

## **Statement by Thabo Mbeki at the Anti-Corruption Summit Conference**

Cape Town, 10 November 1998

Honourable Ministers  
Honourable Members of Parliament  
Distinguished Participants and Guests  
Ladies and Gentlemen

Robert Klitgaard, a former professor at the University of Natal, uses a succinct illustration from the Guatemalan experience to capture the encircling climate of corruption and its pervasive influence;

"When in a society the shameless triumph, when the abuser is admired, when principles end and only opportunism prevails, when the insolent rule and the people tolerate it; when every thing becomes corrupt but the majority is quiet because their slice is waiting... When so much "whens" unite, perhaps it is time to hide oneself, time to suspend the battle; time to stop being a Quixote: it is time to review our activities re-evaluate those around us, and return to ourselves."

In the South African context generally and in the public sector in particular, few will deny that this time has now arrived. The threatening state of moral degradation in our society is reflected in the high levels of crime, disrespect for authority and the rule of law, and the erosion of key institutions such as the family.

The culture of entitlement, so prevalent in our community, has contributed to the "name it, claim it" syndrome where individuals seek an elusive moral justification for engaging in criminal activity. The deepening crisis in public values is largely visible in the lack of professional conduct from so many wearing the badge of public honour in the civil service.

To meet the challenge of stemming the tide of corruption we need to march to the tune of a new song, the song of regeneration and rebirth, the song of our renaissance, the song signalling the birth of the "new public servant".

The definition of corruption in terms of Act 94 of 1992, which serves as the basis for prosecution, is mainly predicated on the notion of inducement and seems to ignore the inherent conflict of interest between public and private interest. Our understanding of the public interest or the common good has been shifted to the margins in our clamour for respect of human and, as a result, individual rights.

Has the time not come for the cornerstone of our democracy, the public interest, to be revisited in debate and discussion in pursuance of our constitutional obligations.

For over 350 years this salient artefact of national life lay buried amidst the evolution of the apartheid ideology. Today it is possible for us to extricate the nobility of its challenge and proffer it as a basis for riding society of the scourge of corruption.

Jean Jacques Rousseau, the French philosopher, defined the public interest as the sum of private interest balanced according to the common good, as the highest good for the greatest majority of citizens.

The public interest must likewise be for us the common interest shared by most members of our society. But in addition, that interest has to pass legitimately through the democratic process.

If it is the normative standard of goodness by which every political action or decision is to judged, the public interest should also assume the ability of the State to overcome social differences and antagonisms in order to achieve a common goal for all.

Judged against this background, public servants are under a heavy obligation to weigh their discretionary powers against their effectiveness in meeting the moral imperative that is, serving the public with integrity. Public servants must realise their deepest ambitions by introspectively returning to themselves responsibly in relation to broader societal concerns.

This will necessitate the re-examination of the soul of the public sector and the quest for a philosophy of service where human interdependence would replace selfish pursuits, where mutual trust would replace suspicion, and where greed would be replaced by just sharing.

To recognise the ethical importance of the bridge that we must cross in the public sector, serious consideration needs to be given to a structural ethical adjustment, not only in our thinking but in the way we institutionalise conduct.

Virtue and good ethical behaviour in the public sector is not inherently resident in the minds of public officials. The lure of the lap of luxury at state expense must be perennially interrogated through codes of ethics.

While these codes may concentrate on financial disclosure conflict of interest, or aspects of impropriety, they should be thoroughly informed by a set of implicit values and an ethical culture. This implies that a disciplinary approach of regulating behaviour of public officials must be mediated by an overarching aspirational framework.

Perhaps a professional framework for discussion among managers at this Conference might look as follows in respect of commitment to an:

#### ETHICS MANAGEMENT FRAMEWORK FOR THE PUBLIC SECTOR (EMFPS)

1. Ethics in the workplace should be reinforced urgently as a new cultural trait of the public service.
2. Political will and a shared commitment should inform the reinforcement process.
3. Transparency and accountability should be given their rightful place.
4. Rules of procedure should be clearly articulated.
5. The practice of whistleblowing should be institutionalised.
6. Steps to reward exemplary conduct should be taken.
7. Managers should give moral leadership by example.
8. Misconduct should always be subject to disciplinary sanctions.
9. Integrity training and ethics education should receive priority.
10. The public interest should as a rule be put first.

