the councillorship posts are evidence of an antagonistic relationship between the two parties. An ideal situation is that these two parties should work together to fight corruption on the ground.

Another common issue that emerged from the five study sites is on the effectiveness of the ethics architecture. The effectiveness of the existing ethics architecture for Zimbabwe’s urban local authorities was evaluated against a number of factors. These include the operating environment, the anti-corruption legislation, public procurement safeguards, political elite support and the effectiveness of the auditing bodies, among others. This study established

that the majority of the respondents in all the five study sites revealed that the existing ethics architecture for Zimbabwe's urban local authorities is weak to counter corruption as it is compromised by a number of factors. The common factors which were found universal in the five study sites include the anti-corruption legal framework that does not protect whistle-blowers and that does not enforce financial interests and asset declarations by leaders, poor macroeconomic conditions, moral leadership crisis among elected officials and low revenue inflows in the urban councils' coffers caused by stagnant local economic development .

9.4 Conclusions

From the ensuing discussion, one can now conclude that despite the urban councils sharing the same legal framework and governance systems, they differ in their experiences and the contrasts are attributed to social, economic and political environmental factors which differs from town to town. Given the unitary nature of the Zimbabwean local government system, the high degree of commonalities as opposed to contrasts of the five city councils case studies is not a surprise. Zimbabwe's urban councils are administered by one principal Act of parliament, the UCA, and they also share similar corporate governance structures. The study confirms that the five selected urban councils employ similar accountability and transparency measures which are underpinned by legislation to counter the vice of corruption, which include internal and external auditing processes, periodic local government elections, ministerial monitoring and supervision, open public procurement processes and employee resourcing systems, full council meetings that are open to the public and the press, public inspection of full council minutes and legislative oversight role, among others. This shows that Zimbabwean urban councils have a wealth of the necessary ethics architecture in the form of practices, set of rules, and structures to fight corruption. It is, however, important to state in strong terms that the success of institutional remedies to curb corruption depends on management's will and commitment driven by ethical consciousness to implement such remedies. The next last chapter recommends ethics architectural remedies that are internationally compliant but locally practicable to stamp out corruption.

CHAPTER TEN

CONCLUSIONS AND RECOMMENDATIONS

10.1 Introduction

At national level, Zimbabwe has identified corruption as number one enemy against all odds. However, despite the current anti-corruption overtones, it is common to open a newspaper and discover a story highlighting the ethical violations and corrupt activities of an elected official and a municipal functionary. Perpetual and systemic corruption is prevalent in the majority of urban councils. This is evidenced by nepotistic tendencies and political patronage in the recruitment of staff, abuse of council properties by both elected and appointed officials, supply chain corruption and receiving of bribes by housing officials responsible for the allocation of stands, among others.

To this end, the ascendancy of corruption and related unethically practices in Zimbabwe's urban local authorities is considered in this study to be a test on the capacity of the existing ethics architecture to fight corruption. Against such a background, this study sought to answer the key research question: How effective is the existing ethics architecture in Zimbabwe's urban councils in promoting ethics and fighting corruption?

First, in response to the research question: How have urban local authorities in Zimbabwe adopted ethics architecture practices? The study sought to evaluate the adoption of the ethics architecture practices or elements by Zimbabwean urban local authorities. The elements include transparency and accountability measures, leadership commitment to ethics, socialisation, conducive conditions of service for employees, and an effective legal framework, among others.

Second, this study sought to analyse the effectiveness of the existing ethics architecture for Zimbabwe's urban local authorities against corruption in response to the research question: How effective is the existing ethics architecture for Zimbabwe's urban local authorities against corruption? The effectiveness was evaluated against a number of factors. These included among others the operating environment, the anti- corruption legislation, public procurement safeguards, political elite support and the effectiveness of the auditing bodies.

Third, in response to the research question: What are the factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in the area under study and how they should be resolved?, The study sought to examine factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in Zimbabwean urban local authorities. Lastly, the study further sought to recommend institutional ethical architecture practices that are internationally compliant, but locally practicable, to stamp out corruption. The study was able to draw conclusions and to make recommendations that emanated from the findings of the research questions.

Overall, the study achieved the objectives of the study which sought to examine the adoption of the ethics architecture practices by Zimbabwean urban local authorities through empirical case studies of five urban councils. Factors that hindered or contributed to the effectiveness of the ethics architecture in fighting corruption in Zimbabwean urban local authorities were, therefore, established and the institutional ethical architecture practices that are internationally compliant but locally practicable to stamp out corruption were recommended in this chapter.

10.2 Conclusions

This part provides a summary of the thesis by giving a report of the nine individual chapters as follows:

Chapter One puts the problem into context by providing useful background for this study. The brief description of the socio-ethnic, political and economic profiles of Zimbabwe raises critical issues about the contribution of the ethnic phenomenon to the actuality of corruption in Zimbabwean urban local authorities. The political profile introduces the political players at both national and local government levels. The antagonistic relationship between the two major contending parties provides a fertile background to understand the power dynamics in both central and local government structures. ZANU-PF controls the centre through the Minister responsible for Local Government and MDC-T dominates in urban local authorities through elected councillors. This chapter reveals tension which exists between the centre and the periphery. The major question which arises from such an antagonistic relationship is about whether the anti-corruption strategies in urban local authorities benefit from such an

arrangement? The political antagonistic relationships among the major political players historically can be traced from pre-independence into post-independence Zimbabwe. These relationships assist in examining the effectiveness of the ethics architecture in fighting corruption in urban councils. An account of the Zimbabwean economic profile in this chapter attempts to guide this study to come up with an effective ethics architecture which is compatible with the prevailing economic environment. The chapter also raised a critical issue of the legislative framework which governs urban local authorities. As earlier discussed, the rule of law is an important and legitimate source of ethical guidance. A narrative of the legislative framework steers the study to analyse the effectiveness of the legal framework in countering corruption. The overview is preceded by the problematisation of the issue of ethics, formulation of the research questions, including the postulation of the objectives of the study, amongst others. The chapter is concluded by defining the terms used frequently in this thesis and giving a detailed outline of the organisation of the rest of the thesis.

In *Chapter Two*, the terms ‘ethics’, ‘ethics architecture’ and their primary components as underpinned by a three-pronged blended theory of ethics are explicitly conceptualised. The chapter concludes that the practice of good ethics and effective ethics architecture forms a sound backbone to fight corruption and all its manifestations. Analysed through the lens of a three-pronged theory of ethics, the conceptual and theoretical framework provides a benchmark to provide a comparative analysis of Norway, Singapore and South Africa ethics architecture, including that of Zimbabwe, to be able to come up with an integrated ethics architecture practices that are internationally aligned but locally relevant to stamp out corruption in Zimbabwe. Out of Norway, Singapore, Botswana and South Africa, from a comparative basis, the chapter reveals that Singapore stands out better, even in the whole world. The success story of fighting corruption in Singapore is anchored on political will and commitment of the leadership in the country to eradicate corruption, a strong legal framework, well-remunerated public sector employees and an effective small independent investigative centralised anti-corruption agency.

From the Singaporean case, this chapter concludes that corruption can be fought successfully even in non-democratic countries, provided that the country is politically and economically stable, the top leadership is committed to fight corruption, and the public sector employees are competitively remunerated, among other factors. This chapter, therefore, concludes that the fight against corruption is not universally prescribed, it differs from country to country

and it should be compatible with the political and economic environment of the given country. One can now conclude that an effective legal framework is critical in combating corruption but it is only effective if it is enforced, anchored by exemplary leadership commitment, well-paid civil servants, and an effective well-resourced independent anti-corruption agency, and this should be complimented by a paragon of virtue.

The choice of the qualitative methodology in this thesis is not assuming the superiority of the qualitative approach over the quantitative one, but is based on the methodological congruence to the type of research questions being asked and answered, and all these methodological issues were discussed in *Chapter Three*. Of critical importance, in this chapter, was the use of probability sampling techniques in a qualitative study, this is not common. This is justified by the fact that the study sought to generalize findings from the five sampled urban councils to the other 27 local authorities. The five local authorities share a degree of similarity with the other 27 urban councils, so generalisation was possible. As data was collected from five sites, this allowed for replication of logic to occur and the production of compelling and reliable results.

Further, to uphold ethical principles, confidentiality, anonymity, informed consent and the right of research participants to withdraw from the study were upheld during the data collection process. The quality of research in terms of reliability and validity was upheld through triangulation of data sources, getting peer review from colleagues, respondent validation or member-checking to determine the accuracy of the qualitative findings and the researcher also spent a prolonged period of time in the field ensuring an in-depth comprehension of the phenomenon under study. Data analysis in this study involved detailed case by case analysis of the five selected urban councils Gweru (Chapter Four), Mutare (Chapter Five), Bindura (Chapter Six), Redcliff (Chapter Seven) and Zvishavane (Chapter Eight). These chapters are accompanied by a solid comparative analysis of the five case studies (Chapter Nine) leading to compelling conclusions and recommendations in Chapter ten.

Chapter Four, therefore, looked at the case study of Gweru City Council (GCC). The poor economic environment is an impediment to the city's ability to provide supportive conditions of employment to its employees and efficient services to the community. Regrettably, a

fertile ground for corruption and unethical practices to prevail is created among officials. Emerging from the ensued discussions on the adoption of the ethics architecture practices in GCC, there are significant efforts to adopt ethical architectural remedies against corruption. From the MDC-T's perspective corrupt officials are publicly punished including top-ranking firebrands. The chapter confirmed that the employee resourcing process for GCC is ethically enriched by core values of transparency, fairness and meritocracy. There are substantial measures to promote good corporate governance principles of accountability and transparency and this is evidenced by internal and external auditing processes, full council meetings that are open to the public and press, council minutes that are open to public inspection, open procurement and employee resourcing systems and council elections after every five years. This shows that GCC has the necessary ethical architecture to fight corruption which needs leadership commitment to enforce it.

GCC is however, lagging behind in adopting some of these ethics architectural remedies against corruption, especially failure to pay salaries in time which are in arrears by three months, external auditing is lagging behind by two years, non-provision of ethics training to employees, lack of registered code of conduct and the problem of moral crisis among elected officials is evident. Overall, GCC's ethics architecture is not effective against corruption because of anti-corruption legal framework that does not protect whistle-blowers and that does not enforce asset and financial declarations for both elected and senior appointed officials, poor and non-performing local economy and weak residents and ratepayers associations which lack the capacity to hold council officials accountable. As such, GCC's ethics architecture against corruption is more reactive than preventive. More emphasis is placed on compliance to rules and regulations than on integrity-building. So GCC should adopt ethics architecture practices which place more emphasis on developing ethics consciousness and building capacities to identify and resolve ethical dilemmas within its elected and appointed officials through socialisation functionality.

On the other hand, field evidence from Mutare case study in *Chapter five* leads to the conclusion that Mutare City Council (MCC) is experiencing prevalent cases of corruption, which implies the ineffectiveness of the ethics architecture. Respondents attributed the ineffectiveness of MCC's ethics architecture to, non-protection of whistle blowers by law, antagonistic political relationships between the centre (ZANU-PF) and the periphery (MDC-

T) and payment of low and erratic salaries to employees. Further, non-declaration of assets and financial interests by elected officials and senior appointed officials, moral leadership deficit among elected officials and a static non performing local economy characterised by massive closure of companies also inhibit the effectiveness of MCC's ethics architecture against corruption.

Bindura, in *Chapter Six*, has incorporated ethical values in the vision and mission statements as a demonstration of leadership commitment to ethics. There were also efforts to openly discipline corrupt actors, even top-ranking firebrands. However, this is a drop in the ocean as Bindura, often than not, is lagging behind in adopting some of the ethics architectural remedies against corruption. Issues of moral deficit among elected and appointed officials is evident, in the nature of nepotistic tendencies, political connections and bribe-giving imply that the system is prone to manipulation by officials who are inclined to further their self-interests. The Bindura municipality's ethics architecture is, therefore, not effective to fight the ravaging menace of corruption. The effectiveness of the ethics architecture against corruption is compromised by a number of factors which include the problem of moral leadership deficit, weak legislative oversight, absence of a legal instrument that provides legal protection to whistle-blowers, absence of the law which enforces elected and senior appointed officials to declare their assets and financial interests, political interference in the investigation and sanctioning of corruption cases and absence of an immediate recall system for non-performing and morally bankrupt councillors.

As far as ethics architecture against corruption in *Chapter Seven* is concerned, one contends that the ethics architecture for Redcliff Municipality is not effective enough to counter the vice of corruption. This is because there is: still no protection of whistle-blowers by law, antagonistic political relationships between the centre (ZANU-PF) and the periphery (MDC-T), payment of low and erratic salaries to employees and non-declaration of assets and financial interests by elected officials and senior appointed officials. Further, there is evidence of: moral leadership deficit among elected officials, a social environment which is not well matched with anti-corruption best practices and a static non-performing local economy characterised by massive retrenchments.

