Abstract

Over the years, Tanzania government has strived towards establishing ethical culture in the public service. One of the methods used by the government since the attainment of its independence is the establishment of proper ethics infrastructure such as formal rules, policies, regulations and structures to guide the behavior of leaders and officials involved in service delivery. These rules guide the officials to refrain from unethical behavior through instruction and specification of what is allowed or not allowed to be done. Nevertheless, the endorsement of formal rules and policies has not adequately changed the behavior of public leaders and public servants. Unethical behavior and corruption is still widespread in the public service particularly in the local government authorities. Overall, the civil servants consider service delivery as a favor and not a duty and that they should get something in return. Building on insights from conventional literature on ethics management, this article argues that the use of formal rules alone can not be a panacea to unethical behavior of civil servants. Instead, the formal rules must be complemented with value based techniques such as ethical training through behavioral modeling on ethical attitudes and behavior.

Key words- Ethical culture; ethical behavior; formal rules; ethics management; behavioral modification.

Introduction

The debate concerning the failure of formal rules to build ethical culture has dominated the mainstream literature on ethics management. Central to the debate is that formal rules alone can not address unethical behavior instead they should be integrated with value based strategies to build an ethical culture within organization. In order to make this clear, the introduction starts with a definition of ethics and ethical culture. Some authors like Grint (2007) define the word ethics as moral virtues that could be instilled in individuals through practices and learning while others such as Fox & Meyer (1995) see it as rules and principles that determine the right and wrong. Others like Preston,(2007); Van der Wal et al.(2006), define ethics as adherence, or non adherence, to moral values and norms. In this article, the last definition was used because the goal was to find out how and why civil servants do not adhere to these moral values and norms governing public service delivery. The failure of civil servants to abide to ethical behavior has been attributed to a number of factors.
One of these factors includes, the noble cause of corruption which means the use of illegitimate means to secure or improve society’s well-being (Van Halderen & Kolthoff 2017). The argument in favor of the noble cause is justified by the “act utilitarianism,” in which a decision to commit a violation is based on weighing the utility of the result of the intended action (Crank and Caldero 2000).

Second factor which is especially common in developing countries is the existence of extractive institutions. The extractive institutions as defined by Acemoglu (2012) in his book concerning why Nations fail implies a situation where by the existing institutions concentrate power and opportunity in the hands of few people which consequently, influence them to engage on corrupt practices because of fear to lose their political grip. Apart from that, the pre-existing extractive institutions can offer tempting opportunities but also the resources to keep them. In African countries for example, this led to unaccountable colonial administrations which was transmitted flawlessly into unaccountable and corrupt independent governments of African countries.

Consequently, unaccountable governments bear on the existence of two publics: the primordial and civic public which do not share the same moral foundation and hence influencing unethical behavior. For example, in his research Ekeh (1975) found that the existence of two competing publics in Africa- the civic public and the primordial public inherited from colonial administration caused corruption and unethical behavior of public officials because the primordial public is tied with sentiments that influence the individual public behavior while the civic public is a product of colonial administration which is associated with popular politics in post colonial Africa based on civil service structure, military or police and in addition, it lacks the generalized moral imperatives which operate in the primordial public. The civil servants employed in the civil public feel that they are accountable to their primordial public. In a nut shell, the civic public is indeed the bourgeois class which gained colonial education from colonizers and rule without traditional legitimacy. Therefore, individuals tend to bend over back ward to benefit their primordial public with the gain from the civic public.

The values orientations and the two publics in Tanzanian civil service

In Tanzania, like other developing countries, the existence of the two publics became explicit after independence. The civil servants inherited from the colonial administration formed the civil service structure, the police and the military. These civil servants were also automatically transformed into two publics: the civic public in which they work and the primordial public in which they feel responsible. The existence of two publics put the African civil servants particularly in Tanzania under pressure to abide to an alternative moral code that stresses their social obligations to family, friends, and clients (Ekeh
The literature by Munishi (1989); Bayart (1993) Chabal (1992) and Anders (2001) shows that public officials in Africa misappropriated public resources to invest in their private businesses; to provide employment for family members; to provide basic needs to their relatives such as food, clothing, shelter, and schooling for children; and to contribute to the burials of friends, clients and family.