We offer the above provisional framework to Conference as a point of departure for deliberations on bringing together the essential elements of an ethics management system to eliminate corruption and malpractice in the public sector.

The organisational culture of the public sector must change with a paradigm shift from external sanctions (when misconduct is belatedly addressed) to stronger internal control with anticipatory management systems to check deviant behaviour.

Both the spirit and the intent of the law must be adhered to and public trust must be constantly re-affirmed in the process of good governance. Sound administrative values of probity, trust justice and fairness must be integrated in the daily work ethic and not kept separate as an issue for social concern only.

Recent years have seen corruption become the misdirected juggernaut of society. In our country, it has succeeded in infesting our shared value system with moral decay and winning the hearts and minds of many a public servant.

Not only those who exercise public power but large sections of the citizenry as well have been engulfed by the corrupting tentacles of this wayward beast that is threatening to destroy the soul of our nation and the very basis of our democracy.

The question needs to be posed as to how much longer the sojourners on the road of transformation will be put to the ultimate test of ethical fitness and be found wanting?

The artisans for the new humanity in South Africa work tirelessly for the consummation of freedom but are continually hindered in their efforts in many instances by their own comrades who have fallen prey to Mammon.

The illusions of the sumptuous life made possible by profits from illicit practices has taken its toll on the very proponents of the new order, one that was meant to be built on the ruins of apartheid. Indeed, the ghosts of yesteryear have reappeared and their power of turning the fighter against the corrupter into the corrupted is evident for all to behold.

The sad truth has come home to rest - apartheid's grand design might have succeeded in being reborn amidst the ebb and flow of change itself.

For where morality has failed, the law now has to rush in to fill the void. How has this seemingly contradictory impulse between our taste of power and our appetite for democracy come about!

How is it that in the midst of the wholesale transformation of ordinary life in South Africa, the dark shadows of the past continue to cast a gloomy spell on our future. Are we a nation doomed to failure in matters moral and issues ethical? Perhaps we should take heart that corruption is not entirely new in government. If sin is as old as humankind, so too is corruption as old as government itself.

In ancient China officials were given an extra allowance called Yang-lien (meaning nourish incorruptibility), while in India some 2 500 years ago, the Brahman Prime Minister of Chandragupta listed some forty ways of embezzling money from government.

Plato would warn - "do no service for a present", while Aristotle would encourage that "we become just by doing just acts".

The eternal legacy of corruption in government should not, however, detract from an equally axiomatic fact of life, that misuse of public funds for private profit usually involves two parties, the corrupter and the corrupted.

While a government official might as a rule be one of the implicated parties, the other party is usually your "person in the street" or business associate.

This duality is often lost as the role of the private sector (business) and civil society in initiating acts of bribery to secure government contracts for example, is not fully recognised.

How often have we been treated to screaming headlines in the media of leaders in the corporate world being investigated for graft?

Not often, and no necessarily because the corporate executives have got their moral act together while government has lagged behind.

It is perhaps because the media has defaulted in its role of exposing corruption when it comes to the private sector, to which it also belongs!

It is a laudable feature of our new democracy that no less than ten structured bodies exist to counteract corruption in line with their constitutional mandates.

Moreover, when possible theft of public funds is suspected or reported, it is promptly investigated by agencies such as the Health Commission and the Investigating Directorate for Serious Economic Offences (IDSEO).

Whilst the Minister of Justice was chastised by some for daring to welcome former cleric Alan Boesak back into the country to face fraud charges. It was ironically Minister Omar's own ministry, through IDSEO, that led the investigation into the allegations against Rev Boesak.

Some might share the view that these bodies are not effective enough, whilst others might feel that they need to be replaced by a single anti-corruption agency.

Such a consolidated approach has proved successful in Hong Kong, Singapore and Botswana. It is one of a range of issues that should be addressed at this Public Sector Anti-Corruption Conference.