The case of Zvishavane Town Council (ZTC) is discussed in *Chapter eight*. Emerging from the ensued discussions on the adoption of the ethics architecture practices, there is evidence

in this chapter that ZTC has a wealth of systems, procedures, practices and necessary architectural remedies against corruption. ZTC has demonstrated its commitment to fight corruption by publicly punishing corrupt officials including top-ranking firebrands. Similar to cases of GCC, MTC, Bindura and Redcliff, the study also confirms that the employee resourcing process for ZTC is ethically enriched by core values of transparency, fairness and meritocracy. There are also cogent measures to promote good corporate governance principles of accountability and transparency and this is evidenced by internal and external auditing processes, full council meetings that are open to the public and press, council minutes that are open to public inspection, open employee resourcing systems and council elections after every five years. In comparison with the other four case studies, ZTC stands out better in paying competitive salaries which is attributed to a vibrant and growing local economy of Zvishavane.

However, like in the case of GCC, elected and appointed leaders have engaged in corrupt and unethical practices failing to present themselves as role models to their subordinates. Conspicuous cases include the Council chairperson who abused his office by illegally acquiring and selling council land, abuse of council vehicles, gross abuse of tender procedures, failure to produce genuine receipts for vehicle repairs and accessing unauthorised travelling and subsistence claims and a Director of Housing and Community Services who illegally and corruptly disposed council land. This shows a moral deficit among these ZTC leaders. On socialisation, this chapter is also revealing that ZTC is not providing ethics training for its staff members. This implies that employees are not equipped to make decisions and to take actions that are ethically sound.

Despite ZTC having adopted the legal and institutional architectural remedies, corruption escalated during the period under review. This is a litmus test on the effectiveness of Zimbabwean urban councils' ethics architecture against corruption. Respondents in ZTC reveal that the effectiveness of the ethics architecture against corruption is weakened by a number of factors. First, the anti-corruption legal framework does not guarantee legal protection for whistle-blowers so employees fear the occupational detriments for exposing corruption like demotions, threat to life and job losses. It also emerged from this case study that the Zimbabwean society value system does not encourage whistle-blowing. The legal framework does not also provide for declaration of assets and financial interests for elected and appointed senior officials, so it is difficult to manage conflict of interests and illicit

enrichment among officials. Second, ZTC is encased with a national poor macroeconomic environment which subsequently has created scarcity of the sought-after resource of residential stands. Such environment creates a fertile ground for bribe-giving and taking. Third, the study established that there is lack of support from members of the community to overcome corruption and unethical practices. Members of the general public conceal corrupt practices by council officials if they benefit from the process.

Chapter Nine, looks at the comparative perspectives of the five case studies of Gweru, Zvishavane, Bindura, Redcliff and Mutare urban councils. From the ensuing discussion on the contrasts we can conclude that despite the urban councils sharing the same legal framework and governance systems, they differ in their experiences and the contrasts are attributed to social, economic and political environmental factors which differs from town to town. On the other hand, the Zimbabwean local government is unitary in nature. So the high degree of commonalities as opposed to contrasts of the five case studies of the urban councils is obviously expected because all the Zimbabwean urban councils are administered by one principal Act of parliament and they also share similar corporate governance structures. The study confirms that the five selected urban councils employ similar accountability and transparency measures which are underpinned by legislation to counter the vice of corruption, which include internal and external austerity measures. This shows that Zimbabwean urban councils have a wealth of the necessary ethics architecture in the form of practices, set of rules, structures to fight corruption. It is, however, important to state in strong terms that the success of institutional remedies to curb corruption depends on political and management will and commitment to implement the remedies which are completely absent in all the five studied urban councils.

10.3 Recommendations

The results from the five study sites reveal that corruption in its various forms is prevalent in Zimbabwean urban councils. The study also established that the ethics architecture for the selected urban councils is weak and therefore not effective to fight the menace of corruption for several reasons, amongst others, the anti- corruption legal framework that does not protect whistle-blowers and that does not also enforce financial interests and asset declarations by leaders in decision-making positions, poor macroeconomic conditions, low and erratic

salaries, moral leadership crisis among elected and senior appointed officials and low revenue inflows in the urban councils' coffers caused by stagnant local economic development. Corruption knows no government or person in high or low-ranking position, hence at local government level; significantly it leads to poor service delivery and stagnant local economic development. Money which is meant for the provision of public utilities finds its way into private pockets, resultantly impoverishing the general populace. Corruption in Zimbabwe raised public leaders who degenerated to the point of being self-centred and who are numb and heartless about the basic survival needs of the general public.

It is on this basis that this chapter, in response to objective number four in Chapter One proposes ethical architecture practices or remedies that are internationally compliant but locally practicable to stamp out the costly corruption which is prevalent in Zimbabwean urban councils. Ethical practices that inculcate values of moral correctness and that also punishes those who exhibit moral decadence through indulging in corrupt activities are recommended. The ethics architecture practices are underpinned by the three-pronged ethical theories of virtue, teleology and deontology as earlier discussed in Chapter Two.

10.3.2 Ethics Architecture practices

This section of chapter 10 responds to corruption challenges in the urban councils and Zimbabwe in general, hence ethics architecture practices/remedies have been recommended for this purpose. However, the practices need to be experimented, tried and tested to check if there are to be effective. The only way of experimentation is for one or all urban councils to adopt them and see if they be adapted over time to fight the monster of corruption. They will, of course, need political and civilian will to use them as resolutions for the pathologies of corruption in Zimbabwe. This study makes a statement in strong terms that the acts of corruption are committed under the cover of secrecy, which implies that corruption can evade detection, prosecution and sanction. Against such a background the need for proper socialisation of the inner person cannot therefore be overemphasised for urban councils in Zimbabwe. The growth of the moral fabric of the inner person takes superiority over the legal remedy which is reactive and costly. The following are the practices and descriptive analysis thereof.

Table 10.1 Proposed ethics architecture practices for urban councils

Architectural remedy	Program/Activity	Implementing Agency	Theoretical underpinning	Outcome
Socialisation process	Ethics training	Ministry responsible for local government & urban councils	Virtue theory and teleological theory	Ethics consciousness & ethics analytic skills
	Ethics education	Household/family unit, church & school (from primary to tertiary)	Virtue theory	Character & moral uprightness
	Public anti-corruption awareness campaigns	Urban councils, ACCZ, business community, Residents & Ratepayers Association.	Virtue theory	Anti-corruption sensibility
Legal remedy	Designing & enforcing of the codes of ethics	Urban councils and workers committees	Deontological	Compliance to behavioural rules
	Enactment & enforcement of whistle-blower protection law	Government of Zimbabwe (GoZ) and urban councils	Deontological	Corruption detection & prevention
	Enforcement of asset & financial declarations	GoZ & ministry responsible for local government and urban councils	Deontological	Corruption detection, prevention, monitoring & evaluation.
	Blacklisting of individuals & companies found guilty of supply chain corruption	GoZ, urban councils & business community	Deontological	Online register for tender defaulters (ORTD)
Institutional structure	Establishment of integrity pact & integrity management office (IMO)	GoZ & urban councils	Virtue, teleological & deontological	Investigative, detective & preventive instruments

Source: Designed by the author for this research

10.2.1 Socialisation through ethics training, the formal education system and public awareness campaigns and the family institution

(a) Socialisation through ethics training

Empirical evidence from this study reveals that there is insufficient ethics training programmes in Zimbabwean urban councils, especially those that cater for serving employees. Ethics training is a valuable mechanism for fortifying ethics and corruption prevention. As earlier discussed, ethics training is an essential element to raise ethics consciousness and to build up skills capable of getting to the bottom of ethical dilemmas. Ethics training is a necessity for organisations that are taking an ethical therapeutic route to prevent the problem of corruption. It endows employees with the prospect to appreciate and apply the organisational code of ethics and to learn practically the competencies to resolve work related ethical dilemmas.

It also builds the person's inner moral fabric and integrity which is exhibited in good character and virtuousness. Urban councils in Zimbabwe should accord ethics training top priority by providing a budget for the program. Ethics training is not a once-off event, but an ongoing activity. Ethics training must also be part of the induction program where all newly recruited employees in urban local authorities are made aware of the organisational rules of ethical behaviour. Apart from newly recruited council employees, ethics training programs ought to target elected officials, all shop floor, middle and senior management officials, municipal police officers, housing and finance department personnel, members who constitute the procurement committee and staff from the buying office, among others. Urban councils in Zimbabwe should design ethics training programs that socialise and equip employees in the organisational ethical value system.

(b) Socialisation through the formal education system

Primary, secondary and tertiary educational institutions in Zimbabwe should raise graduates who are fine-tuned to conduct themselves morally and with uprightness. The formal education system in Zimbabwe ought to focus, among other objectives, on character building. Religious and moral education should, therefore, be made compulsory in all primary and secondary schools. The values of *ubuntu* or *unhu* which form part of the Zimbabwean national value system must be inculcated during the formative stages of education and this should be incorporated in the curriculum.

Character building must be an indispensable component of university and college education. As much as Zimbabwean tertiary institutions are aiming to produce gender sensitive and entrepreneurial graduates should also accommodate a shift to producing graduates who are ethically and morally upright. The ministry responsible for Higher and Tertiary Education needs to adopt a policy that requires ethics modules to be made compulsory for all students who pass through the institutions of higher learning. Lecturers should use role-play and case studies as teaching aids in this ethics module.

(c) Socialisation through the family institution

It is irrefutable that an individual's parents are the first and most important shapers of character and the value paradigm and, thus, early moral development is an essential part of

the development of the core values that will remain firm throughout the adult life (Furutan, no date: 04).The parents should be made aware of this critical role through public awareness campaigns during the international anti-corruption day which is commemorated on the 9th of December of every year. Kanyane (2014:173) writes that it is within the bosom of the family that values are handed down from one generation to the next. The family institution should play a critical socialisation role of inculcating values of respect, honesty, incorruptibility and moral uprightness in their children during their formative years¹⁰.

(d) Socialisation through anti- corruption public awareness campaigns

For the members of the general public to appreciate what corruption is, its forms, causes, effects and resolution, Urban Councils in partnership with the ACCZ, the business community and the residents and ratepayers association should embark on massive anti-corruption public education programs, so as to develop an “anti-corruption sensibility”.

10. 2.2 Enforcement of asset and financial declaration system

The study recommends that all elected councillors and senior appointed officials, including their immediate family members should declare their assets and financial interests within 60 days of being sworn or appointed into office. These officials should declare the assets and funds they possess and companies in which they are major shareholders. Asset and shareholding disclosure laws should be enacted and enforced. The ministry responsible for local government should monitor and supervise the declaration of assets. This can however, meet some resistance from the political elite, so political will is critical.

10.2.3 Legal protection of whistle blowers

Whistle-blowing is a corruption detection mechanism which has been adopted internationally to fight the scourge of corruption. The Zimbabwean government should enact legislation which protects whistle-blowers in both the private and public sectors against occupational detriment. The legislation should be modelled along the Norwegian whistle blower

¹⁰This resonates with the Proverbs 22:6,King James Bible verse: “train up a child in the way he should go and when he is old, he will not depart from it”

protection legislation which is worker- oriented as it is the employer who needs to prove that there was no retaliation.

10.2.4 Blacklisting of individuals and companies that engage in supply chain corruption

Given the prevalence of supply chain corruption in Bindura Municipality, MTC, ZTC and GCC, this study recommends legislation which blacklists people and companies found guilty of such forms of corruption. As discussed earlier in Chapter Two. Zimbabwe should learn from the South African Prevention and Combating of Corrupt Activities Act (No. 12 of 2004). The Act heavily penalises contractors or persons who commit offences relating to supply chain corruption. A person or contractor guilty of the offences relating to procurement must be barred from both central and local government contracts by means of an endorsement on the Online Register for Tender Defaulters (ORTD). The companies and individuals who are found guilty of the offense must have their contracts terminated with some costs and should stay on the ORTD for a period of five to ten years. While on the register, the company or persons will be excluded from participating in any new contracts or tenders. This will act as a deterrent to individuals and companies who have an inclination to practise supply chain corruption. The recommendation however depends on the will of political elites who are in most cases found to be the major perpetrators of supply chain corruption.