As a consequence of two publics, after independence, the public servants equated their positions in the civic public with wealth (Tenga, 2010). The fact that the laws inherited from the colonial government were inadequate raised a need for new law to regulate unethical behavior of public servants. Following that, the government established a new institution- Permanent Commission for Enquiry to replace the colonial law of prevention of corruption established by colonial administration- Ordinance Cap 400 of 1958 (Tenga, 2010).

Nevertheless, the commission was not able to eliminate the problem of corruption. Following that in 1967 the government inaugurated Arusha declaration as a breakthrough to fight corruption and revive the ethics of public leadership. The declaration specifically developed the code of ethics for ruling party leaders which was by then Tanganyika African National Union (TANU). The code defined a leader as a member of ruling political party, national executive committee and ministers in government; a member of parliament, and senior officials of organization affiliated under TANU; senior officials of parastatals; leaders appointed under the TANU Constitution; councilors of local government and civil servants of high and middle caliber (Tenga 2010).

Nevertheless, the endorsement of one code of conduct was not until 1995 when the government issued a code of public service to all employees defining what is expected of them in terms of ethical conduct. The code instructs the public leaders to declare their properties and to avoid conflict of interest by avoiding personal interest to conflicts with their leadership responsibility. It encourages experienced and competent persons to seek and accept public office and facilitate interchange between the private and the public sector by establishing clear rules of ethics with respect to conflict of interest and post-employment practices applicable to elected and appointed public leaders and finally, it minimizes the possibility of conflicts arising between the private interests and public duties of public leaders through providing for the resolution of such conflicts (URT 1995).

Apart from the general code of ethics, the government has also enacted specific laws to regulate the behavior of politicians and officials. One of these regulations which are established at the local level is the codes of ethics for councilors and administrators.
These codes specify what the councilors and administrators are allowed to do or not allowed to do while discharging their duties in the office (United Nations -Habitat 2002). However, despite the enactment of different laws and codes the corruption and unethical behavior of public servants is still widespread. The situation is even made worse as presented by empirical evidence which shows that corruption in Tanzania is acceptable, tolerated and institutionalized and those engaged in corruption have internalized and socialized that illegal behavior. For example, the civil servants violate procurement regulations and overpay themselves sitting allowances for seminars and workshops (Haule;1999; Ngware 2005 & URT 2016 ). Apart from that, the current audit report of civil servants initiated by president indicated that 1,538 academic records of civil servants were being used by more than one official and11,596 staff had incomplete records (Rumney 2017). While the Controller and Auditor General reports of the past years 2014 /2016 indicated that civil servants such as municipal directors, councilors and tender boards formed by civil servants violate financial regulations in decision making for personal interest. This includes fraudulent payments of subsistence and extra duty allowance, settlement of creditors who were not identified, missing payment vouchers and transfer of funds without approval of the finance committee while another example is the government officer who made a decision to procure printing services himself on behalf of chief government printer and selected three private firms for printing services (URT 2014 & 2016).

Apart from that, although the current evaluation shows that compliance to ethical behavior has increased from 65% to 69%, that percentage increase is still below the target which was 75 percent and unethical behavior still persist in key policy sectors such as irregular payment of workshop and training allowances of 80,000 tsh to staff per diem regardless of their job grades and as a result the amount of 18,967,500 was overpaid to staff in the local government reform program II but also the payment of staff annual leave, telecommunication and sitting allowances amounting to 31,762,360 which is against the Program Financial Management Manual (URT 2016)

These examples suggest that corruption is still a serious problem in Tanzania. One of the challenge in addressing this problem is associated with the implementation of the code itself. For example, the public service ethics secretariat which was formed to implement the code is weak and does not perform its functions effectively. The current communication strategy of the secretariat shows that the secretariat itself is weak because it does not adequately involve all stakeholders in the process of implementing the code due to lack of sufficient resources to conduct effective communication. Lack of resources includes inadequate staff to support its functions especially in the zones and adequate equipments such as cameras, projector, computers and long internal process to approve messages for external communication. In addition, it lacks enough power to sanction those who do not abide by code. Therefore, it takes long time to bring action to
those implicated under the code. (URT Ethics secretariat communication strategy 2015-2017).

