CORRUPTION IN SOUTH AFRICA

RESULTS OF AN EXPERT PANEL SURVEY

Lala Camerer

LIST OF ILLUSTRATIONS

corruption and fraud

Respondents' perceptions of political parties' role in fighting corruption, or their involvement in corruption

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Over 95% of the expert respondents interviewed in the survey wanted a copy of this report. Surveys of this nature can only be conducted among citizens willing to trust research organisations to reflect their opinions in an objective and scientific manner. The final thanks must therefore go to the respondents who agreed to participate in this research exercise.

EUROPEAN UNION

EXECUTIVE SUMMARY

During the latter part of 2000 (August-October), more than 150 'experts' were interviewed as part of a survey undertaken by the Institute for Security Studies (ISS) on the causes of and controls for the effective fight against corruption in South Africa. The experts are individuals who attended one or more of the major anti-corruption conferences in South Africa over the past few years and who, it can be assumed, have some particular knowledge of corruption issues.

The purpose of the survey was primarily to collect new data on corruption issues in South Africa. It was hoped that the survey might stimulate the policy impasse that had resulted after the April 1999 anti-corruption summit and that the results would assist policy makers in prioritising interventions based on sound information, rather than to draw up 'wish lists' for fighting corruption. The key findings of the survey are outlined below.

Conceptual and practical understandings of corruption

- Issues of abuse for personal benefit — whether of power, position, public funds, resources, authority and office — stand out significantly as underlying the experts' understanding of corruption.

- Illicit self-enrichment and issues relating to ethics also commonly emerge in experts' understandings of corruption.

- Bribery and payment for services, including kickbacks in contractual and tender procedures, are the most readily given examples of corrupt practises.

- Nepotism and fraud are readily cited examples of corruption.

Extent, location and seriousness of corruption

- One-third (33%) of the experts responded positively when asked whether they or anyone known to them had been asked or expected to pay a bribe in the past year.

- 37% of respondents believed that the current government was less corrupt than under apartheid, while 34% believed it to be about the same.

- Just over half of the experts (51%) felt that corruption levels would decrease in the next few years, while one-third (31%) felt that it was likely to increase.

- While there may be much corruption, the majority of experts (64%) agreed that South Africa was confronted by other more serious problems, such as crime and security, followed closely by job creation.

Conditions for and causes of corruption

- Experts ranked weak checks and balances as the primary cause of corruption in government.

- Greed was cited as the main cause for corruption in society as a whole, suggesting a differentiated response to control measures against corruption in society and in government.

- 40% of experts agreed that the payment of bribes to government officials or doing favours for them made it easier to get things done.

Evaluating policy responses to fight corruption

- 83% of experts believed that the government was committed to the fight against corruption.

- 60% of experts believed that the government handled the matter of corruption very or fairly well, while 40% were less positive.

- Lack of resources was seen as the main problem with the government's fight against corruption.

- 73% of experts believed that the government did not have sufficient resources to fight corruption.

Evaluating anti-corruption agencies

- Asked to rank the effectiveness of anti-corruption agencies, the majority of experts viewed the Special Investigating Unit as the most effective (85%).

- This was followed by the office of the Auditor-General (74%), the office of the Public Protector (62%) the Special Investigating Directorate on Corruption of the National Directorate of Public Prosecutions (47%) and the Public Service Commission (34%).

Evaluating anti-corruption strategies

On a scale of one to four, with four being the *most effective* anti-corruption strategy, experts ranked the following as very effective:

- Greater transparency in government tender processes
- Schools placing more emphasis on moral values
- Legal protection for whistle blowers
- Prosecution of high-profile individuals
- Barring corrupt officials from holding public office
- Greater financial controls/internal audits of government spending
- A national anti-corruption hotline
- Vigorous news media investigation of corruption

Least effective strategies with a mean score of 3.0 or lower include:

- Cross-sectoral anti-corruption conferences
- Increased salaries for government employees
- Codes of conduct to promote professional ethics
- A single independent agency to fight corruption

CHAPTER 1
INTRODUCTION

During the latter part of 2000 (August-October), more than 150 'experts' were interviewed as part of a survey by the Institute for Security Studies (ISS) on the causes of and control measures to fight corruption in South Africa. This telephone survey was based on a comprehensive questionnaire administered by Markinor and funded by the European Union.

The purpose of the survey was primarily to collect new data, albeit qualitative, on corruption issues in South Africa. There is a general feeling of frustration among researchers working in this field over the fact that data about corruption is widely dispersed in more general questionnaires, such as the Idasa and Afrobarometer public opinion surveys, the Human Sciences Research Council (HSRC) household surveys and the national victim survey. A unique questionnaire was therefore compiled with the assistance of Idasa after having scoured the worldwide web and other resources for examples of international corruption surveys. The final survey instrument consisted of 28 questions dealing with all aspects of the corruption phenomenon and, for the first time in South Africa, people's opinions were asked on the causes of corruption.

A second reason for conducting the survey was to stimulate the policy impasse that had resulted after the April 1999 anti-corruption summit. There have been some developments in anti-corruption policy initiatives since then, including the signing of a two-year programme with the United Nations Office for Drug Control and Crime Prevention (UNODCCP) in March 2001, the establishment of the Public Service Task Team mandated to produce a national anti-corruption strategy for the public sector, and the launch of the National Anti-Corruption Forum in June 2001. However, it was felt that a survey of this nature may assist in prioritising action on resolutions adopted by the April 1999 summit (see appendix 3 for a copy of the 1999 summit resolutions). On the basis of expert opinion and research, policy makers may be able to prioritise practical interventions that have to be made with limited resources, rather than to continue drawing up 'pie in the sky' lists of ways to fight corruption.

Who are these 'experts' and why should their opinions carry any weight? Firstly, they are individuals who attended one or more of the major anti-corruption conferences held over the past few years in South Africa. It can be assumed that people attending such conferences are at

least professionally interested in the subject of corruption, and at best in a position to influence policy debate around the issue. Secondly, they are a highly educated group, with over half of the 154 experts interviewed holding post-graduate qualifications (27 honours, 42 masters and 12 doctors degrees among them). Slightly left of centre ideologically, and representing all races and sectors, it can be assumed that their opinions on corruption may make a useful contribution to the policy debate about corruption, its causes and how to control it raging, in South Africa.

Methodology

In 2000, after an open tender procedure, the ISS commissioned Markinor to conduct a survey among experts in the field of corruption.

Dr Bob Mattes, at the time of Idasa Public Opinion Surveys, and Lala Camerer of the Organised Crime and Corruption Programme of the ISS designed the questionnaire based on the following corruption surveys:

- Huberts International Expert Panel: Public Corruption and Fraud, 1996[1]
- Idasa: Southern Africa Democracy Barometer, 1999-2000
- World Bank Institute: Anti-Corruption Household Survey
- International Crime Victim Survey, 1999
- Seligon & Diaz-Briquets: Nicaragua Corruption Surveys, 1996 & 1998
- Independent Commission Against Corruption: New South Wales Survey of Views on Reporting Workplace Corruption
- Independent Commission Against Corruption: Annual Hong Kong Household Survey, 1998
- Hong Kong Federation of Youth Groups: Youth Poll on Corruption
- Gallup/Magyar: Gallup Pilot Study on Corruption

The draft questionnaire was circulated for comment by electronic mail to a number of researchers (both nationally and internationally) working on anti-corruption issues.

The sample of potential respondents was provided by the ISS and was compiled from a database of sources to obtain a universe from which to target the 'experts' to be interviewed in the survey. Sources included:

- *Fighting corruption*: *Strategies for prevention*, published by the Public Service Commission, which included a list of the names of individuals and organisations which participated in the Public Sector Anti-Corruption Summit (Cape Town, 10-11 November 1998).

- *Fighting corruption*: *Towards a national integrity strategy,* published by the Public Service Commission, which included a list of the names of individuals and organisations who participated in the National Anti-Corruption Summit (Cape Town, 14-15 April 1999).

- A list of conference delegates who attended the 9th International Anti-Corruption Conference (Durban, 10-15 October 1999), supplied by the conference organisers. Only delegates on the list based locally were added to the expert database.

- The initial sample was boosted by names of persons who attended a Transparency SA National Civil Society Anti-Corruption workshop (Kempton Park, 25 August 2000).

Using a database computer programme, a list of names was compiled from the above sources.

Markinor received an initial sample of 672 names and telephone numbers of experts in the field of corruption. In total, 154 interviews were completed.

All potential respondents received a faxed notification letter to introduce the survey to them and to alert them that they would be contacted. A script of the questionnaire was created and administered by means of a computer-assisted telephone interviewing system (CATI) (see appendix 1).

Fieldwork was a real challenge as interviewers were often required to track down respondents. The CATI script was developed in such a way that Markinor could make multiple calls before the point was reached when a potential respondent was deemed to be unavailable.

In total, 3 789 contacts were made to obtain 154 successful contacts. In other words, approximately 24 calls were required to secure one completed interview. Of those successfully contacted, 191 (27%) persons refused to participate in the survey. Unfortunately, their reasons were not recorded. Fieldwork was conducted in English through telephone administered executive interviews. Fieldworkers were specially briefed and trained to deal with the sensitive subject matter of corruption.

The first phase of the survey was conducted between 17 August 2000 and 20 September 2000. The second phase was completed from 3-6 October 2000.

Problems encountered included:

- In numerous cases, contact details were incomplete.
- There was a considerable time-delay between the conferences and the survey.
- There is a relatively high degree of movement among members of the sample group.