10.2.5 Competitive and regularly paid salaries

The study has revealed that salaries paid in urban councils are too low to deter employees from engaging in corrupt activities. Low salaries fuel the desire in employees to increase their incomes through engaging in corrupt and unethical-related practices as incentives. Zimbabwe's urban councils should draw lessons from the Singaporean case study whose anti-corruption strategy included gradual pay rises and a fair salary structure. Urban councils must pay competitive market-based salaries and living wages, and the lowest grade should receive a salary which is above the poverty datum line. The remuneration package for urban councils should cater for the basic needs of their employees and their families, for example, health, education, and housing, just to mention a few. The poor macroeconomic condition

can militate against payment of competitive salaries. Urban councils should therefore, work on improving the local economy through local economic development strategies

10.2.6 Institutional structure

To strengthen the Zimbabwean urban councils' ethical climate, an Integrity Management Office (IMO) must be established in all the urban councils and should be equipped with professionals with competencies and skills to detect and deter corruption, capacity to investigate and intelligence to prevent and resolve corruption. This should be a high level and specialised office which should be insulated and equipped with intelligentsia and with adequately funded anti-corruption programs. The office should steer ethics and anti-corruption initiatives and should be staffed by ethics champions who create a culture within urban councils which is intolerant to corruption and related unethical practices. The office, among other duties, should run ethics training programs; manage the anti-corruption hotline where city employees and stakeholders can, in secret, report unethical practices like fraud, nepotism, supply chain corruption and corruption in general and should also be the focal office for sanctioning wrong-doing. The sanctioning process should follow the stages of detecting, investigating and resolving issues of corruption. The sanctioning process for wrong-doing should be prompt, consistent and impartial. The process should be supported by ethical leadership, a robust high performing economy, a social value system which is compatible with the international anti-corruption best practices, a robust media platform and active citizenry and a democratic governance system.

10.3 Areas for further Research

The study has limitations which should be improved by future research. First, the limitation of this study which is regretted pertains to its largely qualitative character which relies predominantly on interviews. Interviewees can tell the interviewer what he wants to hear or may withhold data from the interviewer who is an outsider. The study is therefore recommending a similar study but with an infusion of both quantitative and qualitative methods. Second, the role of the civil society in fighting corruption is silent. Further the study is therefore required to substantiate the involvement of civil society groups and the media in raising alarm bells when ethics is violated. Third in Chapter One this study foresees the

amendment of urban governance legislation in order to align it with the new constitution of May 2013. Against this background, the area that should be further researched urgently is the realignment of the newly adopted constitution with the anti-corruption legislation and the envisaged implications of the realignment on the architectural remedy against corruption in urban councils. Fourth, the examination of the ethics architecture is delimited to urban local authorities, so the other area of research that needs urgent attention is a comparative study between rural and urban councils' ethics architectural remedies. This comparative study will unearth reasons why corruption is more prevalent in urban councils than in rural councils as revealed in this study.

BIBLIOGRAPHY

Books and book chapters

- Arszulowicz, M. (2011) *Whistle blowing*, New Jersey: Transaction Publishers.
- Babbie, E. & Mouton, J. (2001) *The practice of social research*, Cape Town: Oxford University Press.
- Bailey, K.D. (1982) *Methods of social research*, New York: Free press.
- Bannarjee, A. (1996) Can anything be done about corruption? In Quilbria, M.G. and Malcol Dowling, J. (eds) (1996) *Current Issues in Economic Development: An Asian Perspective*, Hong Kong: Oxford University Press.
- Bianchi, T. and Guidi, V. (2010) *The comparative survey of the national public procurement systems, Across, PPN*.
- Bishop, P.J. and Preston, N. (2000) *Local Government, Public Enterprise and ethics*. Sydney: Federation Press.
- Blaikie, N. (1993). *Approaches to Social Enquiry*, Cambridge: Polity Press.
- Boatright, J.R. (2003) *Ethics and the Conduct of Business*, India: Pearson Education.
- Borg, W.R. and Gall, D.G. (1990) *Educational research: An introduction*, New York: David Marck Company.
- Boston, J. Bradstock, A. and Eng, D.L. (2010) *Public policy: Why ethics matters*, Australia: Anue press.
- Brown, J.D. (2001) *Using survey in language programs*, Cambridge: Cambridge university press.
- Bryman, A. (2012) *Social research methods*, New York: Oxford University Press.
- Caiden, G.E. (1993) Dealing with administrative corruption, in Cooper, T.L. (eds) (1993) *Handbook of administrative ethics, public administration and public policy*, USA: Marcel Dekker Inc.
- Chakaipa, S. (2010). Local Government Institutions and Elections, in Jaap de Visser, Steytler, N. and, Machingauta, N. (eds) (2010) *Local Governance Reforms in Zimbabwe*, South Africa: Community Law Centre University of Western Cape.
- Chandler, J.A. (2001) *Local Government Today*, Manchester: Manchester University Press.
- Chapman, J. (1993) *Ethics in Public Service*, Edinburgh: Edinburgh University Press.

- Chatiza, K. (2010) Can local governance steer socio-economic transformation in Zimbabwe? in Jaap de Visser, Steytler, N. and Machingauta, N. (eds) (2010) *Local Governance Reforms in Zimbabwe*, South Africa: Community Law Centre University of Western Cape.
- Chung, F.K (2006) *Re-living the 2nd Chimurenga: Memories from the Liberation Struggle in Zimbabwe*, Harare, Zimbabwe: Weaver Press.
- Cohen, L., Manion, L. and Morrison, K. (2011) *Research Methods in Education*, London, Routledge.
- Copper, L. and Menzel, D.C. (2013) *Achieving ethical competence for public service leadership*, USA: ME Sharpe, Inc.
- Coutinho, B. (2010) Sources of local government financing in local government reform in Zimbabwe in Jaap de Visser, Steytler, N. and Machingauta, N. (eds) (2010) *Local Governance Reforms in Zimbabwe*, South Africa: Community Law Centre University of Western Cape
- Creswell, J.W. (2007) *Qualitative inquiry and research design: Choosing among five approaches*, Thousand Oaks, CA: SAGE.
- Creswell, J.W. (1994) *Qualitative, Quantitative and Mixed Methods Approaches*, London, Sage publications
- Creswell, J.W. (2014) *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*, London, Sage Publications.
- Daniel, W.W. and Terrel, J.C. (1989) *Business statistics for management and economics*, Boston: Houghton Mifflin Company
- De Visser J.W. (2005) *Developmental local government: case study of South Africa*, South Africa: Community Law Centre, University of Western Cape.
- Denzin, N. K., & Lincoln, Y. S. (2005). *Introduction: The discipline and practice of qualitative research*. In N. K. Denzin, N.K. & Lincoln, Y.S. (eds) (2005) *Handbook of qualitative research*. Thousand Oaks, CA: Sage.
- Denzin, N.K and Lincoln, Y.S. (2003) The introduction: The discipline and practice of qualitative research, in Denzin, N.K and Lincoln, Y.S. (eds) (2003) *The landscape of qualitative research; theories and issues*, London: Sage Publications.
- Fernando, A.C. (2006) *Corporate Governance Principles, Policies and Practice*, New Dehli: Dorling Kindersley.
- Flick, U. (2002) *An introduction to qualitative research*, London, Sage Publications.

- Garcia-Andrade, F. (2012) *Singapore and Finland: Why so clean?* McGill University: Graphite Publications.
- Geurus, D. and Garofalo, C. (2005). *Practical Ethics in Public Administration*, Vienna, management concepts.
- Ghillyer, A. (2010). *Business Ethics: a Real World Approach*, Boston: McGraw Hill Higher Education.
- Gildenhuy, J.S.H. (2003) *Ethics and Professionalism: the Battle against Public Corruption*, Stellenbosch: African Sun Media.
- Gray, D.E. (2009) *Doing research in the real world*, London, Sage Publications.
- Guy, M.E. (1990) *Ethical Decision-Making in Everyday Work Situations*, London: Quorum books.
- Hancock, B. (2002) *Trent focus for research and development in primary health care: An introduction to qualitative research*, Trent focus, University of Nottingham.
- Hart, D. (1993) Administration and the Ethics of Virtue, Choose First for Good Character and then for Technical Expertise, in Cooper T.L. (ed) (1993) *Handbook of administrative ethics, public administration and public policy*, USA, Marcel Dekker Inc.
- Herbst, J. (1990) *State politics in Zimbabwe*, USA: University of California Press.
- Hoffman, W.M. and Frederick, R.E. (1995) *Business Ethics*, USA: McGraw-Hill.
- Jordan, J.D. (1984) *Local Government in Zimbabwe*, Gweru, Mambo Press.
- Kanyane, M. H. (2014) *21 Narratives of Ethical Dilemmas and their Therapeutic Resolutions in the 21st Century*, *Ethics Architecture Handbook*, Pretoria: Reach Publishers.
- Kanyane, M.H. (2008) Exploring and Developing a Culture of Good Governance, in Oliver, M. and Kuhnle (ed.) (2008) *Norms and Institutional Design-Social Security in Norway and South Africa*, Stellenbosch: SUN Press.
- Kanyane, M.H. (2010) *Public Service Delivery Issues in Question*, in Kondlo, K. and Maserumule, M.H. (eds) (2010) *The Zuma Administration Critical Challenges*, South Africa HSRC Press.
- Kanyane, M.H., Mle, T. and Maclean, S. (2015) *Policy Decisions and their Implications on Service Delivery in South Africa*, in Allen-Ile, Kanyane, M.H. and Ile, I.U. (eds) (2015) *in Governance and Resource Management in South Africa*, , Pretoria: Reach Publishers.
- Kathyola, J. and Oluwatoyin, J. (2011) *Decentralisation in Commonwealth Africa, Experiences from Botswana, Cameroon, Ghana, Mozambique and Tanzania*, United Kingdom: Commonwealth Secretariat.

- Kumar, R. (2011) *Research methodology*, New Delhi:SAGE Publications Ltd
- Kunaka, C.and Matsheza, P. (2002) *Corruption, Monitoring Indicators*,Harare:Human Rights Trust of Southern Africa.
- Lewis, C.W. and Gilman, S.C. (2005) *The Ethics Challenge in Public Service: a Problem-Solving Guide*, San Francisco: Jossey-Bassi.
- Lewis, J. (eds.), *Qualitative Research Practice: A Guide for Social Science Students and Researchers*,London:Sage publications.
- MacIntyre, A. (1984) *After Virtue*, Notre Dame, IN: University of Notre Dame.
- Mafunisa,M.J. (2000) *Public service ethics*, SouthAfrica:Juta and company ltd.
- Maguire, M. (1998) Ethics in the Public Sector – Current Issues and Practice, in Hondeghem, A. (ed.) (1998). *Ethics and Accountability in the Context of Governance and New Public Management*, Netherlands: IOS Press.
- Makumbe, J. (1999) *Local government Administration*,Harare,Zimbabwe: University of Zimbabwe Press.
- Makumbe, J. (1999) Zimbabwe decentralisation,development and democracy, in Reedy,P.S. (ed)(1999)*Local government democratisation and decentralisation: A review of Southern African region*.Kenwyn:Juta and co ltd.
- Makumbe, J. M.W. (1998) *Democracy and development in Zimbabwe: constrains of decentralization*,Harare,Zimbabwe:SAPES books.
- Mapuva,J. (2010) *Citizen Participation and local governance:A case of the Combined Harare Residents Association (Zimbabwe)*, Newcastle: Cambridge Scholars Publishing.
- Masunungure, E. (2009) “A Militarised Election: The 27th June Presidential Run-off,” in Masunungure, E. (ed) (2009) *Defying the Winds of Change: Zimbabwe’s 2008 Elections*.Harare:Weaver Press.
- Mawere, M. (2011) *Moral Degeneration in Contemporary Zimbabwean Business Practices*,Cameroon: Langha research and publishing common initiative.
- McEwan, T. (2001) *Managing Values and Beliefs in Organisations*, England: Pearson Education Limited.
- Moyo, J.N. (1993) Administrative ethics in an African society: The case of Zimbabwe, in Cooper T.L. (ed) (1993) *Handbook of administrative ethics, public administration and public policy*/52, Marcel Dekker Inc., USA