Furthermore, the literature shows that the local government managers themselves are facing an ethical dilemma in responding to the needs and expectations of the media and of the community while creating a service oriented local government. These challenges are partly related to lack of sufficient resources to deliver the promised services and in addition, the local government operates in turbulent environment and unstable political environment which creates unethical behavior (Matsiliza 2013).

Apart from that in one of the causes of unethical behavior in Tanzania as mentioned by (Chene 2009 & Aiko 2015)) is lack of committed leadership to fight corruption which has resulted into increase of corruption between 2013-2014. This includes the existence of patronage, nepotism, embezzlement of funds, influence peddling, use of one’s position for self enrichment, public property and abuse of government information (Ntukamazina1998) The question is why lack of committed leadership and unethical behavior still exist despite the introduction of code of ethics? How can the problem of unethical behavior be addressed by the government? The literature on ethics management provides some insights to this question.

One of the techniques discussed in the conventional literature for fighting unethical behavior is the development of organizational ethical culture which represents and includes only aspects which stimulate ethical conduct. The ethical culture influences the ethical behavior directly through a formal and informal control system and finally produces the workforce which is highly committed to organizational values and willing to contribute to the realization of organization goals (Trevino et al 1998).

Apart from this technique, the literature on corruption offers some additional technique for fighting unethical behavior. This includes; the development of democracy and increasing the capacity of civil society organizations. The development of democracy and civil society organization increases the capacity of citizens to influence ethical behavior of officials through correcting their behavior. An example is South Korea where people are free to discuss the public service ethics and anti-corruption strategies. The democratization therefore has increased the power of civil society and the general public in questioning the corruption scandals and ethical problems in the government openly (Pan Suk Kim & Taebeom Yun 2017).

Another method is the use of an integrated approach where the formal rules are complemented with value based strategies to build ethical behavior. In this strategy, the leaders are expected to lead by examples and their followers are expected to use them as role models (Nygaard, et al (2015) Nevertheless, these techniques have not been
sufficiently applied by Tanzania government. Although the government has taken some initiatives, these initiatives have not been fruitful because they are preoccupied by compliance to formal rules alone and there is little emphasis on values building. This is witnessed in the current phase of government where a numerous senior officials have been fired for the failure to comply with rules but still unethical behavior is widespread.

**Review question and methodology**

This article seeks to answer this question on how and why unethical behavior is still widespread in the public service in Tanzania and how these techniques can be applied to reduce unethical behavior of civil servants? To answer this review question, the author reviews the number of both theoretical and empirical literature on ethics management. The number of government documents and reports were also reviewed. These include Controller and Auditor General Reports, transparency and accountability reports and corruption index reports. Then, the review is followed by conclusion and recommendations. The recommendations focus on blending formal rules with value based strategies. Specially, the discussion focuses on the key steps that can be used for behavioral modeling of public servants ethics to make them adhere to required ethical norms and attitudes.