Encouragingly, 97% of those who agreed to be interviewed requested a copy of the survey results. A number of letters were also received from high-profile individuals (including a minister and a deputy minister) who, although not available to be interviewed personally, were willing to acknowledge the fact that such a survey was being undertaken, and encouraged its execution.

The survey data was reviewed in June 2001 for accuracy of interpretation by DRA-Development.

Expert surveys

In certain areas of social science research that require specialised knowledge, samples are drawn not from the general population, but rather from an allegedly knowledgeable part of the population, which serves as the universe. These so-called 'expert' samples have some advantages over the general public, such as concentrated knowledge or at least interest in the subject matter. However, they also have disadvantages. In particular, the small sample size limits precision.[2]

In a recent paper criticising the Transparency International Corruption Perception Index, Michael Johnston, an American academic who has written extensively on corruption, noted that:

> "the potential of any research to produce rich and useful insights
> depends fundamentally upon careful design and honest application, not upon
> the apparent simplicity of its methods or results. The task now is to bring *evidence of*

many sorts together into discussions of corruption that can match the comparative reach of most statistical indices with the complexity of corruption itself, and of the societies it affects most."[3]

As such, this type of qualitative data collection based on expert opinion also has a role to play in elucidating the understanding of corruption.

In South Africa, knowledge on corruption is incomplete and limited. While a survey among 'experts in the field' will not bring definitive answers to the multiple relevant questions around corruption and its control, it is nevertheless hoped that it will facilitate, as well as stimulate further discussion. Experts are likely to have more informed views on the extent of corruption and its causes and solutions. An inventory of views on the extent and seriousness of corruption in South Africa, the causes which are considered the most important and on the perceptions of the effectiveness of anti-corruption strategies which have been tried or proposed, provides new food for thought for those frustrated by an inability to offer any information-based insights into the corruption phenomenon.

Information elicited from expert opinions has to be seen in its proper context. This data reflects the opinions of respondents. By selecting specific respondents, these opinions are considered to be 'expert' opinions. Views say something about reality, but must not be confused with it.[4] Despite the limitations of the study, the information obtained may be of some use by adding to the knowledge and contributing to the picture of the corruption question in South Africa. It presents, at least, some kind of informed reflection.

While the mere record of the perceived problems or priorities as indicated by a number of 'experts' should not be used as the only basis for policy interventions, these findings could be used together with other sources of information in order to promote a more informed approach to the problem of fighting corruption.

Survey demographics

The questionnaire provided the gender, age, race, home language, sectoral occupation, educational level, religion and ideological orientation of the 154 respondents (see table 1).

Table 1: Details of respondents, by age and race group

Age group	Number	>24	25-34	35-49	50-59	<60	Total*
	(n)	(%)	(%)	(%)	(%)	(%)	(%)
Male	121	1	16	38	16	8	79
Female	33	0	6	12	2	1	21
Race	African	Coloured	Asian	White	Total		
	(%)	(%)	(%)	(%)	(%)		
Male	21	6	7	44	78		
Female	6	2	1	12	21		
* 0.6% of respondents refused to answer this question.							

Gender, age, race, language and occupation

The majority of respondents (79%) were male and 21% of the sample were female (see table 1). The age profile of respondents indicates that the largest proportion of the sample was

between 35 and 50 years of age, with slightly less over 50 years and the remainder spread below 35 years of age.

The majority of the sample was white (56%), with over a quarter (27%) African, 9% coloured and 8% Asian. For analytical purposes, the African, coloured and Asian categories were collapsed into one category of 'black' respondents, making up 44% of the sample. Where significant differences were identified within the racial categorisation, these are discussed in relation to a specific question.

English (47%) was the most common home language followed by Afrikaans (27%) and African languages (23%), including Zulu, Xhosa, Tswana, North Sotho and South Sotho. Only four respondents, mainly from the donor community, spoke other home languages.

Respondents represented a broad range of occupational sectors, including public, private and non-profit. The public sector was the most represented, accounting for almost half (43%) of the experts interviewed (figure 1). This was followed by the civil society and non-governmental organisation (NGO) sector (33%), the private business sector (21%) and other (3%).

Figure 1: Respondents' occupation, by sector
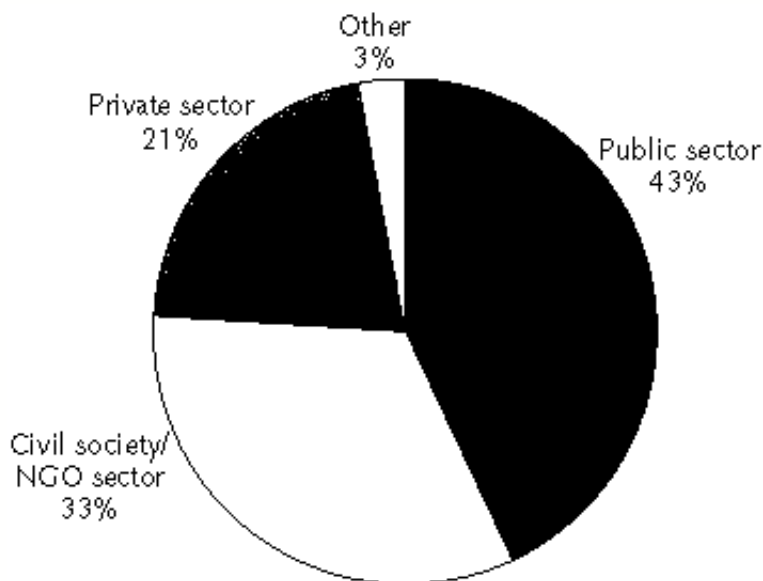
Academic qualification, religion and ideological orientation

The majority (53%) of respondents had a post-graduate qualification, 25% had a matric qualification and 22% had a bachelors' degree (figure 2). Among the post-graduate group, 27 respondents had an honours degree, 42 a masters degree and 12 a doctor's degree.

Figure 2: Respondents' academic qualifications
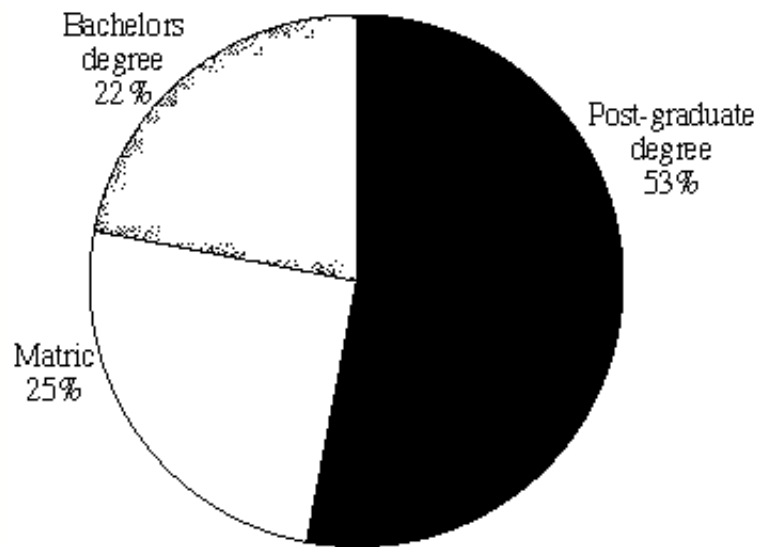
The majority of experts (77%) defined themselves as Christian, 6% as other, 6% as Moslem, 4% as atheist, 3% as agnostic, 3% refused to answer and 1% as Jewish.

Politically, the experts were most likely (28%) to define themselves in the centre (5) with an overall mean of 4.36, slightly to the left of centre on a scale from 1 (left) to 10 (right).

Structure of the report

Largely following the design of the questionnaire, the report is broken down into several focus areas:

- conceptual and practical understandings of corruption;
- the extent, location and seriousness of corruption;
- conditions for and causes of corruption;
- evaluation of policy responses to fight corruption;
- evaluation of anti-corruption agencies; and
- evaluation of anti-corruption strategies.

Each of the focus areas documents the main findings of key questions and provides a brief analysis of the data. A number of graphs are provided in the text.

Other than a few instances where cross-tabulations by variables such as race or sector are significant, the data is largely left as collected. The small numbers make inferences about sub-groups within the data not advisable (ie not the small numbers themselves).

CHAPTER 2
CONCEPTUAL AND PRACTICAL UNDERSTANDINGS OF CORRUPTION

How should corruption be defined and understood? What are examples of corrupt behaviour? One of the most intractable debates in the anti-corruption literature is that around definition, despite the fact that most people, most of the time, know corruption when it is encountered. Corruption is a highly complex and diverse phenomenon with many different manifestations. It can be grand or petty, incidental, systematic or systemic. It can be judicial, administrative, legislative or political in nature. It can occur in the public, private or civil society sector. It can

involve groups or individuals. Academics from various disciplines (including lawyers, historians, moralists, economists and political scientists) and international organisation experts define it in various ways.