- Moyse, A. (2009) The media environment leading up to Zimbabwe's 2008 elections, in Masunungure, E. (ed.) (2009) *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare: Weaver press.
- Murray, D. (2001). *Ethics in Organisations*, London: Crest Publishing House.
- Mushamba, S. (2010) Analysis of the powers and functions of local government authorities in Zimbabwe, in Jaap de Visser, Steytler, N. and Machingauta, N. (eds) (2010) *Local Governance Reforms in Zimbabwe*, South Africa: Community Law Centre University of Western Cape:
- Nachmias, D. and Frankfort-Nachmias, C. (1996) *Research Methods in the Social Sciences*, London: St Martin's pressing.
- Nye, J.S. (1967) Corruption and Political Development: A Cost-Benefit Analysis, in A.J. Heidenheimer (ed) (1967), *Political Corruption*, New Brunswick: Transaction Books.
- Ogolo, M.B. (1996) *Student Guide to writing research and project proposal*, Port Harcourt: City Creek Publishers.
- Pope, C. and Mays, N. (2000) *Qualitative Research in Health Care*, London: BMJ Books.
- Pops, G.M. (1993) *A Teleological Approach to Administrative Ethics*, in Coopers, T.L. (ed) (1993) *Handbook of Administrative Ethics*, New York: Marcel Dekker, Inc. Press.
- Prah, K.K. (1993) Socio-cultural dimensions of ethics and accountability in African public services, in Rasheed, S. and Oluwu, D. (eds) (1993) *Ethics and accountability in African public service*, Addis-Ababa: UNICA and AAPAM.
- Preston, N., Sampford, C. and Connors, C. (2002) *Encouraging Ethics and Challenging Corruption*, Sydney: Federation Press.
- Punch, K.F. (2005), *Introduction to Social Research: Quantitative and Qualitative Approaches*, London: Sage publications.
- Punch, K. and McGowan, W. (2006) Developing and Writing a Research Proposal, in Gilbert, N. (ed) (2006) *From post graduate to social scientist: A guide to key skills*, London: SAGE Publications.
- Punch, K.F. (1998) *Introduction to Social Research: Quantitative and qualitative approaches*, London: Sage publications.
- Rainbow, C. (2002) *Descriptions of ethical theories and principles*, Washington DC: Davidson College.
- Rasheed, S and Oluwu, D. (1993) *Ethics and accountability in African Public Services*, Addis-Ababa: UNECA and AAPAM

- Reedy, P.S. (1999) *Local government democratisation and decentralisation: A review of Southern African region*, Kenwyn Juta and co ltd. Rego, A., Cunha, M.P.E. and Clegg, S.R. (2012) *The Virtues of Leadership, Contemporary Challenges for Global Managers*, United Kingdom: Oxford University Press.
- Richter, W.L. and Burke, F. (2007) *A Practical Guide to Management Ethics*, USA: Rowman Littlefield Publishers.
- Robbins, S.P. and Coutler, M. (1999) *Management*, United Kingdom: Prentice Hall.
- Rohr, J. A. (1989) *Ethics for Bureaucrats: An Essay on Law and Values*, New York: Marcel Decker.
- Rose-Ackerman, S. (1999) *Corruption and Government, Causes, Consequences and Reform*, Cambridge: Cambridge University Press.
- Sachikonye, L.M., Chawatama, S., Mangongera, C., Musekiwa, N. and Ndoro, C. (2007) *Consolidating Democratic Governance in Southern Africa: Zimbabwe*, Johannesburg, South Africa: EISA.
- Saxena, N.C. (2011) *Virtuous Cycles: The Singapore Public Service and National Development*, Singapore: United Nations Development Programme.
- Sekaran, U. (2000) *Research methods for Business*, New Delhi: John Wiley Publications.
- Sheeham, S. (2004) *Zimbabwe cultures of the world*, China: Marshal Cavendish.
- Sheeran, P.J (1993) *Ethics in public administration: A philosophical approach*. USA: Praeger publishers.
- Shellukindo, W.N. and Baguma, R. (1993) *Ethical standards and behaviour in African public services*, in Rasheed, S. and Olowu, D. (eds) (1993) *Ethics and accountability in African public services*, Addis-Ababa: UNECA and AAPAM.
- Silverman, D. (2010) *Doing qualitative research*, London: Sage Publications.
- Snape, D. & Spencer, L. (2003) *The foundation of qualitative research*, in Richie, J. & Sole, S. (2005) *The State of Corruption and Accountability, the State of the Nation 2004 -5*, Pretoria: HSRC Press.
- Stake, R.E. (2000) *Casestudies* in Denzin, Y.S and Lincoln, Y.S. (eds) (2000) *Handbook of qualitative research*, New York: Oxford University press.
- Stapenhurst, R. and Kpundeh, S.J. (1999). *Curbing Corruption: towards a Model of Building National Integrity Systems*, Washington DC: World Bank publications.
- Stapenhurst, R. (2000) *The media role in curbing corruption*, World Bank Institute.
- Stokes, S. C. (2007) *Political Clientelism*, in Boix, C. and Stokes, S.C. (eds) (2007) *The Oxford Handbook of Comparative Politics*, Oxford, UK: Oxford University Press.

- Strauss, A. and Corbin, J. (1998). *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*, London: SAGE Publications
- Swift, A. (2006) *Political Philosophy a Beginners 'Guide for Students and Politicians*, United Kingdom: Polity press.
- Tarisayi, E. (2009) Voting in despair, the economic social context, in Masunungure, E. (ed.) (2009) *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare: Weaver Press.
- Thomas, G. (2009) *How to do your Research Project*, London: SAGE Publications Ltd.
- Truelson, J.A. (1993) Whistle-blowers and their Protection, in Cooper T.L. (ed) (1993) *Handbook of Administrative Ethics, Public Administration and Public Policy*. USA: Marcel Dekker.
- Velasquez, M. (2007). *Business Ethics, Concepts and Cases*, New Delhi: Pearson Education.
- Velasquez, M. (2011) *Business Ethics*, New York: McGraw Hill.

Journal articles

- Aadland, E. (2010) In search of values, reporting from 8 Norwegian organisations, *Electronic Journal of Business Ethics and Organisational Studies*, Vol.15, No.2 (22-30).
- Amukowa, W. (2013) The Challenges of Anti-corruption Initiatives: Reflections on Strategies of the Defunct Kenya's Anti-Corruption Commission, *Mediterranean Journal of Social Sciences*, Vol. 4, No. 2(481-504).
- Anfara, V. A., Brown, K. M., & Mangione, T. L. (2002) Qualitative analysis on stage: Making research process more public, *Educational Researcher*, Vol.31, No.7 (28-38).
- Bauman, E.V. (2012) The experience of combating corruption in countries with a developed economy, *The Topical Issues of Public Law Magazine*, Number 4 (4).
- Behnke, N. (2002) A Nolan Committee for German Ethics Infrastructure, *European Journal for Political Research*, Vol.41 (675-708).
- Camerer, L. (1999) Tackling the Multi-Headed Dragon – Evaluating Prospects for a Single Anti-Corruption Agency in South Africa, *Institute for Security Studies*, paper No. 38.
- Camerer, M (2008) *what makes for effective anti-corruption systems*, SAIIA Occasional paper number 10.
- Caramani, D., Deegan-Krause, K. and Murray, R. (2012) Political data in 2011. *European Journal of Political Research. Political data yearbook*, Vol.51 (3-23).

- Carr, I. (2009) Corruption, the SADC Anti-Corruption Protocol and the Principal-Agent Client Model, *International Journal of Law in Context*, Vol. 5, No.2 (147-177).
- De Jaegere, S. (2012) Principles for Anti-Corruption Agencies: A Game Changer, *Jindal Journal of Public Policy*, Vol. 1, Issue 1, (79- 121).
- Dewa, D.,Musara, E. and Mupfururi,E. (2013) Industrial Decline in Zimbabwe,Gweru Post 2000: Which Way Now? *World Journal of Arts,Commerce and Sciences*, Vol.1, No.1 (1-13).
- Dewa, D.,Dziva,C. and Mukwashi,K. (2014) Exploring Local Governance Challenges in Zimbabwe under the Government of Unity Era and Beyond, *International Journal of Political Science and Development*, Vol.2,No.8 (188-196).
- DiCicco-Bloom, B. and Crabtree,B.F. (2006) The qualitative research interview,*Medical Education*,Vol. 40, No.1 (314-321).
- Eisenhardt, K.M. (1989) *Building theories from case study research*, *Academy of Management Review*,Vol. 14, No.4 (532-550).
- Ermongkonchai, P. (2010) Understanding Reasons for Employee Unethical Conduct in Thai organisations:A Qualitative Inquiry, *Contemporary Management research*, Vol.6, No.2 (125-140).
- Fisman, R. and Miguel,E. (2007) Corruption, Norms and Legal Enforcement: evidence from diplomats parking tickets,*Journal of Political Economy* (1020-1048).
- Frick, W.C. (2007) Empirical verifications of normative ethical postures and valuation processesin educational leadership, *Values and ethics in educational administration*, Vol.6, No.1 (no pages).
- Fritzen, S.(2006) Beyond ‘Political Will’: How Institutional Context Shapes the Implementation of Anti-Corruption policies,*Policy and Society*, Vol. 24, No.3(1-12).
- Furutan,O. (no date) University Curriculum and the Fight against Corruption, *Research in Higher Education Journal*, (1-7).
- Gbadamosi, G. (2006) Corruption Perception and Sustainable Development :Sharing Botswana’s Anti- Graft Agency Experiences, *South African Journal of Economics and Management Studies* (1-30)
- Gomba, C. (2014) Trends and Dynamics of Corruption in Africa, *AFM magazine* Vol.1 (26-29).
- Good, K. (1994) Corruption and Mismanagement in Botswana: A Best –Case Example? *The Journal of Modern African Studies*, Vol, 32, No.3 (499-521)

- Hentz, J.J. (2004) State collapse and regional contagion in Sub-Saharan Africa: lessons for Zimbabwe, *Scientia Militaria, South African Journal of military studies*, Vol 32 No 1(143-156).
- Herzenberg, C.S. (2009) *Elections and Political Accountability in South Africa*. Institute of security studies, Paper 188, June 2009.
- Heywood, P. and Meyer-Sahling, J. (2013) Danger Zones of Corruption: how management of the ministerial bureaucracy affects corruption risks in Poland, *Public Administration and Development*, Vol.33. (191-204).
- Hoepfl, M.C. (1997) Choosing qualitative research: A primer for technology education researchers, *Journal of Technology Education*, Vol 9, No.1.
- Jonga, W. and Chirisa, I. (2009) Urban Local Governance in the Crucible: Empirical Overtones of Central Government Meddling in Local Urban Councils Affairs in Zimbabwe, *Theoretical and Empirical Researches in Urban Management*, Vol. 3, No. 12 (166-182).
- Jonga, W. (2013) Minister of Local Government's Intrusions in Urban Councils' Administration, *Public Policy and Administration Review*, Vol.1, No.1 (26-48).
- Joubish, M.F. (2011) Paradigms and characteristics of good qualitative research, *World Applied Sciences Journal*, Vol. 12, No.11 (2082-2087).
- Kjellberg, F. (1995) Conflict of Interest, Corruption or Simply Scandals? The Oslo case, 1989-1991, *Crime, Law and Social Change*, 22(339-360).
- Klitgaard, R., Maclean-Arabo, R. and Lindsey Parris, H. (1996) A Practical Approach to Dealing with Municipal Malfeasance, Urban Management Programme, *UNDP/UNCHS/ World Bank, working Paper No.7*, Nairobi.
- Kolstag, I. and Wiig, A. (2009) Is Transparency the Key to Reducing Corruption in Resource-Rich Countries? *World Development*, Vol. 37, No. 3(521-532).
- Larbi, G. (2001) Infrastructure for Managing Ethics in the Public Service in Ethiopia: Challenges and Lessons for Reformers, *International Review of Administrative Sciences*, Vol. 67(251-262).
- Makumbe, J. (2009) Assessing political, social and economic developments since the dawn of democracy, Zimbabwe country report, Research report 119, Centre for policy studies

- Marong, A.B.M. (2003) Towards a normative consensus against corruption: Legal effects of the principles to combat corruption in Africa, *Den 'v.J.INT'L L. and Pol'Y*, Vol 30.2 (99-129)
- Masaka, D. (2011) Virtue Ethics as a Corrective to Malpractices in Zimbabwe's Economy, *International Journal of Politics and Good Governance*, Vol. 2, No. 2.3, Quarter 111(1-29).
- Masiya, T. and Makanza, V. (2009) Participatory Approaches to Urban Development in Zimbabwe: The Case of Gweru, *Namibia Development Journal*, Vol.1, No.2 (1-8).
- Merriam, S.B. (1995) What can you tell from an N of 1? : Issues of validity and reliability in Qualitative research, *PAACE Journal of Lifelong Learning*, Vol.4 (51-60)
- Messick, R. (2009) *Income and Asset Declaration: Issues to Consider in Developing a Disclosure Regime*, Anti-Corruption Resource Centre U4 Issue 2009:6.
- Mhlahlo, S. R. (2007) Assessment of Urban Governance in Zimbabwe, *EASSRR. Vol. XXII, No. 1 (107-128)*.
- Morrel, K. and Hartley, J. (2006) Ethics in Leadership: The Case of Local Politicians: *Local government studies*, Vol.32, No.1 (55-77).
- Mukadam, S., Herzenberg, C.S. and Felton, J. (2011) Implementing Financial Disclosure in Local Government: Public Access to Information, *Institute of Security Studies, Policy Brief Nr 28*.
- Mukonza, R.M. (2013) Anti-Corruption and Local Governance in Zimbabwe: A Case of Chitungwiza Municipality, *Journal of US-China Public Administration*, Vol.10, No. 1(39-48).
- Mulinge, M.M. and Lesetedi, M. (2002) Corruption in Sub-Saharan Africa: Towards a More Holistic Approach, *African Journal on Political Science*, Vol.7, No.1 (52-77).
- Mungiu-Pippidi, A. (2013) Controlling corruption through collective action, *Journal of Democracy*, Vol.24, No.1 (101-115).
- Mutema, E.P. (2012). Debating the Implications of the Urban Councils Act, Chapter 29.15 on the practice of good corporate governance in Zimbabwe's urban local authorities, *International Journal of Asian Social Science*, Vol.2, No.11 (2084-2095).
- Naidoo, G. (2012) Ethical Leadership Principles in South Africa Public Administration, Lost Opportunity or Alive with Possibility? *Mediterranean Journal of Social Sciences*, Vol. 3, No.12 (106-126). Olaleye, W. (2004) Political parties and governance in Zimbabwe, *Electoral Institute of Southern Africa*, occasional paper number 18.