**Enhancing ethical behavior through formal rules**

One of technique, extensively discussed in the literature of ethics management is the use of formal rules or coercive measures to regulate the behavior of officials and promote ethical behavior. This technique involves the use of guidelines which officials must comply with. The compliance is determined by the existing ethics infrastructure such as organization policies and rules which are formulated to guide, manage and enforce good conduct of the employees. These rules and policies include mutually reinforcing functions and elements which together intend to achieve the necessary coherence and synergy for high standards of behavior(Gilman 2005). This method is commonly used by governments to tackle unethical matters as it is assumed that laws and regulations can improve public service ethics (Schopf, 2015). Nevertheless, the literature shows that the use of formal rules alone are insufficient in establishing ethical culture (Nygaard, et al 2015; Webb 2012) because preventing corruption is as complex as the phenomenon of corruption itself, and a combination of interrelated mechanisms, including sound ethics-management systems, specific prevention techniques, and effective law and law enforcement, are vital to success (OECD, 2000). In situations of embedded corruption, altering corrupt behavior is likely to be problematic and require nothing short of
fundamental societal change that includes restructuring power and economic relations as well as developing new norms (Heilman and Ndumbaro 2002). Therefore for rules to work effectively, they must be aligned with values (Nygaard, et al 2015; Webb 2012, Mutahaba 2005)

An example is United states where the research discovered that the problems of unethical behavior in South Gate and Bell cities was not the absence of management policies and procedures designed to prevent corruption but the ethical values. Although the professional code of ethics Management Association was on the office wall of almost all city managers, and many cities have adopted their own codes of ethics, the employees of such cities were not willing to accept the codes and apply them. As a result, there was no ethics training in the two cities. In addition, although codes prohibited to receive or give bribes, and conflict of interest, these were found to be the common problem in the two cities and some officials from Bell and its sister cities were convicted for taking bribes and for conflicts of interest (Frederickson & Wayne Meek 2017). Despite this recognition, the mechanisms to establish, prevent, detect and respond to unethical behavior remains a challenge (Kidwell & Martin 2005).

Blending formal rules with value based strategies

Blending formal rules with value based strategies means integrating the rules with values. By definition, the value based strategies represent a less formal aspect of ethics management which focus on issues like communicating moral expectations, ethics training, appraising ethics performance and visible punishing of offenders (Nygaard, et al 2015; Webb 2012).

One way of developing value based strategies discussed in the conventional literature includes the establishment of ethical leadership in organization which is useful in providing guidance to ethical behavior (Mutahaba 2012 & Nygaard, et al 2015). According to these authors, ethical leadership is expected to promote ethical values through leading by example. In this case, a leader is expected to show the way by communicating moral expectation, providing ethical training and evaluating ethical performance.

Blending the two strategies imply building strong ethical culture within organization which is perceived by Treviño & Weaver, (2003) as those aspects of the perceived organizational contexts that impede unethical behavior. These aspects represent a subset of the overall organizational culture including informal and formal system of behavior that work together to guide employees thought and actions. The formal cultural system includes policies, leadership and rewards and informally, it includes coworker attitudes,
behavior and ethical norms. In a nutshell, it establishes what is considered ethical guide
to guide employee’s behavior and further on it delineates ethical and unethical behavior
of an organization to guide the direction of employees’ behavior (Trevino & Younblood
1990; Ford & Richardson 1994).

Nevertheless, the review of literature on ethics management shows that most studies
focus on formal aspects such as compliance on rules, codes, laws and regulations and less
emphasis on informal aspects or values. The use of formal rules is also evidenced by
international organizations such as World Bank which insist on the use of laws and
conventions to restrain private actors from performing corrupt acts in other countries. For
example, the Foreign Corrupt Practices Act is an example of international regulation used
by United States to penalize any corporation that attempts to bribe a foreign government
official (Gilman 2005). The neglect of values and focus on formal rules and regulations is
believed to be main flaws of establishing ethical culture in organization. For example, the
study conducted by KPMG (International Survey of Corporate Responsibility Reporting
(2005) shows that out of 4,056 respondents from American working population 74%
witnessed unethical behavior at workplace during twelve months period despite the
existence of different laws and regulations. This empirical evidence from the United
States is similar to Tanzania where different rules and regulations have been in pace but
still unethical behavior is widespread in the public service (Ngware 2005 & Haule;1999).