Definitions of corruption

There is no room for a comprehensive discussion of definitions of corruption. However, some of the more well-known ways in which corruption has been defined, include:

- "the giving, offering, or agreeing to give a benefit to an official or agent and the receiving, obtaining or agreeing to receive or attempting to obtain a benefit by a public official or agent";[5]

- "the violation of formal rules governing the allocation of public resources by officials in response to offers of financial gain or political support";[6]

- "behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status-gains; or violates rules against the exercise of certain types of private-regarding behaviour";[7]

- "the abuse of public roles or resources for private benefit";[8]

- "the abuse of power, most often for personal gain or for the benefit of a group to which one owed one's allegiance. While the term 'corruption' is most often applied to abuse of public power by politicians or civil servants, it describes a pattern of behaviour that can be found in virtually every sphere of life";[9]

- "a symptom of something gone wrong in the management of the state where institutions designed to govern the relationships between citizens and the state are used instead for the personal enrichment of public officials and the provision of benefits to the corrupt";[10] and

- "C(corruption) = M (monopoly power) + D (discretion) — A (accountability). In other words, the extent of corruption depends on the amount of monopoly power and discretionary power that officials exercise and the degree to which they are held accountable for their actions."[11]

From the above definitions, corruption appears to be more than bribery (to which it is often reduced in legal definitions), and relates to various forms of mismanagement, abuse or misuse of mainly public authority, office, duties, trust or resources, for private, personal or sectoral interest, benefit or gain.

Understanding of corruption

The sample of experts were tapped for their understanding of corruption as well as for examples of corrupt practises. Should South Africans share a common definition and understanding of corruption, intervention strategies to control it can be appropriately fine-tuned to reflect this shared definitional congruence.

In an open-ended question, experts consulted in the survey were asked what they understood by the word 'corruption'. The question elicited highly individual qualitative responses, although

recoding these into nine broader categories showed a number of distinct features of corruption. Respondents were able to provide multiple responses, should their understanding include a number of different concepts (table 2).

Table 2: What respondents understood by the word 'corruption'

Conceptual understanding	Number
Abuse	62
Illicit self-enrichment	23
Ethics	23
Bribery/payment	21
Other	19
Crime	18
Undue influence	17
Maladministration	10
Prejudice	5

Issues of abuse (62) whether of power, position, public funds and resources, authority or office for private benefit or personal gain stood out as the underlying conceptual understanding of corruption among the experts.

Illicit self-enrichment (23), including 'illicit gains' as well as *ethics* (23), were equally important categories in the understanding of what constitutes corruption. Experts referred to 'moral or unethical behaviour', 'lack of integrity', 'dishonesty' or 'greed', which were all captured under the category of ethics.

Where *bribery or payment* (21) for services such as 'accepting bribes', 'payment for favours', 'delivery of services for payment' is explicitly mentioned, responses were captured in a new category.

The *other* (19) category captured the remaining understandings of corruption that could not be fitted into the above categories, such as 'an economic system that excludes the poor' or 'collusion'.

Other understandings of corruption included corruption as a *crime* (18), for example 'theft', 'white-collar crime', or 'extortion'.

Corruption understood as 'improper influence', a 'conflict of interest' or 'nepotism' was captured as *undue influence* (17).

The category of *maladministration* (10) included 'side-stepping of regulations', as well as 'inefficiency'. *Prejudice* (5) was also specified under the experts' understanding of corruption and included 'omission of duty resulting in prejudice' and 'intended beneficiaries prejudiced'.

Examples of corruption

When asked to give an example of corruption, corruption in contracts and tenders was mentioned the most (27), followed by nepotism (13) and fraud/misrepresentation (11).

Other examples of corruption mentioned more than five times included bribery (9), bribery of

police/traffic police (8), abusing public resources (8), abuse of position for personal gain (7), government official taking back-hander (6), delivery of services for payment (6), conflicts of interest (6), purchase of qualifications (5) and misappropriation of funds (5).

A number of experts used actual high-profile cases as examples of their understanding of corruption. These included individual cases such as Hansie Cronje, Allan Boesak and Abe Williams.[12]

It appears as if the experts' understanding and examples of corruption rest on the widely held view of corruption as an abuse of a public resource or good for a private end or benefit. That illicit self-enrichment and ethics also feature prominently points to an individualistic understanding of corruption as an incidental, opportunistic phenomenon of corrupt greedy individuals, rather than an entrenched, systematic way of doing things. Corruption understood commonly as bribery and involving money in some form or another, is another prominent understanding of the concept shared by the expert sample.

The most cited example of corruption relates to contracts and tenders. This may point to an awareness among the expert group of the highly publicised allegations of irregularity in the government's multibillion rand arms procurement deal, or may indicate an awareness of more widespread irregularities in the public procurement system. Interestingly, nepotism was mentioned as the second most frequent example of corruption. However, following allegations by opposition political parties of widespread nepotism in the government a few years ago, an investigation by the office of the Public Protector found that none of the charges were justified.[13]

Fraud is often used interchangeably with corruption and it is therefore not surprising that it features as the third most common example of corruption cited by the experts, followed closely by bribery. The readiness with which the terms bribery, fraud and corruption are grouped together in common parlance perpetuates the 'woolly thinking' that surrounds the corruption phenomenon, obfuscating the real and distinctive features of these practices.

The proposed Prevention of Corruption Bill defines corrupt practices and offences more broadly than ever before in South Africa with over 20 offences and penalties spelled out in the draft legislation which sought to cover all possible corrupt activity. Offences related to accepting and giving undue gratification, bribery of public officers and foreign public officials, of using office or position for undue gratification, are just a few of the corruption-related offences proposed in the bill.

CHAPTER 3
EXTENT, LOCATION AND SERIOUSNESS OFCORRUPTION

How is corruption measured? How corrupt is South Africa? How and where does it manifest itself? How serious is corruption in South Africa as a problem compared with other national priorities?

It is almost impossible to know the true nature and extent of corruption, since it is a nefarious secretive activity that in its most direct form, occurs between two consenting parties and is therefore often referred to as a 'victimless crime'. In many ways, policy makers concerned with fighting corruption are fumbling in the dark as they devise policy in an almost near vacuum of information about the nature and extent of the problem. In the absence of other credible attempts at measuring corruption, educated guesses and perceptions of the extent of corruption

are nevertheless important as demonstrated by the annual Transparency International Corruption Perception Index, which ranks countries according to perceptions of businesspeople engaging with such countries.

This chapter explores respondents' perceptions of the levels of corruption, in general, in different spheres of government, in a variety of government departments, and in several sectors. These perceptions assume a comparative component that is located against previous regimes and hypotheses are postulated about future levels of corruption. Personal experiences of corruption by respondents, as well as how it occurred, are also documented, as are views on the seriousness of corruption as a phenomenon.

Relative regime evaluations regarding corruption

Experts were questioned about their perceptions of whether the current government, in general, was more, just as, or less corrupt than under apartheid, and whether they thought corruption had increased. They were also asked to provide justification for their answers. The question related to relative regime evaluations.

Respondents were most likely (37%) to believe that the current government was less corrupt than the apartheid government, although this was followed closely by those who considered it to be about the same (34%) (figure 3). Nearly 15% did not know and close on 14% thought there was more corruption now than under apartheid. Viewed in a different way, almost half of the respondents felt that there was about the same degree of, or more corruption than under the apartheid government.

Figure 3: Perceptions of corruption in the current government compared to the apartheid government
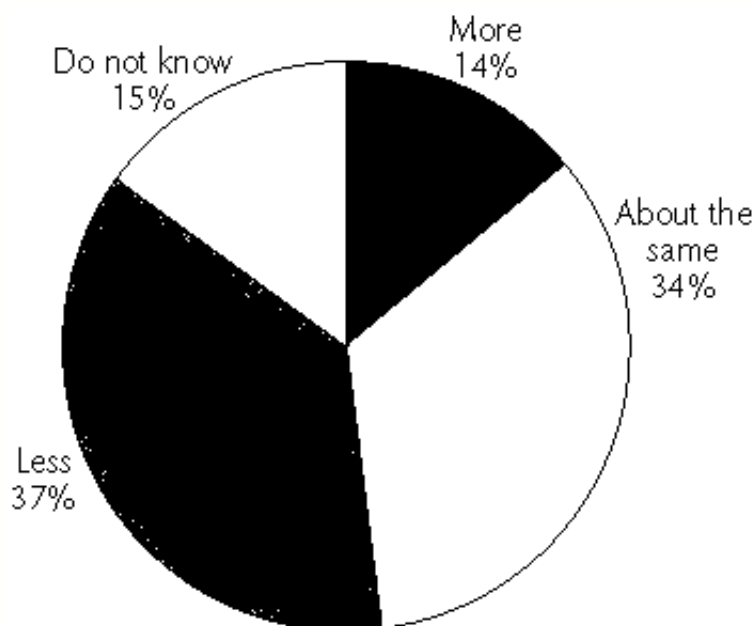
Not surprisingly, black respondents were the most likely to think that the government was less corrupt now with almost two-thirds (60%) holding this opinion. Whites were the most likely to think corruption was about the same (45%) with only 20% believing that government was more corrupt.

Other relevant research findings

Idasa has conducted research over a number of years, asking similar questions among a representative sample of South Africans. In its 1995 survey, it was found that four out of ten South Africans (41%) felt that the new democratic government was more corrupt than its predecessor. In addition, a quarter (25%) felt that it was no different in this respect from the past. By 1999, the position had improved only slightly if at all, with 2% less (39%) saying that the new democratic government was more corrupt, but 28% still saying they saw no real difference. Thus, in both surveys, slightly more than a third indicated that they either saw no change, or an increase in the level of corruption from apartheid to democracy.[14]

Perceptions of corruption in the future

Respondents were asked about their perceptions of corruption in the next few years, and whether they expected it to increase, stay the same, or decline.