- Onwuegbuzie,A.J. and Leech,N.L. (2007) Sampling designs in qualitative research: Making the sampling process more public, *The qualitative report*, Vol.no.2 (238-254).
- Painter, M. (2004) The Politics of Administrative Reform in East and South East Asia: From Gridlock to Continuous Self-improvement.*Governance*, Vol.17, No.3 (361–86).
- Pevkur,A. (2007) Compatibility of Public Administration Systems and Ethics Management, *Viesoji Politika, I-R.Administravimas.Nr19*.
- Pfeffer, J. (1972) Size and composition of corporate boards of directors, *AdministrativeScience Quarterly*, Vol. 17, No. 2(221-228).
- Pillay,S.(2004) Corruption, the Challenge to Good Governance, a South Africa Challenge, *International Journal of Public Sector Management*, Vol. 17, No. 7(586-605).
- Quah, J.S.T. (2004) Best Practices for Curbing Corruption in Asia, In *the Governance*.
- Quah, J.S.T. (2006) Curbing Asian Corruption: An Impossible Dream? *Current History* 105:690 (April), 176-179.
- Quah, J.S.T. (2007) Anti-Corruption Agencies in Four Asian Countries: A Comparative Analysis, *International Public Management Review*, 8(2).
- Quah,J.S.T. (2001) Combating corruption in Singapore .What can be learned?*Journal of contingencies and crisis management*,Vol. 9, No.1 (29-35).
- Redpath,J. (2012) Failing to Prosecute: Assessing the State of the National Prosecuting Authority in South Africa, *Institute for Security Studies*,Pretoria,South Africa.
- Renz, D.O. & Eddy, W.B. (1996) Organisations, Ethics, and Health Care: Building an Ethics Infrastructure for a New Era. *Bioethics Forum*, 12(2) (29-39).
- Royal College of Nursing. (2013) *Nurses Blowing the Whistle on Poor Care:A Norwegian Case Study*,RCN policy and international department. Policy briefing 14/13.
- Sachikonye LM. (2005)*Political Parties and the Democratization Process in Zimbabwe*. Johannesburg,EISA Research Report No. 16.
- Salminen, A.,Viinamaki,O. and Ikola-Norrbacka,R. (2007) The Control of Corruption in Finland,*Adiministratie S I Management Public*, 9/2007.
- Samaratunge, R., Alam,Q. and Teicher,J. (2008) The New Public Management Reforms in Asia: a Comparison of South-east Asian Countries, *International Review of Administrative Sciences*, (74; 25).
- Sebudubudu, D. (2003) Corruption and its Control in Botswana, Botswana notes and records, Vol. 35 (125-139).
- Sebudubudu, D. (2014) The Evolving State of Corruption and Anti-Corruption Debates in Botswana:Issues in Good Governance, GIGA paper.

- Sebudubudu, D. And Lotshwao, K (2009) Managing Resources and the Democratic Order .The experience of Botswana, SAIIA, Occasional paper No.31 (1-15).
- Stevulak, C. and Brown, P.M. (2011) Activating Public Sector Ethics in Transitional Societies: the Promise of Integrity, *Public Integrity, spring 2011, Vol. 13, No. 2(97-111)*.
- Ubi, P.S., Eko, S.A. and Ndem, B.E. (2012) Corruption and its Implications for Actualising Nigeria, Vision 20-2020, *Global Journal of Social Sciences, Vol.11, No.1 (41- 51)*.
- Webb, W.N. and Auriacombe, C.J. (2006) Research design in public administration: critical considerations, *Journal of Public Administration, 41(3.1) (588-602)*.
- William, I. (2004) Ethnicity, ethnicism and citizenship. A philosophical reflection on the African experience, *Journal of social Science, Vol. 8, No.1(45-58)*.
- Williams, S. and Quinot, G. (2006) Procurement and Corruption: The South African Response, *The South African Law Journal*.
- Zhou, G. and Zinyama, T. (2012) Auditing Government Institutions in Zimbabwe, Frameworks, Practices, *International Journal of Accounting and Financial Reporting, Vol. 2, No. 2 (218 -237)*.

Unpublished masters and Dphil thesis documents

- Bailey, S. (2011) *Taking up the Challenge: An Interpretive Phenomenological Analysis of teachers' perceptions regarding the presence of asylum seekers and refugee pupils (ASR) within mainstream primary schools in the Midlands, and the implications this may hold for Educational Psychologists practice*. Unpublished doctoral thesis, University of Birmingham, United Kingdom.
- Chigwata, T.C (2010) *A critical analysis of the decentralisation in Zimbabwe: focus on the position and role of the Provincial Governor*, Unpublished Mphil dissertation, University of the Western Cape, South Africa.
- Disoloane, V.P.P. (2012) *Reception of a Code of Conduct at the Capricon District Municipality in the Limpopo Province*, Unpublished doctoral thesis, University of South Africa, Pretoria.
- Habtemichael, F.S. (2009) *Anti-Corruption Strategies in the South African Public Sector on the Contributions of Complexity Thinking and ICTS*, Unpublished doctoral thesis, Stellenbosch University, South Africa.
- Holtzhausen, N. (2007) *Whistle Blowing and Whistle Blower Protection in the South African Public Sector*, Unpublished doctoral thesis, University of South Africa, Pretoria.

- Ittner, S. (2009) *Fighting Corruption in Africa – A Comparative Study of Uganda and Botswana*, Unpublished DPhil thesis, The German University of Administrative Sciences, Speyer, German.
- Kanyane, M.H. (2006) *Conflict of Interest in South Africa: Comparative Case Study*, Unpublished doctoral thesis, University of Pretoria, Pretoria.
- Kanyane, M.H. (1996) *Corruption in South Africa with Specific Reference to Former Lebowa and Gazankulu Governments*. Unpublished M.Admin Thesis Public Administration Programme, University of North, Polokwane, Limpopo Province.
- Karaoglu, D.K. (2006) *Consequentialist Versus Deontological Ethical Dispositions of Turkish Banking Sector Managers: comparing a public and a private bank*, Unpublished Masters dissertation, Middle East Technical University, Turkey.
- Mbatha ,J. S.(2005) *The ethical dilemmas of whistle blowing and corruption in the South African public service*, UnpublishedDPhilthesis, University of Zululand, South Africa.
- Mbizvo,W.T. (2001) *Critical analysis of governance and management in Zimbabwe's colleges of technical and vocational education: issues for revitalisation*, UnpublishedDPhilthesis, RhodesUniversity, South Africa.
- Mothapo,S.J.(2011) *Assessing the impact of school governance on service delivery in the Limpopo department of education with specific reference to Makweng and Polokwane circuits*, Unpublished DPhil thesis, University of Fort Hare, South Africa.
- Mulili, B.M. (2011) *Towards the best corporate governance practices model for public universities in developing countries: the case of Kenya*, Unpublished DPhil thesis, Southern Cross University, Australia.
- Mwamba,L.T. (2013) *An Evaluation of the Anti-corruption initiatives in Botswana and their relation to Botswana Development*,Unpublished Masters Dissertation, UNISA,South Africa.
- Ncube, C. (2010) *Contesting hegemony: civil society and the struggle for social change in Zimbabwe 2000-2008*, Unpublished DPhil thesis, University of Birmingham, United Kingdom.
- Nsingo, S.A.M. (2005) *Assessing the performance of public sector institutions in Zimbabwe: a case study approach*, Unpublisheddoctoral thesis, University of Pretoria,Pretoria.
- Ogwang,L.V.O. (2007) *Rethinking Kenya's Anti-Corruption Strategies: Lessons from Botswana*, Unpublished Master's thesis, University of Pretoria, South Africa.
- Okechukwe,B.O.(2012)*Ethical Leadership and Good Governance in Nigerian Local Governments*,UnpublishedDPhil thesis, Walden University, United States of America.

Government acts of parliament

Botswana Republic, Corruption and Economic Crime Act, 1994, No.13 of 1994.Government Printers.

Botswana Republic, Penal code, chapter 08.01. Government Printers.

Botswana Republic, Proceeds of Serious Crime Act, 1990, No.19 of 1990.Government Printers.

Draft Constitution of the Republic of Zimbabwe, (2013) Government printers, Zimbabwe.

Norwegian Auditor-General Act Number 21 of 2004.

Norwegian Civil Service Act 1983, Act Number 3 of 1983.

Norwegian Government Constitution of 2006.

Norwegian Penal Code of July 2003.

Norwegian Working Environment Act of 2005.

Singaporean Parliament (Privileges Immunities and Powers Act), Chapter 217 as revised in 2000.

Singaporean Prevention of Corruption Act 1960 (Chapter 241 of 1960).

South Africa (Republic) Protected Disclosure 2000, (Act 26 of 2000), Pretoria: Government.

South Africa (Republic), Constitution of the Republic of South Africa 1996, Government Printers, Pretoria.

South Africa (Republic), Prevention and Combating of Corrupt Activities Act (No. 12 of 2004), Pretoria: Government Printers.

South Africa (Republic), Promotion of Access to Information, Act 2000 (Act 2 of 2000), Pretoria: Government Printers.

South Africa (Republic), Promotion of Administrative Act 2000 (Act 3 of 2000).

South African Prevention of Organised Crime Act (POCA).1998 (Act Number 121 of 1998).

Zimbabwean Access to Information and Protection of Privacy Act, chapter 10.27, 2002.Harare: Government printers.

Zimbabwean Constitution amendment (number.20), 2013.Harare: Government printers.

Zimbabwean Criminal Law of the (Codification and Reform) Act, Chapter 9.23, 2004.Harare: Government printers.

Zimbabwean Electoral Act Chapter 2:13, 2008. Harare: Government printers.

Zimbabwean Local Government Laws Amendment Act, 2008. Harare: Government Printers.

Zimbabwean Prevention of Corruption Act, Chapter 9:16, 1985. Harare: Government printers.

Zimbabwean Procurement Act Chapter 22:14, 2002. Harare: Government printers.

Zimbabwean Provincial Councils and Administration Act number 12, Chapter 29:11, 1996. Harare: Government printers.

Zimbabwean Statutory Instrument 160 of 2012, Harare: Government printers. Zimbabwean Urban Councils Act, Chapter 29:15. 1996. Harare: Government Printers.

Governments reports, circulars, policy documents and directives

Ministry of Local Government Rural and Urban Development report (2011): Zimbabwe.

Norway –country study guide (2012) *Strategic Information and Developments, International Business Publications*, Vol.4, Washington DC, United States of America.

South Africa (Republic) *Department of Public Service and Administration 2003 country assessment Report*

South Africa (Republic) *Department of Public Service and Administration 2006 country assessment Report.*

South Africa (Republic) Department of Public Service and Administration 2006 guidelines for implementing the minimum anti-corruption capacity requirement in departments and organisational components in the public sector.

South Africa (Republic), Public Service Commission. 2009. *An assessment of the state of professional ethics in the Limpopo provincial government.*

South African Public Service Commission. 2009. *An assessment of the state of professional ethics in the Limpopo provincial government*, Pretoria, South Africa.

Report of the Auditor General on local authorities for the year ending December 2012

The Hansard, (2010) Parliament of Zimbabwe 28 October 2010. Harare: Government Printers.

The Hansard, (2013) Parliament of Zimbabwe 13 May 2013. Harare: Government Printers.

United Nations office on drugs and crime, (2003) country corruption assessment report, South Africa.

Zimbabwe Electoral Support Network (2008) *Report on the Zimbabwe 29 March 2008 harmonised elections and 27 June presidential run-off.*

Zimbabwe Institute (2005) *Local government policy review*

Zimbabwean Government Labour Court judgement No.LC/MC/02/2013 of case No.LC/MC/60/11.

Zimbabwean Government Ministry of Local Government, Urban and Rural Development
Directive to write off debts 23 July 2013.