The Truth and Reconciliation Commission's report is now public and offers a litany of memory jerks regarding our recent past which was painfully characterised by racial bigotry and human rights abuses.

May it not be that after all is said and done, apartheid can be recorded not only as a crime against humanity and also as an ideology of moral corruption - an instrument of oppression used, among other things, to help its victims imbibe its very immoral mores and foundations, even unwittingly so.

Consider the matter of legitimacy. Years of resistance to the state apparatus constituted the fibre of struggle for more South Africans as the object of making the country ungovernable before 1994 became one of the strategic objectives of the struggle.

Transplanted overnight into a new democratic order, requiring a different moral ethos and outlook, the citizenry has laboured and lingered in redirecting their loyalties and hierarchy of responsibilities. The phenomenon of anomie and alienation must also be mentioned in the context of understanding the causative factors for the high levels of corruption in the public sector.

In anomie we see the erosion of authority structures and the collapse of the moral order, thus breeding social upheaval, while in alienation we experience powerlessness and futility in the midst of an impinging national framework of values and norms.

The collapse of the old order and ushering in of the new one necessitates a reorientation of a nation's world view. Those who do not immediately benefit from the transition will see its futility for themselves and seek to question its legitimacy by resisting its fringe or "soft" assumptions such as morals, norms and values.

In this situation, patterns of behaviour would gradually take root, leading inevitably to a corrosion of a good national character and a moral identity crisis.

In such an environment public officials will find themselves quite vulnerable especially when they observe that perpetrators of the old order continue to enjoy the benefits of the new, long after the latter came into being.

In our country, we have found it necessary to increase government's share of public responsibility since 1994, coexisting with the private sector in a mixed economy. One of the results of this is that the larger the share of government's responsibility, the more the government must prepare itself to fight against bribery and corruption in its ranks.

Since any government is born of society it seeks to govern, it will, to a good extent, be a mirror image of and a reflection of the prevalent levels of morality.

In the macro-context of world values where the private accumulation of material wealth has unleashed a total onslaught on every other determining value possible, mental conditioning remains captive to the triumph of the stronger glow of success measured as personal prosperity.

That we as South Africans in all spheres of life have been overtaken by material self-seeking should therefore come as no surprise, even if it is contrary to public interest, and is at public expense.

The ability of public institutions to cross the threshold and fight corruption efficaciously hinges largely on a number of factors, an important one of which is political will and determination from the highest echelons to tackle this ugly monster that is reaping havoc with our control systems.

In this regard it is incumbent for government unequivocally to affirm its seriousness and desire to stamp out corruption where ever it occurs. Perpetrators of corrupt practice in both the public and private sectors will be severely punished for contributing to this moral mayhem which has been allowed to creep into the fabric of our society.

Zero tolerance will be offered to the parasites of our land who have scorned the public interest and sought their own self enrichment at state expense, for it is against them and against the antinomian culture they seek to perpetrate that we must continually rebel.

Such rebellion must of necessity take on a public face, for collusion of individuals in deviant behaviour contrary to the common good is usually cloaked in silence.

Government is firmly committed to come down harshly against all forms of corruption including bribery and abuse of public trust.

New measures are to be enacted in line with proposals serving before cabinet and these include, inter alia the review of anti-corruption legislation and the drafting of new legislation the development of more efficient monitoring and management systems to put the brakes on corrupt activities, strengthening the criminal justice system through the development of investigative and preventive strategies, a more comprehensive "whistleblowing" system, development of a risk assessment "early warning" system, and the initiation of a national campaign against corruption.

What we are meeting about today is to evolve the ways and means by which we can take our society, and the public sector in particular, out of the dark years in which the accumulated weight of illegitimate rule bred predatory social norms which taught all and sundry that the pursuit of personal benefit at all costs was an acceptable form of behaviour.

This Conference, as the Morals Summit on whose footsteps it follows, must add further impetus to the struggle we have to wage for the fundamental renewal of our country which is, itself, an important part of the African Renaissance.

The country looks forward to the outcome of your important deliberations.

I thank you.