The majority of respondents expected levels of corruption to decrease in the next few years (51%). Almost a third (31%) expected it to increase and 15% thought it would stay the same. A relatively insignificant percentage did not know. Expectations assumed a racial aspect as well, as more whites (36%) than blacks (26%) thought that corruption might increase in the next few years. The majority of those who thought corruption might increase were employed in the business and NGO sector, together accounting for over half (52%) of those who shared this view. More than four in ten (41%) of those expecting corruption to decrease were employed in the public sector, followed by the business sector (15%) and those in the justice/criminal sector (10%).

Table 3: Respondents' perceptions of corruption levels in future

Responses	Number	Percentage
Increase	48	31
Stay the same	22	15
Decrease	79	51
Do not know	5	3
Total	**154**	**100**

Those who thought corruption would increase were asked about the reasons for their answers. The following reasons were given: weak checks and balances, the apartheid legacy, greater public awareness, weak social values, more access to government, culture of entitlement, collusion among public officials, globalisation, unqualified public officials, expansion in the public service and nepotism.

Analysis

Apartheid was inherently corrupt as a system, benefiting a few South Africans at the expense of the vast majority. When asked about anticipated corruption levels, it is encouraging that most of the experts thought that corruption might decrease in future, although whites were notably more sceptical about such an improvement. Forward-looking research is always more positive. Unfortunately, the reasons for people's perceptions on the current government being less corrupt than before were not captured by the survey instrument. Gathering from the response to a question on democracy and corruption later in the survey, a hint is given of what the reasons may be.

When the survey was conducted (August-October 2000), the respondent group may have been feeling more positive about corruption being less in future, especially with the government expressing its commitment to fight corruption through regular conferences and public statements, as well as by developing policies to address problems of corruption in an open and transparent way. It is quite possible that, with widespread allegations of corruption in the first half of 2001 and the perceived reticence of the ruling party to take action against its own members, some of these perceptions may have changed.

The fact that the expert sample was more positive than representative public perception studies, however, may indicate a real engagement and awareness among this group of the policy initiatives under way to address corruption. In this sense, a genuine stake in ensuring that corrupt practices, particularly in the public sector, are reduced, may have replaced cynicism over corruption spiralling out of control.

Where corruption occurs

Experts were asked to give their opinion on the extent to which they thought various public sector institutions and offices, ranging from the office of the president to local government, were involved in corruption and which ministries, in particular, experienced the greatest levels of corruption. They were also asked if they or someone they knew had ever experienced corruption.

In terms of measuring perceptions of corruption throughout the different spheres of government, experts were provided with a list of institutions and offices and asked to express their opinion on whether they thought these could be involved in corruption.

The predominant opinion of corruption in all spheres of government seemed to be that a few, some or almost none of the officials employed in these offices are corrupt, which is very encouraging (figure 4). Provincial government (33%), local government (31%) and public officials (31%) were most prone to be seen as being involved in corruption.

Figure 4: Respondents' perception of the involvement of government institutions in corruption

Percentage of respondents

100
90
80
70
60
50
40
30
20
10
0

Category	Top values	Black bar values

Top numbers above bars: 14, 19, 13, 14, 24, 29, 40

Black bar values: 33, 31, 31, 17, 6, 5, 1

Categories (x-axis): Provincial government, Local government, Public officials, Senior government officials, Members of parliament, Cabinet ministers, Office of the president

Legend: ■ All/almost all/most   □ A few/some/almost none   ⬚ No opinion

The office of the president was perceived as the least corrupt — although a large number of experts were unable to form an opinion — followed by cabinet ministers and members of parliament.

Experts were more able to form opinions of corruption in the administrative branches of government, as distinct from the political branches of government, such as members of parliament, cabinet ministers and the office of the president.

Other relevant research findings

The HSRC surveys undertaken in February and December 1998 — which gathered the views of a representative sample of 2 200 respondents — asked people to comment on the statement that "corruption can be found among many civil servants." Responses to this question showed that less than one in ten South Africans either believed that corruption did not exist in the public service, or expressed neutral attitudes towards its existence. On the other hand, as many as eight in ten people surveyed in December 1998, agreed or strongly agreed with the statement that "corruption can be found among many civil servants."[15]

Idasa's Public Opinion Survey reported the results of seven separate surveys of nationally representative samples of South Africans. In terms of absolute evaluations of government corruption, using the definition of corruption as "where people in the government and civil service illegally use public money for their known benefit or take bribes," Idasa asked respondents how many officials they thought were involved in corruption.

Calculating the 'almost all' and 'most' responses together to express perceptions of high levels of public corruption, Idasa's 1995 survey found that 46% of South Africans felt that 'almost all' or

'most' public officials were involved in corruption. The 1997 and 1998 Idasa surveys broadened the range of indicators by posing the question about officials across different branches and spheres of government. It found that perceptions of corruption were fairly widespread across these different institutions with the exception of the office of President Nelson Mandela.

During 2000, the South African Afro Democracy Barometer survey found that half (50%) of South Africans thought that most or almost all government officials were involved in corruption. Marginally less (45%) said the same about members of parliament. A similar percentage (45%) said that members of provincial government were involved in corruption. Finally, 46% had a negative perception of corruption in their local government councils.

Analysis

It is encouraging that the government in general is not perceived to be systematically corrupt. Corruption is not seen, in other words, as pervading the whole of society and as something which has become routine and accepted as a means of conducting everyday transactions. It is also clear that perceptions differ of corruption in the different spheres of government. Respondents were able to clearly where they thought corrupt individuals were the most likely to be found within the public service. It is likely that, since provincial and local government officials, along with ordinary public officials were seen to be more likely than others to be involved in corrupt practices, it is because they are at the interface of service delivery with citizens and private sector contractors. These officials often hold a monopoly over particular resources or services, such as the issuing of licences and are therefore in potential rentseeking positions.

Mattes and Africa raised the question: Why do South Africans hold such negative views of corruption?[16] An argument often heard is that these perceptions are largely created by the media. Public corruption only appears to be as bad as it does because of the greater press freedom in a democracy, which shines a spotlight on the few instances of corruption that do occur. Alternatively, some might say that these perceptions are only the reflections of a news media that overlooked the sins of the apartheid government, yet sensationalise every possible transgression of the new government. Another possibility is that public cynicism is the result of public ignorance about government and public affairs in general. Idasa's research has shown that there is little empirical support for these explanations. There is, however, evidence that perceptions of official corruption are especially rife among minority race groups.

Perceptions of institutional corruption

Experts were asked which of the ministries, departments and agencies in the national government they considered to have the greatest levels of corruption.

Safety and Security and Home Affairs stood out in the expert opinion as the most corrupt national departments (figure 5). Safety and Security or the police accounted for almost one-fifth (19%) of the responses, and Home Affairs accounted for more than a tenth (15%) of the total responses provided. A further cluster of departments, ranging between 6% and 7% of the responses, were identified by the experts as being the most corrupt. These included Housing, Public Works, Justice or the Attorney-General, Welfare and Population Development (7%) and Correctional Services and Public Service and Administration (6%). A mere 16% of the respondents, accounting for 7% of the total responses, reported that they did not know which department, ministry or agency was the most corrupt.

Figure 5: Top ten 'corrupt' departments as perceived by respndents

Percentage of respondents
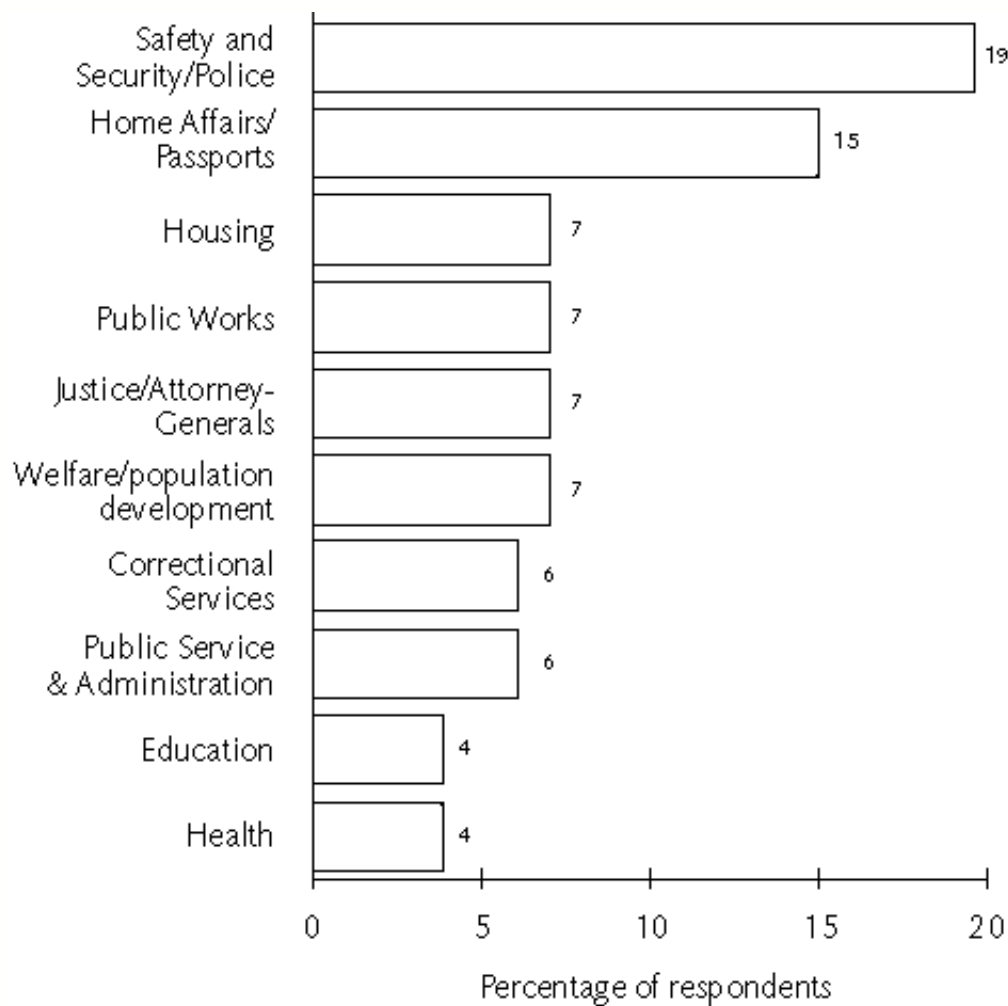
Corruption in the criminal justice system is clearly of concern, with Safety and Security, Justice and Correctional Services featuring in the top five departments perceived to have the greatest levels of corruption. Together, these departments account for almost one-third (32%) of the total responses.