Zimbabwean Government Ministry of Local Government, Urban and Rural Development
Circular letter No.1/2012 on Mandate of the Comptroller and Auditor General to carry out statutory audits to all local authorities.

Zimbabwean Government Ministry of Local Government, Urban and Rural Development
Circular Number 82 of 2013 on New Procurement Regulations and Procedures.

Zimbabwean Government Ministry of Local Government, Urban and Rural Development
Probe team 2012 report on investigation into alleged fraud and corruption at
Zvishavane Town Council.

Zimstat, (2012) *Census report*

Urban Councils' documents

Bindura Municipality 2004 Conditions of Service and Code of Conduct.

Bindura Municipality 2013 to 2018 Transformational Strategy.

City of Gweru Audit charter 2013.

City of Gweru Human Resource policy document 2012.

City of Gweru Strategic Plan January 2012 to December 2016.

City of Mutare Financial Regulations 2010.

City of Mutare Strategic Plan 2005 to 2009.

Redcliff Municipality (2012) Recruitment and Selection Policy and Procedures document.

Redcliff Municipality Director of Finance's Budget Performance Review for the Period
January to August 2013.

Redcliff Municipality Strategic Plan 2013 to 2018.

UCAZ capacity programme for urban councillors good governance module.

Zvishavane Town Council Strategic Turn-Around Plan 2006-2016.

Website sources

Anello,E.(2006) Ethical infrastructure for Good Governance in the Public Pharmaceutical
Sector,

from:http://www.who.int/medicines/areas/policy/goodgovernance/Ethical_Infrastructure.pdf. Accessed on 11 January 2013.

- Anti-Corruption Trust of Southern African. (2012). *Corruption: lest we forget bad leadership examples for accountability, transparency and integrity in Zimbabwe*.
- Batty, R. (2002) Anti-Corruption Institutions and Practice in Southern Africa, in Zvekic, U. (ed) (2010) *Corruption & Anti-Corruption in Southern Africa*. from: http://www.unodc.org/pdf/southafrica/southafrica_corruption.pdf. Accessed on 15 March 2013.
- Bland. (2010) *Zimbabwe in transition: what about the local level*, from: <http://www.rti.org/pubs/op-0003-1009-bland.pdf>. Accessed on 14 February 2013.
- Cini, M. (2007) Ethics Management in the European Commission. From http://www.mzes.unimannheim.de/projekte/typo3/site/fileadmin/BookSeries/Volume_Three/chapter4.pdf. Accessed on 10 January 2013.
- Heichelbech, J.R. (2008). Deontology, from: <http://www.crcnetbase.com/doi/pdf/10.1201/NOE1420052756.ch105>. Accessed on 6 June 2013.
- Hicks, C. (2007) *A Case of Public Sector Ethics*, from <http://ips.ac.nz/publications/files/83d44230b05.pdf> Accessed on 11 November 2011.
- Kuris, G. (2013) *Managing Corruption Risks: Botswana builds an Anti-Corruption Graft Agency 1994-2012* http://www.princeton.edu/successful_societies accessed on 01/07/2016
- Laegreid, P., Nordo, A.D. and Rykkja, L.H. (2013). *Public Sector Reform in Norway: Views and Experiences from Senior Executives*, From: http://www.cocops.eu/wp-content/uploads/2013/06/Norway_WP3-Country-Report.pdf. Accessed on 22 July 2013.
- Lamour, P. (2007). *What counts as 'corruption?'* from: <http://muse.jhu.edu/books/9780824861193>, accessed on 10 July 2013.
- Maesschalck, J. (2005) *Approaches to Ethics Management in the Public Sector: A proposed extension of the compliance-integrity continuum*, from: <http://www.johnsoninstitute.org/LinkClick.aspx?fileticket=bhPo6diSAVE%3D&tabid=1295> Accessed on 09 January 2013.
- Mishra, M.K. and Armstrong, A. (No date). *Ethics and Governance Reform in the Public Sector*. A commentary, from: [http://goodgovernance.bappenas.go.id/publikasi_CD/cd_penerapan/ref_cd_penerapan/download/unfolder/ArmstrongMishra%20\(Ethics%20and%20Governance%20Reforms.\)](http://goodgovernance.bappenas.go.id/publikasi_CD/cd_penerapan/ref_cd_penerapan/download/unfolder/ArmstrongMishra%20(Ethics%20and%20Governance%20Reforms.)). Pdf. Accessed on 22 June 2013.

Organisation for Economic Co-operation and Development (OECD) (1996) *The Management of Ethics and Conduct in the Public Service*, Norway.
From:<http://www.oecd.org/gov/ethics/2731870.htm>. Accessed on 7 June 2013.

Conference papers

- Ali, M. (2000) *Eradicating Corruption, the Singaporean Experience*, paper presented at the seminar on *international experiences on good governance and fighting corruption*. Grand Hotel, Bangkok.
- Becker, G.S. (2005) *Integrity: The Importance of the Conceptual Analysis for Understanding the Morality of Public Servants*, paper presented at the ethics and integrity governance conference, 2 to 5 June 2005.
- Chiroro, B. (2005) *Political parties and democratic governance South Africa and Zimbabwe*, Paper presented at the UNISA Africa Day Conference 2 June 2005, UNISA, Pretoria
- Christe, M., Rowe, P., Pery, C. and Chamard, J. (2000) *Implementation of realism in case study research methodology*, Paper presented at the International Council for Small Business Annual Conference, Brisbane, (1-36).
- Dassah, M.O. (2014) *Strengthening "Achilles Heel": Values and ethics, "Carrots", "Sticks" and "Sermons" as Instruments for fighting unethical conduct and corruption in the South African Public Service*, Paper presented at AISIA conference on 2 July 2014, Port Elizabeth, South Africa.
- Firmino, S. (2010) *Corruption and Quality of Democracy: Building Citizens' Trust through Ethics and Integrity*, Paper presented at the 3rd ECPR graduate conference from 30 August 2010 to 1 September 2010.
- Langseth, P. (1999) *Prevention: An effective tool to reduce corruption*, Paper presented at the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme in Milan.
- Macdonald, R. and Majeed, M.T. (2011) *Causes of Corruption in European Countries, History, Law and Political Stability*, Paper presented at the first German ESCA young researcher conference, 21-23 February 2011.
- Madonsela, T.N. (2010) *Corruption and Governance Challenges: the South African Experience*. Public address by the Public Protector of the Republic of South Africa at a national conference on corruption and governance challenges, South Africa.

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 9-5 October 1999, Durban, South Africa.

Smith, A and Mesquita, B.B. (2009) *Pivotal patronage*, paper prepared for presentation in Potland, June 18-19.

The 9th International Anti- Corruption Conference (1999), *Paper presentation on the OECD work on ethics management*, 9-5 October 1999, Durban, South Africa.

Organisational documents

Corrupt Practices Investigation Bureau (CPIB) (2003) *Swift and sure action four decades of anti-corruption work*, Singapore, CPIB.

Duri, P .F. and L. J. Bhoroma. (2001). *UCAZ training needs analysis report*, Zimbabwe: Domboshava National Training Centre.

Institute for Democratic Alternative in Zimbabwe (IDAZIM) (2008). *Councillors and Chief Officers training manual*.

Institute of Directors in Southern Africa (2002) *King's Report on Corporate Governance for South Africa*: South Africa.

Lee, G.B. (2005) *The Synonan Years: Singapore under Japanese Rule 1942-1945*. Singapore: National Archives of Singapore and Epigram.

McGill, M. (2010) *Ethical Theories: Consequentialism, Deontology, and Virtue Ethics*. No city and publication name mentioned.

Media monitoring project Zimbabwe (2006) *Election voices silenced: Media coverage of Zimbabwe's 2005 parliamentary elections*, Harare: Media Monitor.

Mgijima, R. (2010) *State of Professional Ethics in the Public Sector Post-2004*, South Africa: Public Service Commission news.

MISA-Zimbabwe.(2004)*The Access to Information and Protection of Privacy Act: Two Years on*, Article 19.

Movement for Democratic Change (2013) *Probe team report for Marondera Municipality*.

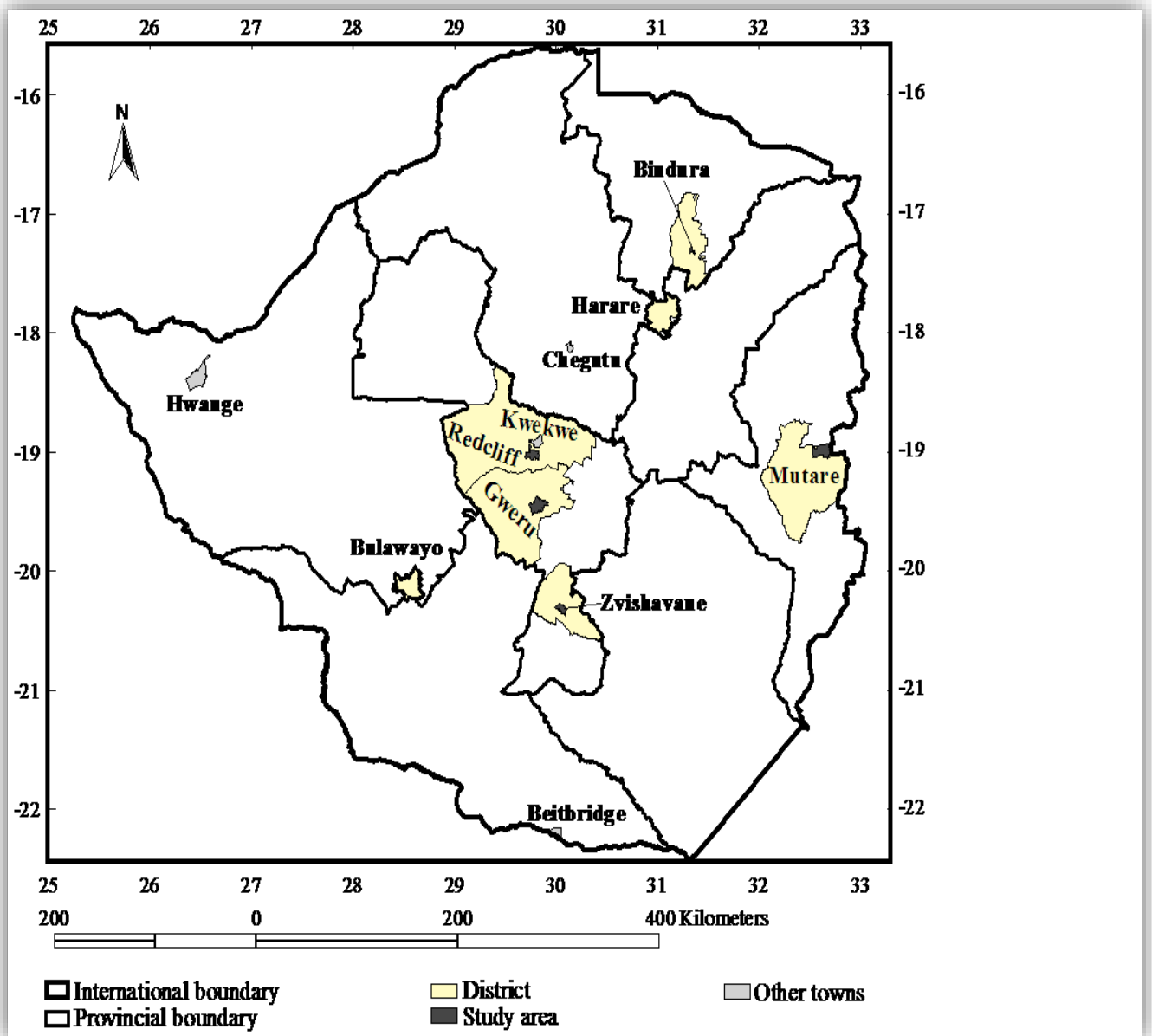
Ndlovu-Gatsheni,S.F. (2012) *Elections in Zimbabwe: A recipe for tension or a remedy for reconciliation?* South Africa: Institute of Justice and Reconciliation .

OECD (2000) *Trust in Government: Ethics Measures in OECD Countries*, Paris: OECD.