**Value based strategy as a complement to formal rules**

As introduced earlier, value based strategy is defined as the less formal aspects of ethics
management such as communicating moral expectations, ethics training, visibly
punishing offenders and evaluating ethics performance. Its goal is to develop an integrity
system. In order to establish it, the presence of individuals to internalize ethical values is
necessary. With this approach, the senior officials who constitute leadership positions
must demonstrate commitment to their ethical conduct (Webb 2012). They must
communicate expectations, training and codes and they should not only talk about ethics
and promoting ethical behavior but also provide their followers with voice and examples.
The examples includes setting ethical standards, rewarding ethical conduct and discipline
unethical conduct (Brown 2005 et al; Huberts et al. 2014) In doing this, the core values of
the organization must be communicated and guide the decisions that are the discretion of
the organizations members (Paine 1994; Weaver&Trevino 2003; Webb 2012). In fact, the
senior officials of an organization must show their commitment to these core values, and
demonstrate an exemplary behavior (Kaptein 1998 & Lasthuizen 2008).
Conclusion and recommendations

It is now clear from the empirics that building ethical culture is not only a function of enacting rules and regulations but also building values to guide the behavior of leaders and officials. In Tanzanian context like in other developing countries this recipe is missing. The governments put more emphasis on compliance to rules and regulations and punishment of non compliance and little efforts is placed on building ethical values to guide the behavior of politicians and officials. As a result, unethical behavior is still widespread and the quality of public service is still deteriorating. This calls for a need to blend the formal rules with values building. This implies that municipal, district councils directors and mayors in Tanzania must intentionally institute a clear strategy to build ethical values. Some literature found the significant influence of code of ethics on ethical behavior (Sims and Keon, 1999). Although there are mixed results on existence of code of ethics, but most of the review concluded that code of ethics influenced ethical behavior (Loe, Ferrell & Mansfield, 2000) while Greenberg (2002) found individuals who worked at an office with a corporate ethics program were more ethical than individuals who do not work at an office with an ethics program. This suggests that to increase ethical behavior, the senior officials must first be trained on ethics by themselves and then transfer the training to lower cadre staff.

Some authors like Nygaard, et al (2015) & Webb (2012) suggest some methods and areas for training such as leading by voice and examples, establishing clear communication of ethical values and training, rewarding ethical behaviors and discipline unethical behaviors. However, these strategies are still abstracts and their application may need a clear strategy of behavioral modeling techniques. Some literature from modeling ethical attitudes and behavior offers some insights on reinforcing ethical behavior. In this article, I will discuss and recommend on steps which should be taken by local government to mould ethical behavior of senior officials and politicians.

The first step should be communicating ethical values through demonstration of a desired behaviour. The trainer can use the code of ethics for government officials and politicians which show a clear idea of the management’s expectation with respect to employee code of conduct. Then the trainer should ask the participants to practice and role play. In Tanzanian context, the training on code should include the moral foundation of the public service and the clear separation between private matters such as family, friends or relatives and office issues. This must be followed by getting feedback from the participants. In this process, the senior officials and politicians must be oriented to learning points and techniques to deal with specific situations of the conflict of interest as
stipulated in the code. They in turn must practice and participate in the extensive rehearsal of behaviour and giving feedback but also reinforcing positive behaviour.

Second, the appointment of senior officials in the local government must be done with care because these officials will act as role model. If managers themselves strictly adhere to ethical standards, employees will feel less reluctant to oppose the guidelines laid out for ethical behavior. This implies that in ethics training, these senior officials and politicians must act as role models. As a result this can help the lower officials to have a guiding force to promote ethical behavior.

Third, the local governments in Tanzania must establish the proper rewarding system of ethical behavior. The literature by Baumhart (1961); Mitchell & Schaeffer (2005) and Geeta et al, 2016 ) shows that rewarding ethical behavior can promote it. This implies that at least after training the employees on ethical behavior, they must be rewarded for positive behavior, so that they would not only continue to adhere to ethical practices but also inspire others to be ethical. Lastly is establishing negative reward through discipline unethical behavior. In case some employees show any deviation from ethical behavior after training. The senior officers must impose sanction to unethical behavior. By doing that, it will help the employees to understand the implications of unethical behavior and the importance of acting ethically.

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