Analysis

It is clear from the literature that corruption potentially occurs where there is a monopoly over goods and services and a benefit can be accrued either way. This is clearly the case in the security sector. The police are tasked with protecting citizens and investigating crimes, and can be persuaded, through bribery, not to pursue certain crimes, for example, or to lose a docket. Police corruption is a universal phenomenon. The monopoly of Home Affairs over the issuing of identity documents and passports — public goods that are much in demand by people who do not necessarily qualify for them, such as illegal immigrants — creates a market and rentseeking environment that can also be exploited by corrupt individuals.

Other departments such as Public Works control massive tenders, which unscrupulous private sector companies may try to influence through corruption. It is thus not surprising that this department features prominently.

Personal experience of corruption

The perception of high levels of corruption in government circles may be correlated in some way with actual experiences of victimisation.

Experts were asked if they had personally experienced corruption during the past year, for example, with a customs, police or traffic officer asking for a bribe for his or her service.

A third of the respondents (33%) had personal experience of, or knew someone who had been exposed to a situation of bribery, while the majority of experts (67%) had not been personally exposed to nor knew of anyone who had been the victim of corruption (figure 6).

Figure 6: Personal experience of corruption by respondents during the year preceding the survey
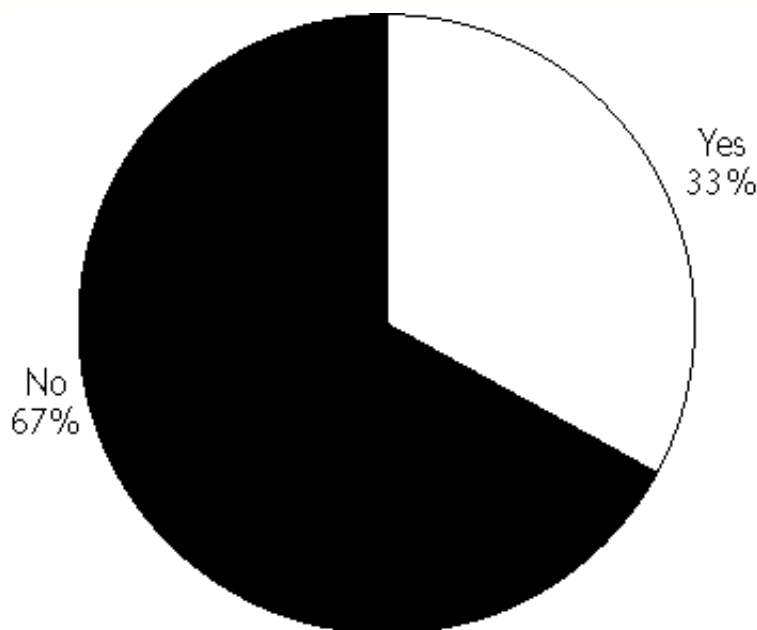
More blacks (39%) than whites (29%) responded that they had been asked, or knew of someone who had been approached to engage in a bribe. Of those who answered in the affirmative, the highest number were employed in the public sector (28%), followed by the NGO sector (24%) and the private sector (18%).

Other relevant research findings

A question relating to the experience of corruption was posed in the national crime victim survey of 1998. In response, only 2% of the respondents indicated that they had been victims of corruption during 1997.

In Idasa's Africa Democracy Barometer, respondents were asked whether they or someone they knew had been forced to pay a bribe, give a gift or perform some favour in order to get various forms of government welfare in the past year. Only 2% of the respondents said that they had to "pay money to government officials, give them a gift, or do them a favour" in order to get assistance in finding employment. A similar proportion (2%) had encountered corruption while trying to get a government maintenance payment, pension payment, or loan. Only 7% said that they had to pay a bribe, or do a favour in order to get electricity or water. In terms of housing or land, 4% of respondents had personally encountered government corruption.

Analysis

That one in three of the experts had either experienced or knew of someone who had been involved in a corrupt practice is cause for concern. This figure is much higher than that reported in the national victim survey. This result may have been linked to the fact that the latter survey was a national representative household survey, as well as the fact that the question related to a personal experience of victimisation. It may be that the expert group are in positions of influence and able to access power and decision makers who are not readily available to the general public. Furthermore, the nature of corrupt practices may be more varied than being asked to pay a bribe by a police, traffic or customs officials, as specified in the national victim survey.

The Idasa results clearly indicated that perceptions of corruption were only tenuously linked with actual personal experience of corruption, since perceptions of corruption in the different spheres of government were much higher than the actual personal experience of corruption. To what, then, can these widely negative perceptions be attributed? They can stem from respondents having heard about friends' or neighbours' experience with corruption and bribery, or from their exposure to media reports of a smaller number of high-profile incidents of corruption. Or they could simply be the results of excessive cynicism about official behaviour.[17]

Corruption in other sectors of society

While corruption is often most closely associated with government structures, it may also occur throughout society. Experts were asked if they considered corruption a serious problem in any other areas of South African society.

There was almost unanimous agreement that corruption existed in other areas of South African society besides government (figure 7). Respondents were asked in which sectors corruption was thought to occur.

Figure 7: Respondents' perceptions of whether corruption is a serious problem in areas of society other than government

No
5%

Yes
95%
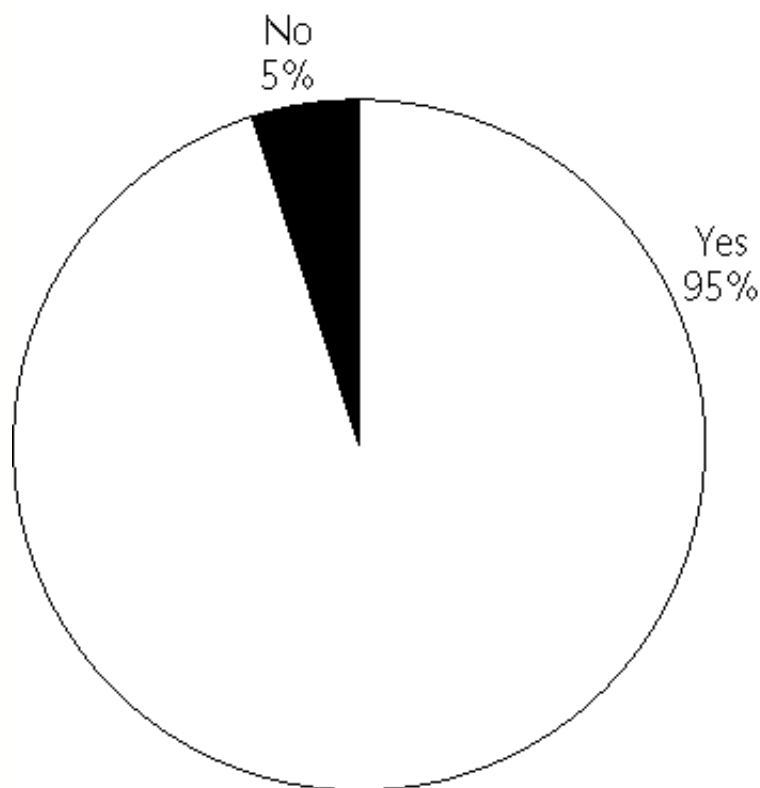
Respondents generally listed more than one sector. Apart from the government, the business sector stood out as another sector in which corruption occurred, accounting for almost half of the total responses. This was followed by the NGO sector at slightly more than a tenth of the responses (figure 8). Specific areas such as sport, education, church and labour were individually recorded, although they could have been collapsed into a more general civil society sector. With regard to sport, it is likely that the Hansie Cronje cricket probe, ongoing at the time of the survey, was uppermost in people's minds.