- OECD (2013) *Ethics Training for Public Officials*, Paris: OECD.
- OECD. (2008). *Specialised Anti-Corruption Institutions: Review of Models, Network for Eastern and Central Asia*, Paris: OECD.
- OECD. (2010) *Whistle Blower Protection in Frameworks, compendium of best practices and guiding principles for legislation*, Paper presented at Bali meeting G20 anti-corruption working group.
- Osifo,O.M. (2012) The effects of ethical governance on public trust: Comparative analysis of anti-corruption policies and procedures in Nigeria, Ghana and Cameroon, *Acta Wasaensia* 270
- Pedro, G.P., Selvan, L., Anja R., and Kodjo,A. (2012) South African Anti-Corruption Architecture, *International Centre for Asset Recovery*, Switzerland.
- Pope, J. (1996) *The Transparency International Sourcebook*,Berlin, Transparency International.
- Pope, J. (2002) *Access to Information: Whose Right and Whose Information?* Global Corruption.
- The Human Development in South Asia, (1999) *The crisis of Governance*, Karachi, Oxford University Press.
- Transparency International. (2009)*Protect Your Business: anti-corruption handbook for Norwegian business sector*,Oslo:Transparency International.
- Transparency International: Corruption Perception Index of 2010.
- Transparency International: Corruption Perception Index of 2011.
- Transparency International: Corruption Perception Index of 2012.
- Transparency International: Corruption Perception Index of 2016.
- UNDP,(1999) *Fighting Corruption to improve Governance*, New York, UNDP.
- World Bank (1997) *Governance and Development*, Washington DC, World Bank.

ANNEXURES

ANNEXURE ONE: GEOGRAPHICAL MAP FOR STUDY SITES



ANNEXURE TWO: MISSIVE REQUEST TO CONDUCT THE STUDY

MIDLANDS STATE UNIVERSITY

**P. BAG 9055, Gweru.
TEL: (263) 54 260450 Ext 2161
FAX: (263) 54 260223**

**FACULTY OF SOCIAL SCIENCES
DEPARTMENT OF LOCAL GOVERNANCE STUDIES**

21 October 2013

REQUEST FOR PERMISSION TO CONDUCT A DOCTORAL RESEARCH IN YOUR ORGANISATION.

Permission is sought to conduct a Doctoral research in your organisation. The purpose of this request is to collect primary data for a Doctoral qualification in the field of Local Governance Studies at Midlands State University. The title of this study is *'Examination of ethics architecture in Zimbabwe's urban local authorities: An empirical case study (2008-2013)*. The study is motivated by the fact the problem of unethical practices and corruption continue to persist in Zimbabwean urban local authorities despite efforts to curb it. This demonstrates by implication weak ethics architecture. The term ethics architecture refers to systems and structures designed by urban local authorities to promote ethical conduct against corruption. This thesis therefore examines the capacity of the existing ethics architecture in Zimbabwean urban local authorities in practising ethics to fight corruption.

Data will be collected by means of an interview survey. The interviews will be conducted in person by the doctoral student. Kindly be informed that the information gathered during this research will be treated as highly confidential as possible within the confines of the Midlands State University research ethics and as such the anonymity and dignity of the respondents will be protected. The dissemination of the results will be done through a doctoral thesis, however urban local authorities in need of such results may forward their individual requests.

My personal contact details are as follows

Cell phone numbers 0712 872 656 or 0778586840

Email address eddiemutema@yahoo.com or mutemaep@msu.ac.zw

I trust that you will kindly grant me the authority to carry my doctoral research in your organisation.

Yours faithful

Edson Paul Mutema

Lecturer Department of Local Governance Studies

ANNEXURE THREE: APPROVAL MISSIVE FOR GWERU CITY COUNCIL



ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHAMBER SECRETARY

CITY of GWERU

CHAMBER SECRETARY'S DEPARTMENT
Municipal Offices

P.O. Box 278 Telephone 263-054-224071-9
Fax 263-054-24309-Gweru, Zimbabwe
E-mail: gweruchambersec@comone.co.zw

If calling or phoning this matter,
Please ask for
MR. MARUSENGA

Your Ref:
Our Ref: EALinc-Personnel

15th November 2013

Mr Mutema E. P
Midlands State University
P.O Box 9055

GWERU
0712 872 656

Dear Sir

OK
17/01/14
CITY OF GWERU
DIRECTOR OF FINANCE
FINANCE DEPARTMENT
17 JAN 2014
P.O. BOX 278 GWERU
TEL: 054-224071 EXT: 2022/3

RE: REQUEST TO CARRY OUT RESEARCH ON THE EXAMINATION OF THE ETHICS ARCHITECTURE IN URBAN LOCAL AUTHORITIES A CASE OF ZIMBABWE

Reference is made to your request on the above subject. I wish to advise that Council acceded to your request on the grounds that information which you are going to handle shall be treated in confidence.

Our Human.Resource.Management division shall assist in the provision of any resource personnel which you may require in carrying a research. After your research this institution shall be interested to know your findings for its benefits .

Yours faithfully

CHAMBER SECRETARY

CITY OF GWERU
15 NOV 2013
CHAMBER SECRETARY
P.O. BOX 278

ANNEXURE FOUR: APPROVAL MISSIVE FOR MUTARE CITY COUNCIL



**CITY OF MUTARE
TOWN CLERK'S DEPARTMENT**

IF CALLING OR TELEPHONING
PLEASE REFER THE MATTER TO:
Mr. M Machaka Ext. 219
Mrs. P.B Mapara Ext 232

Civic Centre
P.O. Box 910, Mutare, Zimbabwe

Phone: 64412 Fax: 61002
E-mail: townclerk@mutare.intersol.co.zw

Your Ref:

19 December 2013

Our Ref: PBM/bgr

Mr. Edson Paul Mutema
Midlands State University
P. Bag 9055
Gweru

Dear Sir

REQUEST FOR TO CONDUCT A DOCTORAL RESEARCH AT YOUR ORGANISATION

Your letter dated 21 October 2013 on the above matter refers.

I wish to advise that you have been granted permission to carry out a Doctoral research on your topic entitled 'Examination of ethics architecture in Zimbabwe's urban local authorities: An empirical case study (2008-2013).

I wish to further advise you that permission is being granted on the condition that the research outcome will remain confidential and you will avail a copy to City of Mutare.

Yours faithfully

Machaka
PP O. L. MUZAWAZI
TOWN CLERK

ANNEXURE FIVE: APPROVAL MISSIVE FOR REDCLIFF MUNICIPALITY



Municipality of Redcliff

ALL COMMUNICATIONS
TO BE ADDRESSED TO
THE TOWN CLERK



Tel: 055-62365 -7
055-68787
P.O. BOX 100
FAX: 05568603

OUR REF:.....
YOUR REF:.....

E-mail: Redcliff Municipality.Org

3rd December 2013

MIDLANDS STATE UNIVERSITY
P.BAG 9055
GWERU

Mr. Edson Paul Mutema
Faculty of Social Sciences
DEPARTMENT OF LOCAL GOVERNANCE STUDIES

Dear Sir

RE: REQUEST FOR PERMISSION TO CONDUCT A DOCTORAL RESEARCH WITHIN THE MUNICIPALITY OF REDCLIFF

Council in receipt of your application letter requesting for permission to collect primary data within the Municipality of Redcliff for a Doctoral qualification in the field of Local Governance studies.

Please be advised that authority is granted on condition that:

- a) The information gathered will remain highly confidential as was indicated in your application letter and
- b) A copy of the final report is submitted to the Municipality of Redcliff, Attention the Town Clerk.

Let me take this opportunity to wish a fruitful research within the Municipality of Redcliff.

For more information please contact the Acting Chamber Secretary-Mr. Henry Staben Muza on 055 68787/62372 or his mobile 0774 485 186.

Yours faithfully

E. Gwatipedza
E.GWATIPEDZA

TOWN CLERK
Cc His Worship the Mayor
Acting Chamber Secretary
Human Resources Manager
File

ANNEXURE SIX: APPROVAL MISSIVE FOR BINDURA MUNICIPALITY



0957

MUNICIPALITY OF BINDURA

All Communications To
Be Addressed To The
TOWN CLERK
P O Box 15,
BINDURA
ZIMBABWE

Our Ref:
Your Ref: **A1/0148**

565 Thurlow Avenue
Bindura, Zimbabwe
Phone: 0271-6430/6453/7391-4
Tel/Fax: 0271-6984
email: binduramunicipality@gmail.com

16 May 2014

Edson Paul Mutema
Midlands State University
P. Bag 905
Gweru

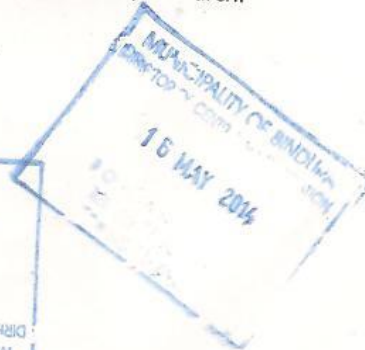
RE: APPLICATION TO CARRY OUT A REASERCH STUDY AT COUNCIL

Please be advised that permission has been granted to carry out your study research.

Wishing you all the best.

Yours faithfully

N. Machingauta
N. Machingauta
Chamber Secretary
For Town Clerk



ANNEXURE SEVEN: APPROVAL MISSIVE FOR ZVISHAVANE TOWN COUNCIL



Correspondence should not be addressed to individuals

ZVISHAVANE TOWN COUNCIL

P.O.Box 5
Telephone: 2184/2555
Fax: 4214
ZVISHAVANE

Email: admin@zvishavanetowncouncil.co.zw

12th March 2014

Mr. Edson Paul Mutema
Midlands State University
P. Bag 9055
Gweru

Dear Sir

REF: REQUEST FOR PERMISSION TO CONDUCT A DOCTORATE RESEARCH ON ZVISHAVANE TOWN COUNCIL

Reference is made to the above.

I am pleased to inform you that Council at its 1/2014 Ordinary Council meeting held in the Council Boardroom, Town offices, Goddard Road on Wednesday 12th February 2014 resolved through resolution 25/2014:

- "1. That Mr. Edson Paul Mutema be accorded an opportunity to carry out his doctorate research on Zvishavane Town Council.***
- 2. That the outcome of the research be shared with Zvishavane Town Council.***

Therefore, by copy of this letter you are informed to kick-start your research anytime from now.

Looking forward to your coming.

Yours faithfully

T. Mukutu
TOWN SECRETARY



ANNEXURE EIGHT: INTERVIEW RESEARCH SCHEDULE

Strata	Category	Day	Targeted respondents	Time
1	Elected officials	1	2	10am-12pm and 2pm – 4pm
2	Top managers, directors and HODs	2	2	10am-13hrs and 2pm-5pm
3	Middle managers –section heads in department	3	2	10am-12pm and 2pm-4pm
4	Shop flow managers	4	2	10am-12pm and 2pm-4pm
5	Employee representatives	5		10am-12pm and 2pm-4pm

ANNEXURE NINE: INTERVIEW GUIDE

INTERVIEW GUIDE FOR MANAGERS, COUNCILLORS, EMPLOYEE REPRESENTATIVES, RESIDENT ASSOCIATION AND BUSINESS REPRESENTATIVES ON ISSUES OF ETHICS ARCHITECTURE IN ZIMBABWE'S URBAN LOCAL AUTHORITIES (2008-2013)

GENERAL OVERVIEW

The term ethics architecture refers to systems and structures designed by urban local authorities to promote ethical conduct against corruption. The systems and structures are in the form of set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public sector (OECD, 1996). Effective organisational ethics architecture should adequately address the problem of corruption and should also encourage and promote high standard of professional conduct. The study is motivated by the fact that the problem of unethical practices and corruption continue to persist in Zimbabwean urban local authorities despite efforts to curb it. This demonstrates by implications, weak ethics architecture. This thesis therefore examines the capacity of the existing ethics architecture in Zimbabwean urban local authorities in practising ethics to fight corruption.

RESPONDENTS

The interview survey targets top, middle and lower managers; councillors; employee representatives; resident association and business community representatives.

GUIDELINES

Kindly be informed that the information gathered during this research is treated as highly confidential as possible within the confines of the Midlands State University research ethics and as such the anonymity and dignity of the respondents will be protected. Please answer all the questions as requested and for each question. Lastly, be informed that the value of this interview depends entirely on your honesty and your co-operation is highly appreciated.

PROCESS

Before the data collection process starts, written authority will be sought to conduct the research in your organisation. Prior notification will be given to research participants who will be interviewed. As such, anonymity of the organisation and the interviewee will be maintained. The researcher will take notes during the interview process. Alternatively, if the respondent agrees; the interviews will be recorded and transcribed at a later stage.

COMMUNICATION

The mode of communication is verbal. The researcher will ask questions in order to find out opinions and ideas of the sampled research participants about the issue under study.

DISCLAIMER

The interview guide has been drawn for a research project undertaken to fulfil the requirements of a PhD Degree at Midlands State University Department of Local Governance Studies in the faculty of Social Sciences and therefore, your participation will be greatly appreciated.