Figure 8: Respondents' perceptions of those sectors other than government in which corruption occurs (n=279)
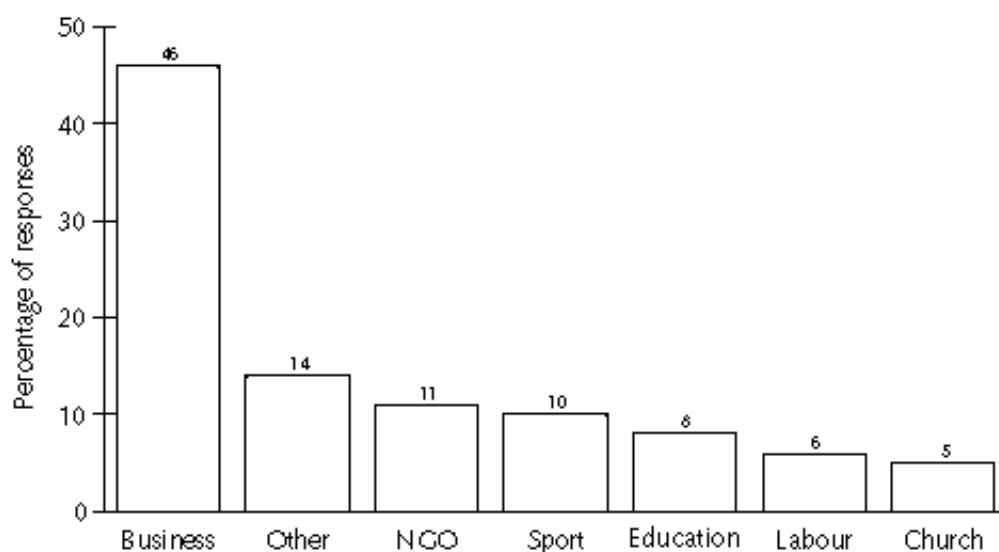
Experts were asked if they thought corruption and fraud were more prominent in the public or

the private sector or if it was about the same in both. Half of the respondents believed fraud and corruption were about the same in both sectors (figure 9). Almost a third believed there was more corruption in the public sector, and more than a tenth suggested that corruption was more prevalent in the private sector.

Figure 9: The incidence of corruption and fraud in the public and private sectors
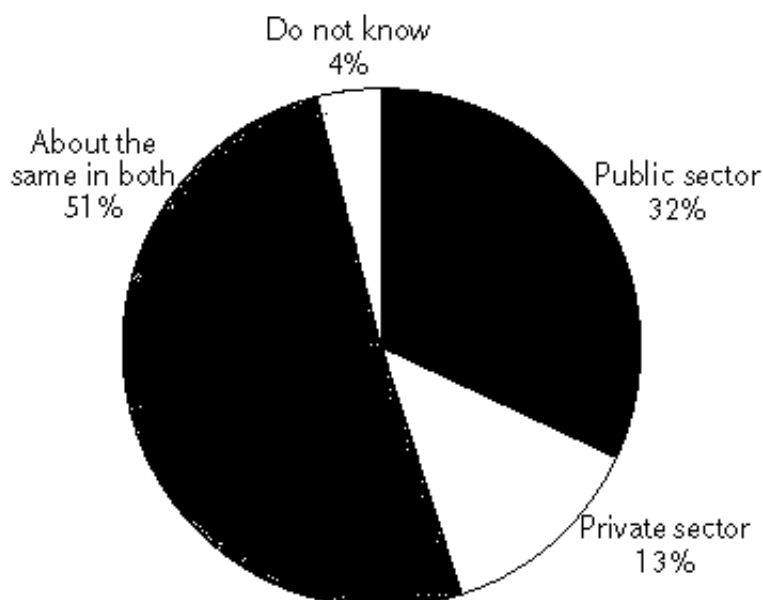
Both blacks and whites were equally likely to think that fraud and corruption are about the same in both sectors, although whites were significantly more inclined to think that fraud and corruption are more prominent in the public sector (41%) compared with (21%) of blacks.

Other relevant research findings

Huberts' survey which sampled the opinions of 'experts' from developed and developing countries who had attended international anti-corruption conferences, asked a similar question: "Are corruption and fraud more prominent in the public or government sector than in the business or market sector?"[18] Results from the World Panel revealed that 41% thought that fraud and corruption were equally prominent in both sectors, followed by 35% who thought there was more in the private sector and 24% who thought there was more in the public sector. A large proportion of respondents (42%) from the lower income countries, were convinced of the prominence of corruption in the public sector. Only 9% believed that the scale of fraud and corruption in the private sector exceeded corruption and fraud in the public sector. Of the respondents who lived in higher income countries, 18% believed corruption and fraud to be the most prominent in the public sector, while 45% view corruption as most pronounced in the business sector.

Analysis

The experts recognised that corruption was not the sole purview of the public sector, although it is true that most local and international attention is focused on its manifestation in a public context. Outside of the public sector, corruption is believed to occur mostly in the business sector, although a third of respondents still felt that the public sector is more corrupt. The fact that the NGO sector was identified as an arena of corrupt activity is interesting, as bodies identifying with this label are often critical of government and eager to assert the moral high

ground in terms of corruption issues.

The launch of the National Anti-Corruption Forum in Langa, Cape Town, in June 2001 (<u>see appendix 2</u> for the Memorandum of Understanding) is recognition that corruption affects the whole of society and that responsibility and leadership across sectors (government, business, civil society and labour) are required to fight this phenomenon effectively.

Corruption in political society

Corruption may be associated, in the minds of people, more with some political parties than with others. This may be either negative, based on their perceived participation in corruption, or more positive, based on their perceived role in fighting corruption. Derived from a question included in an international anti-corruption survey, which was thought to be of potential interest to South Africans, experts were asked which, if any, political party came to mind when considering the fight against corruption, and which, if any, came to mind when considering involvement in corruption.

The ANC stood out as the party most associated with fighting corruption (76), as well as the party of which members were most likely to be involved in corruption (86) (table 4). The Democratic Alliance was regarded as the next most active party in the fight against corruption, but featured at the same level as the IFP, as a party of which the members were involved in corruption (9). Almost a tenth (15) of the respondents believed no political party was interested in fighting corruption, while 26 did not know which party's members were involved in corruption.

Table 4: Respondents' perceptions of political parties' role in fighting corruption, or their involvement in corruption

Political party	Involved in corruption	Fighting corruption
	Number of responses	
African National Congress (ANC)	76	86
Democratic Alliance (DA)	53	9
Pan Africanist Congress (PAC)	2	1
Inkatha Freedom Party (IFP)	2	9
African Christian Democratic Party (ACDP)	1	0
United Democratic Movement (UDM)	5	1
Minority Front	1	1
Other	0	2
Collective effort	6	0
None	15	12
Do not know	9	26
All are involved	0	5
Refused to answer	0	2

Analysis

Clearly, the experts did not regard all politicians as corrupt, which is encouraging. It is also supported by the majority perception that there were only a few, if any, members of parliament

involved in corrupt practices. As the ruling party the ANC is potentially more likely to have members who are in positions where they would be able to abuse public resources. It is therefore not surprising that they were cited as the party most likely to be involved in corruption. Similarly, as the government of the day, the ANC has a political responsibility to tackle corruption by demonstrating the political willingness to devise policies and provide resources to anti-corruption efforts.

The Democratic Alliance has made the fight against corruption a feature of its party's manifesto, becoming the watchdog of the ruling party, which is reflected by the high percentage of experts who identified the DA as playing this role. The DA and the IFP were equally thought to be involved in corruption, although the ANC, as the ruling party, led the way with perceptions of its involvement in corruption. This unfortunately overshadows its commitment to fight corruption.

Corruption as a national priority

Responses to corruption are premised on the seriousness with which corruption is regarded as a problem by decision makers with the power to exercise political will. This commitment would be manifested in resource allocation, but would also be determined by citizens who essentially decide what levels of corruption they would tolerate in society.

As the first question of the survey, experts were asked what the most important problems were that the South African government should address. They were also asked to rank corruption in terms of its seriousness as a problem that should be addressed.

In this open-ended question, coded into several categories for purposes of analysis, it appeared that experts regarded crime and security (23%) as the main problem confronting South Africans, followed by job creation (21%), corruption (17%), and poverty and inequality (14%) (table 5). Other problems considered as important by more than one in ten of the experts were education (7%), Aids/HIV (6%), general economy (6%) and inefficiency in the public sector (6%).

Table 5: Respondents' perceptions of the most important problems facing government in South Africa in general (n=299)

Problems	Number	Percentage
Crime and security	70	23
Job creation	62	21
Corruption	50	17
Poverty/inequality	42	14
Education	21	7
AIDS/HIV	19	6
General economy	18	6
Inefficiency of public sector	17	6

A cross-tabulation by occupation of the top three concerns revealed that public sector respondents were the most concerned with crime and security (43%) followed by job creation and corruption (both accounting for over a third of responses at 35%). Private sector respondents were also most concerned by crime and security (over half of the responses at 58%), followed by corruption (39%) and job creation (27%). The civil society sector is the most concerned with job creation (57%), followed by crime and security (41%) and poverty and

inequality (39%). Corruption ranked only fourth, accounting for less than one-fifth of the responses for this sector (20%).

Whites tended to be the most concerned about crime and security (51%), followed by job creation (37%), and equal percentages of responses for poverty and inequality, as well as corruption (28%). Job creation and corruption (44%) equally concerned blacks as the most important challenges facing government, followed by crime and security (39%).

Other relevant research findings

Idasa's public opinion surveys tracked public perceptions of corruption by asking people the same question: "What are the most important problems facing this country that government ought to address?" Similar to the expert panel survey, people gave their spontaneous answers and were prompted to supply up to three answers. During 1999, the three most important problems cited in the Idasa survey were job creation (79%), crime and security (65%) and housing (32%). What is significant is that, in seven separate national surveys conducted between the 1994 and 1999 election, corruption or related issues were mentioned only once by more than one in ten South Africans, in April 1999. This may have been due to public awareness around the national anti-corruption conferences, or it may have been a reflection of election campaign rhetoric prior to the June 1999 poll.

Analysis

Crime and security, as well as job creation stood out as the two main challenges that the government should address, although respondents employed in various sectors and members of different race groups placed different degrees of emphasis on what was the most pressing. These two priorities are mutually interactive. It is not surprising that corruption features in the top three problems cited by the expert panel, since this was introduced to respondents as a survey dealing explicitly with corruption. It is clear, however, that corruption is only one of a number of challenges facing South Africa, but not necessarily the most significant one. This is confirmed by the answers elicited by the question discussed below.

Seriousness of corruption

Respondents were asked for their perceptions of the seriousness of corruption in South Africa.

In terms of the seriousness of the problem as interpreted by the experts, the majority opinion (64%) was that South Africa experienced a significant degree of corruption, but that the country was confronted by other more serious problems (table 6).

Table 6: Respondents' perceptions of the degree and seriousness of corruption in South Africa, in general and by race

Statement	Number	Percentage	Black Percentage	White
SA has a *lot of corruption* and it is one of the *most serious* problems the country is confronted with	24	16	7	22
South Africa has a *lot of corruption* but this country is confronted with *other more*	99	64	67	64

serious problems			
South Africa does *not experience a lot of corruption* but it is still one of the most *serious problems* this country is confronted with	26	17	20	13
South Africa does not experience a *lot of corruption* and it is not among the *serious problems* the country faces	5	3	6	1
Total	**154**	**100**	**100**	**100**

Almost a quarter (22%) of whites thought that South Africa experienced much corruption and that it was one of the most serious problems, compared with less than one-tenth (7%) of blacks. While almost one-fifth (17%) of the total sample believed that South Africa did not experience much corruption, even though it was still one of the most serious problems confronting the country, blacks (20%) were more likely than whites (13%) to hold this opinion. Only an insignificant proportion of respondents felt that South Africa did not suffer from much corruption and that it was not among the more serious problems facing the country.

Other relevant research findings

Huberts' global survey of expert views on public corruption asked the view of experts on the seriousness of the problem in their own country, compared to other political and social problems, and compared to other forms of political misconduct. A minority of the panel members (42%) viewed corruption and fraud among the most serious problems in their country, with the majority thinking that their country was confronted by other more serious problems.

Respondents of lower income countries indicated that there was a high incidence of corruption and fraud in their country, but the majority declared that there were more serious social and political problems. Most panel members from higher income countries indicated that their country was not confronted with high degrees of fraud and corruption, but a substantial proportion nevertheless stated that corruption and fraud were among the most serious problems.

Analysis

There was broad consensus among the expert respondents that, while South Africa experienced a significant number of incidents of corruption, there were other more pressing problems that the government had to address, such as crime and security, and job creation. Acknowledging corruption as one of many serious problems has implications for the type of effort and resources directed to address it. Any national budgetary process has to take into account inevitable competition for limited resources in a context of other pressing needs.

Corruption is increasingly featuring on the national policy agenda as a phenomenon that affects the delivery of other key functions of government. With regional, continental and international pressures to show demonstrable commitment to the fight against corruption, while not the most pressing problem facing South Africa, corruption unquestionably requires dedicated attention as a serious policy issue.

CHAPTER 4
CAUSES OF AND CONDITIONS FOR CORRUPTION

Which circumstances, developments or characteristics influence the level and forms of corruption in a country? What explains the cases that occur? In short, what are the causes of corruption? Unless the causes of corruption are clearly identified, it is difficult to prioritise effective anti-corruption strategies, which should address these causes in order to prevent corruption from occurring in future.

Arguably, the choice of analytical framework employed to analyse corruption influences the view on the causes of corruption and associated control measures. For example, using public choice theory where corruption is seen to arise from interactions between clients — whether businesspeople, ordinary citizens, politicians and public officials who are assumed to be narrowly self-seeking in their behaviour — economic reforms and downsizing the state are viewed as the principal anti-corruption reform measures.

According to Johnston, entrenched corruption features in societies with the following characteristics:

- low political competition;
- low and uneven economic growth;
- a weak civil society; and
- the absence of institutional mechanisms to deal with corruption.[19]

In contrast, those societies which are relatively free of corruption are premised on respect for civil liberties, accountable government, a wide range of economic opportunities, and structured political competition. These are mainly, but not exclusively, characteristics of developed western states.

Huntington postulated a variety of propositions about the conditions favouring corruption in government. Several of these find resonance in the South African context:

- Corruption tends to increase in a period of rapid growth and modernisation, because of changing values, new sources of wealth and power, and the expansion of government.

- There tends to be less corruption in countries with more social stratification, more class polarisation and more feudal tendencies. These conditions provide a more articulated system of norms and sanctions, which reduces both the opportunity for and the attractions of corrupt behaviour.

- A country's ratio of political to economic opportunities affects the nature of corruption. If the former outweigh the latter, then people enter politics in order to make money, which will lead to a greater extent of corruption.

- If foreign business is prevalent, corruption tends to be promoted.

- The less developed political parties are, the more prevalent is corruption.[20]

Causes of corruption in South African society

This section explores experts' opinions on the cause of corruption in South African society, in general, and more specifically in government. In order to elicit a better understanding of the causes of corruption, a number of conditions and popular assumptions were also probed. These include the perception that government officials are so poorly paid that they have no choice but to ask for extra payment; paying bribes to government officials or doing favours for them helps to overcome the red tape of bureaucracy; democratic systems increase the incidence of corruption in a country; and privatisation increases the potential for corruption.

When asked to identify the main causes of corruption in South Africa, respondents provided a wealth of different answers. These have been grouped into five categories for purposes of analysis.

A decline in morals and ethics was the most commonly cited reason for corruption in South African society, in general, accounting for nearly a third (31%) of responses (figure 10). This was followed by greed and the desire for self-enrichment (25%), and socio-economic conditions such as poverty and unemployment (18%). Institutional reasons such as weak checks and balances accounted for more than a tenth (14%) of the responses, followed by the apartheid legacy and the process of transformation (12%)

Figure 10: Respondents' perceptions of the causes of corruption in South Africa (n=191)
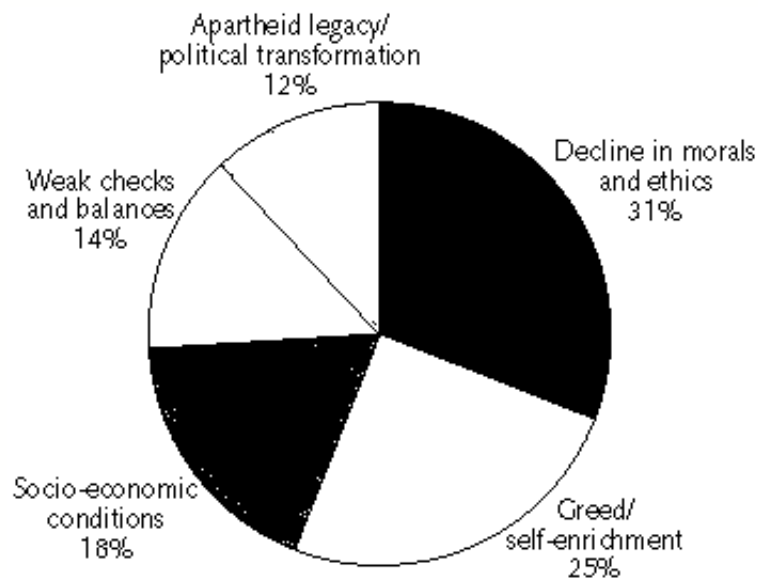
When asked about the causes of corruption in government, similar reasons were given to those perceived in society (figure 11). However, these were prioritised slightly differently by the experts. Weak checks and balances together with mismanagement were the most common reasons given (38%) as the main causes of corruption in government. Greed and self-enrichment were again ranked second, accounting for 28% of responses. The general decline in morals and ethics was the next most common cause (17%), followed by the legacy of apartheid (9%) and socio-economic conditions (8%).

Figure 11: Respondents' perceptions of the causes of corruption in government (n=184)
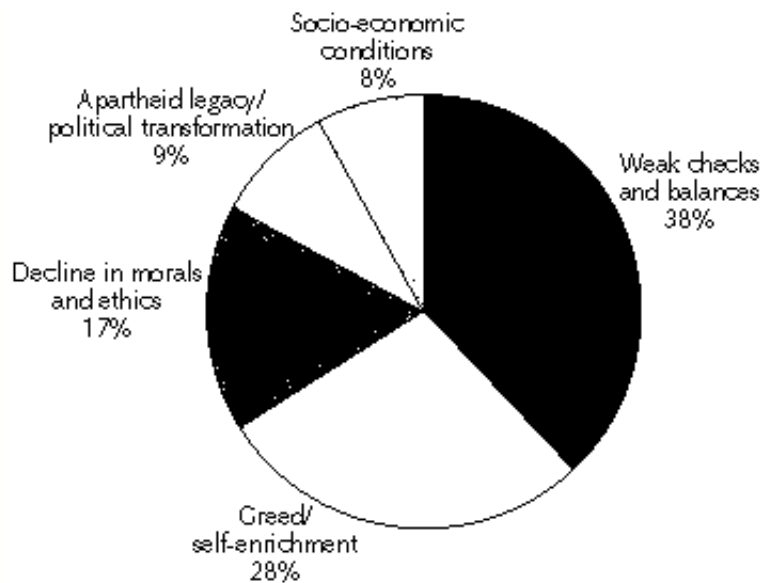
The reasons cited by white experts were more evenly distributed across the various categories than those given by black experts, who tended to focus on issues relating to the legacy of apartheid (26%), and the abuse of power (39%).