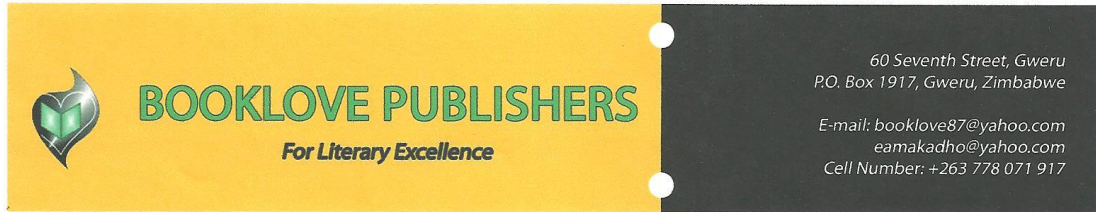
KEY QUESTIONS

1. Can you first please tell me about the common core values or principles that guide ethical behaviour for both elected and appointed officials in your organisation?
2. If any, how does your urban council formulate and communicate these ethical values to both appointed and elected officials?
3. What are the challenges if any that your urban council might be facing in adopting or implementing these ethical core values?
4. Can you tell me how council leadership has demonstrated commitment in practicing ethics as well as uprooting corruption in your organisation?
5. Comment on the level of leadership adoption of the ethics architecture in practising ethics and fight against corruption in your organisation.

6. Which laws in urban local authorities back the practice of good ethics and the fight against corruption? As a follow up, are the enforcement mechanisms of these very laws effective?
7. Comment on the weaknesses of these laws if any and to what extent do these weaknesses undermine the practice of ethics and the fight against corruption?
8. Narrate the whistle blowing procedure if any in your organisation.
9. Do you have a law that protects the whistle blowers in your organisation and if so, is it effective?
10. Does your local authority have a system of calling upon council officials to account or declare the wealth they have accumulated? If it has, explain how it works.
11. Comment on the capacity of the human resource policies and conditions of service you have adopted in your local authority to support the fight against corruption and to sustain best ethical practices.
12. What ethics training programmes do you offer to support ethics and fight against corruption? And how effective are the programmes?
13. Do you have a code of ethics which set out the standard to which municipal functionaries and elected officials are held accountable and what challenges do you encounter in the implementation of the code of ethics?
14. Narrate the system of managing conflict of interests in your organisation and how effective is this system?
15. What systems are available for the civil society and media to scrutinise the official behaviour of both elected and appointed officials of urban councils? As a follow up question, how effective are the systems in fighting corruption?
16. Explain the accountability and transparency mechanisms employed in your organisation to fight corruption? As a follow up question, how effective are these mechanisms?
17. How effective is the existing ethics architecture for Zimbabwe's urban local authorities against corruption? As a follow up question, what are areas for improvement?
18. What is the extent and impact of adoption of the ethics architecture among urban local authorities in Zimbabwe?

19. What are the factors that hinder or contribute to the effectiveness of the ethics architecture in fighting corruption in the area under study and how they should be resolved?
20. In your view, what could be the best model to inculcate the culture of ethics and the practices to fight corruption in Zimbabwean government in general and urban council in particular?

ANNEXURE TEN: LANGUAGE EDITORIAL MISSIVE



27 May 2015

TO WHOM IT MAY CONCERN

I, Emmanuel A Makadho, hereby declare that I am the editor of Booklove Publishers. I further declare that I have edited the thesis entitled **Examination of ethics architecture in Zimbabwe's urban local authorities: An empirical case study (2008-2013)**, submitted by Edson Paul Mutema in fulfilment of the requirement for the degree of Doctor of Philosophy in Local Governance Studies in the Faculty of Social Sciences Department, Local Governance Studies, Midlands State University.

Supervised by Prof. M. H. Kanyane.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Emmanuel A Makadho".

Emmanuel A Makadho

ANNEXURE ELEVEN-FOURTEEN: ETHIC ARCHITECTURES

ANNEXURE ELEVEN: NORWEGIAN ETHICS ARCHITECTURE				
LEGAL INSTRUMENTS	Legislation	Act	Policy	Action/Impact
	Working Environment Act, 2005	✓		Whistle- blower protection
	Civil Service Act, 1993 (Act 3 of 1983)	✓		Creates an environment of transparency in the civil service by advertising posts. Manages conflict of interest by prohibiting receiving of gifts by civil servants. Promotes worker participation by including workers in the appointment committee.
	Norwegian Penal Code (2003)	✓		Criminalize and heavily penalize corruption and bribery in both the private and public sector
	Public Procurement Act, 2003 (Act 69 of 1999)	✓		Provides for an independent advisory board which addresses complaints from bidders.
INSTITUTIONAL DRIVERS	Institution	Prosecutorial	Non-Prosecutorial	Action/Impact
	National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim)	✓		Investigates and brings to trial economic and environmental crimes.
	Auditor General's office		✓	Auditing and reporting on the accounts and financial statements and financial management of the state, local authorities and state agencies.
	National Prosecuting Authority	✓		A prosecuting authority which institutes and conducts criminal proceeding on behalf of the state.
SOCIAL AGENTS	Agent	Active	Inactive	Action/Impact
	Transparency international- Norway chapter	✓		A leading non-state organization in the fight against corruption.
	U4 anti-corruption Resource Centre	✓		Provides anti-corruption training and materials to donors in their development work. Do not investigate corruption but assist countries to pursue investigations.

(Kanyane, 2014: 177-182)

ANNEXURE TWELVE SINGAPOREAN ETHICS ARCHITECTURE				
LEGAL INSTRUMENTS	Legislation	Act	Policy	Action/Impact
	Prevention of Corruption Act (POCA) (Chapter 241 of 1960)	✓		Corruption is defined explicitly in Sections 8 to 12. The Act in Section 6 further increased the penalty for corruption. POCA provides the Corrupt Practices Investigation Bureau (CPIB) with more powers.
	Parliament (Privileges, Immunities and Powers Act) Chapter 217 as revised in 2000	✓		Prohibits Members of Parliament (MPs) to benefit from the debate in the house in which they have pecuniary interest.
	Corruption, Drugs Trafficking and other Serious Crimes (Confiscation of benefits ACT), 1999	✓		Provides for the seizure of proceeds which a person convicted of corruption cannot satisfactorily account for.
	Political Donations Act Chapter 236 number 20 of 2000	✓		Ensures candidates standing for political election declare donations they receive.
INSTITUTIONAL DRIVERS	Institution	Prosecutorial	Non-Prosecutorial	Action/Impact
	Corruption Practices Investigation Bureau (CPIB)	✓		Have powers to investigate, prosecute and charge anyone engaging in corrupt activities.
	Auditor General's Office		✓	Audits accounts of government and public authorities and bodies that administer public funds.
	The Prime Minister's Office		✓	Oversees the operations of the CPIB as an anti-corruption body in Singapore.
	Attorney General's Office		✓	Promotes fair and impartial administration of justice by carrying prosecutorial functions.
SOCIAL AGENTS	Agent	Active	Inactive	Action/Impact
	Social agents in Singapore		✓	The civil society in Singapore is weak because the government has disallowed public protests and strikes, and has intimidated and persecuted the civil organisations and controlled the media.

(Kanyane, 2014: 177-182)

ANNEXURE THIRTEEN SOUTH AFRICAN ETHICS ARCHITECTURE

LEGAL INSTRUMENTS	Legislation	Act	Policy	Action/Impact
	Prevention and Combating of Corrupt Activities Act (PCCAA) (No.12 of 2004)	✓		Provides the legal definition of corruption and creates a range of general offences and penalties of corruption.
	Promotion of Access to Information Act (PAIA) (No. 2 of 2000)	✓		Legislation grants freedom of information laws and rules that guarantee access to records and documents held by government institutions or agencies and private bodies.
	Protected Disclosure Act (PDA) (2000)	✓		Addresses issues of whistle-blowers protection.
	Prevention of Organized Crime Act (POCA), 1998(Act No. 121 of 1998.)	✓		POCA introduces measures to combat organised crime, money laundering and criminal gang activities; prohibit certain activities relating to racketeering activities as well as money laundering and for an obligation to report certain information including criminalising certain activities associated with gangs. It also provides for the recovery of the proceeds of unlawful activity; for the civil forfeiture of criminal property that has been used to commit an offence, property that is the proceeds of unlawful activity or property that is owned or controlled by, or on behalf of, an entity involved in terrorist and related activities amongst others.
Promotion of Administrative Justice Act (PAJA) (No. 3 of 2000)	✓		Imposes a duty on public administrators to give written reasons to everyone whose rights have been adversely affected by administrative action. The act ensures that decisions that affect the public are taken in a way that is procedurally fair and it gives people the right to request written reasons for administrative action or decisions that affect them or disagree with.	
INSTITUTIONAL DRIVERS	Institution	Prosecutorial	Non-Prosecutorial	Action/Impact
	Public Protector (PP)		✓	Investigate any corruption in the state affairs or in Public Administration that is alleged or suspected to be improper or prejudiced. The PP is very active and busy office with zero corruption tolerance levels, but it needs more resource capacity to turn the situation around.
	Auditor- General of South Africa (AGSA)		✓	A constitutional and statutory body responsible for auditing and reporting on the accounts, financial statements and financial management of all national and provincial state departments, state-owned entities and all municipalities.
	National Prosecuting Authority (NPA)	✓		The country's centralised prosecuting authority, which institutes and conducts criminal proceedings on behalf of the State and carries out investigations as required. The Authority acts against corruption either through the South African Police Service, or its own Asset

				Forfeiture Unit (AFU) and that the authority also recovers proceeds of corruption and other crimes through civil action. The Asset Forfeiture Unit (AFU) was established in May 1999 within the NPA to focus on the implementation of Chapters 5 and 6 of POCA. The AFU was created in order to ensure that the powers in the Act to seize criminal assets would be used to their maximum effect in the fight against crime, and particularly, organised crime. NPA is not an institution unto itself, it seeks permission from the Minister of Justice and Constitutional Development before it can prosecute.
	South African Police Service (SAPS)	✓		SAPS has mandate to foil, fight and investigate crime, uphold and enforce rule of law and public order, protect and secure the inhabitants of the Republic and their property, create a safe and secure environment for all people in South Africa, prevent anything that may threaten the safety or security of any community, investigate any crimes that threaten the safety or security of any community, ensure criminals are brought to justice and participate in efforts to address the causes of crime.
	Agent	Active	Inactive	Action/Impact
SOCIAL AGENTS	National Anti-corruption Forum (NACF)		✓	Demonstrates the importance of partnership in championing a collaborative approach in the fight against corruption. The forum partners with government, civil society, business and labour unions leading to minimisation of collusion of corrupt practices between unethical business persons and public officials.
	The Civil Society Network Against Corruption (CSNAC)		✓	Network of civil society organisations which work on corruption issues.
	Transparency South Africa		✓	A national non-governmental organisation with anti-corruption as a core of its activities.
	National Religious Leaders Forum		✓	Promotes a culture of ethical and moral behaviour associated with compacting corruption.
	Corruption Watch	✓		Corruption Watch is a civil society organisation that gathers analyses and shares information on corruption in South Africa.

(Kanyane, 2014: 177-182)

ANNEXURE FOURTEEN ZIMBABWE ETHICS ARCHITECTURE				
LEGAL INSTRUMENTS	Legislation	Act (Tick)	Policy (Tick)	Impact
	Chapter 1X of the Criminal law (codification and reform) Act, 2004	✓		Criminalises and prosecutes corruption and bribery.
	Prevention of Corruption Act, Chapter 9.16, 1985	✓		Defines, criminalises and prosecutes corruption and bribery.
	Urban Council Act, Chapter 29:15 1996	✓		Addresses the issue of conflict of interest when dealing with corruption. Section 107 of the Act requires councillors and appointed officials to disclose their interest in any council business.
	Access to Information and Protection of Privacy Act, 2002	✓		Addresses citizens' right of access to information, including a record containing information that is in the custody or under the control of a public body.
INSTITUTIONAL DRIVERS	Institution	Prosecutorial	Non-Prosecutorial	Action/Impact
	Anti-Corruption Commission of Zimbabwe (ACCZ)		✓	Corruption prevention and corporate governance, investigation and prosecution and publicity and education.
	National Prosecuting Authority (NPA)	✓		Mandated to institute and undertake criminal prosecutions on behalf of the state.
	Auditor –General of Zimbabwe (AGZ)		✓	Constitutionally mandated to audit the accounts, financial systems and financial management of all departments, institutions and agencies of government, all provincial and metropolitan councils and all local authorities.
	Zimbabwe Republic Police Serious Fraud Department		✓	Investigates serious cases of corruption.
SOCIAL AGENTS	Agent	Active	Inactive	Action/Impact
	Transparency International-Zimbabwe	✓		Research and information dissemination about corruption. Advocacy and legal advice to victims of corruption. Community mobilisation and advocacy.
	Global Integrity (GI)	✓		Provides independent information on governance and corruption.
	Anti- Corruption Trust in Southern Africa (ACTSA)	✓		Track corruption and expose it. Research, document and communicate issues that enhance prevention and combating of corruption.

(Kanyane, 2014: 177-182)