Other relevant research findings

Huberts' panel was asked to indicate the importance of 20 social, economic, political, organisational and individual factors which are mentioned as causes of corruption in literature on the issue. While most of the 20 factors were considered to be important by the majority of experts, more than 80% of the panel were convinced of the importance of the eight causes listed in table 7.

Table 7: Causes of corruption according to Huberts' survey

Cause	Percentage
Norms and values of individual politicians and civil servants	91
Lack of control, supervision, auditing	89
Strong interrelationships between business, politics, state	88
Lack of commitment by leadership (providing a bad example)	84
Misorganisation and mismanagement	84
Values and norms concerning government, state officials and organisations	83
Increasing strength of organised crime	82
Public sector culture (values/norms)	82

With a few exceptions, there was significant consensus between the respondents from both the lower and higher income countries about the causes of fraud and corruption. "Mismanagement and misorganisation", "public sector culture" and "increasing strength of organised crime" were three factors considered to be important by more than 80% of the experts from both the higher and lower income countries. There were, however, several factors that were more important to

lower income countries, which are clearly related to developmental problems. These include social inequality, rapid social change, rapid economic growth, strong interrelationships between politics and administration and low salaries in the public sector.

Analysis

What are the causes of corruption? This is the first time such a question has been asked in a survey of this kind in South Africa. Experts cited declining morals and ethics, greed, socio-economic conditions, weak checks and balances and political transformation as the main causes for corruption in South African society, whereas corruption in government was seen to be more concerned with weak internal controls and systems, and mismanagement, followed by greed and a decline in morals and ethics.

These variations suggest a differentiated response to the control of corruption. Measures to address the causes of corruption in government therefore have to be aimed more at improving systems and controls rather than influencing individual or social morality. However, it would do no harm to improve the professional ethics of those working in government.

When it comes to individual moral failings such as greed and a proclivity to self-enrichment within a context of declining morals and values, where and how should interventions be introduced, especially when measures to improve ethics are seen as the soft side of anti-corruption controls? It would appear that the moral regeneration of South Africa and former president Mandela's call for a 'reconstruction and development programme of the soul' is a priority intimately linked to the effective fight against corruption.

Clearly, it cannot be assumed that the technicist approach to public service reform is sufficient in preventing corruption and more fundamental interventions are required from an early age, rather than on the job training, to promote morals and values that uphold the values enshrined in the constitution.

Are South Africans an inherently corrupt, self-enriching, greedy and opportunistic bunch? How should these causes of corruption be addressed? Experts were also asked to rank a list of 30 anti-corruption strategies in terms or their potential effectiveness. It is interesting to compare these results with the underlying causes of corruption identified in South Africa.

Conditions for corruption

Low salaries

A series of common perceptions on the causes of corruption were presented to expert respondents who were asked whether they agreed or disagreed with them. While differences in opinion were analysed by race, the small groups within the sample did not allow for analysis of responses by sector.

The first statement suggested that government officials are so poorly paid that they have no choice but to ask people for extra payments.

Table 8: Respondents' perceptions of people's propensity for corruption as a result of poor salaries, in general and by race

Response	Total	Black	White

		Percentage	
Strongly agree	4	5	5
Agree	10	14	8
Neither agree nor disagree	7	6	8
Disagree	46	41	49
Strongly disagree	32	34	29
Do not know	1	0	1
Total	**100**	**100**	**100**

The majority (57%) of those who strongly agreed with this statement were employed in the public sector, while a third (35%) of those who strongly disagreed worked within the public and civil society sectors. The majority of the private sector experts either disagreed (35%) or strongly disagreed (39%).

Analysis

Clearly, the majority of experts did not agree that government officials were poorly paid and that this would be a reason to extract bribes from citizens. This is confirmed by their responses to the request to rank the effectiveness of anti-corruption strategies. Increasing the salaries of government employees did not rank particularly high, although experts were able to differentiate between paying the police better salaries, something which was thought to be effective in the fight against corruption.

Recent research undertaken by the United Nations Desk for Economic and Social Affairs (UNDESA) on public service ethics in Africa confirms that, in the Southern African region, South African public officials are paid far above the norm. These salaries — ranging between US $4 964 and US $60 273 — compete well with private sector remuneration and the public sector therefore both attracts and retains professional employees.[21]

Bribery and bureaucracy

Experts were asked to express an opinion on whether the payment of bribes to government officials, or doing favours for them, helped them to overcome the red tape of bureaucracy and made it easier to get things done.

Only 52% of respondents disagreed or strongly disagreed with the statement that bribes paid to government officials helped to overcome the red tape of bureaucracy (table 9). Of the respondents, 39% agreed or strongly agreed that paying a bribe to a government official made it easier to get things done. Among white respondents, there was little difference between those who agreed or strongly agreed (45%) and those who disagreed or strongly disagreed (48%). However, a significant higher percentage of black respondents disagreed or strongly disagreed (58%) than those who agreed or strongly agreed (33%).

Table 9: Respondents' perceptions of whether bribes overcome red tape and make transactions easier, in general and by race

Response	Total	Black	White
		Percentage	
Strongly agree	6	7	5

Agree	33	26	40
Neither agree nor disagree	8	9	5
Disagree	29	35	24
Strongly disagree	23	23	24
Do not know	1	0	0
Total	**100**	**100**	**100**

Analysis

The payment of bribes is seen by almost 40% of the respondents to overcome bureaucratic delays. From their perspective, corruption pays. It is very concerning that so many of the experts held this opinion. The question invariably arises: how many have acted on it? Strong private sector agreement with this statement could lead to the belief that common business practice might include bribing officials in order to speed up processes and make it easier to get things done.

Corruption and democracy

The next statement put to the experts suggested that democratic systems of government increase the prevalence of corruption in a country.

The majority of respondents either disagreed (45%) or strongly disagreed (34%) with the statement that democratic systems of government increase the prevalence of corruption in a country, while only 14% agreed (table 10). While little racial variation was identified, a marginally higher percentage of white respondents agreed with the statement, while a slightly lower percentage than black respondents disagreed.

Table 10: Respondents' perceptions of whether democracy increased the prevalence of corruption, in general and by race

Response	Total	Black	White
		Percentage	
Strongly agree	2	5	0
Agree	12	6	15
Neither agree nor disagree	4	3	6
Disagree	45	53	42
Strongly disagree	34	30	35
Do not know	3	3	2
Total	**100**	**100**	**100**

Analysis

The pluralist approach assumes that political initiatives centred on the creation of new democratic institutions — such as elected legislatures, parliamentary committees and watchdog bodies — are central to the success of efforts to control corruption. Democratic systems of governance premised on commitments to accountability, openness and transparency are also thought to create conditions that discourage corruption.

However, Johnston suggests that democratic rights and processes as such do not make a significant contribution to reducing corruption. Indeed, there are many examples of countries

where corruption has increased in spite of the existence of formal democratic institutions, India and Nigeria being prominent among them. While political competition offers opportunities for the new political élite to gain legitimacy by taking action against corruption, it can also enable them to secure greater access to existing rentseeking opportunities.

Corruption and privatisation

Experts were asked to respond to the statement that by selling government factories and businesses to private citizens (privatisation), the potential for corruption in government increases.

More than half (58%) of the respondents disagreed with the statement that privatisation increases the potential for corruption (table 11). Almost a third (31%) agreed with this statement. A higher percentage of white respondents were likely to be ambivalent about the statement than their black counterparts.

Table 11: Respondents' perceptions of whether privatisation increases the potential for corruption in government, in general and by race

Response	Total	Black	White
	Percentage		
Strongly agree	4	8	2
Agree	27	24	29
Neither agree nor disagree	9	7	11
Disagree	43	41	44
Strongly disagree	15	17	13
Do not know	2	3	1
Total	**100**	**100**	**100**

Analysis

There are persuasive arguments that the privatisation of state-run services and enterprises can curb corruption. This refers particularly to inefficient parastatals that, because of their monopoly positions, are able to extract huge sums from the public coffers, as well as from providing private sector services. By reducing the degree of interaction between the private and public sectors, privatisation directly reduces the opportunities for corrupt behaviour. Private sector accounting methods and competitive market pressures are also believed to reduce the opportunities for wrongdoing and make it more difficult to hide such activities.[22] The expectation is that, by reducing the size of the public sector and the direct involvement of the state in economic activity, opportunities for rentseeking activities will diminish.

However, these benefits must be weighed against the possible adverse effects of privatisation. In practice, the evidence that it reduces corruption is far from clear-cut.[23] Privatisation in the absence of effective regulation has the potential to generate high levels of economic rent, especially in natural monopolies, and the private appropriation of public assets through illegal means.[24] Rather than to create a clear distinction between public and private sectors, privatisation programmes have often been characterised by the emergence of a series of quasi-governmental regulatory agencies. This process of 'agencification' linked to the doctrine of 'new public management' has created significant opportunity structures to peddling influence, as well as to remove many regulatory agencies from direct public accountability.[25]

Almost a third of the experts agreed that privatisation increases the potential for government corruption, an opinion possibly informed by ideological considerations that disagree, in principle, with the privatisation of state assets. As the government presses ahead with its privatisation programme, it would be wise to ensure that effective regulation is in place to avoid the creation of new opportunities for corruption.

How does corruption occur?

In attempting to probe the actual form of corrupt practices in South Africa, respondents who indicated that they had been victims of corruption were asked to describe the situation in which the corruption occurred. Three potential scenarios were provided, and respondents selected the most appropriate response.

Of the 51 experts who experienced corruption, the most likely response (43%) was that a public official requested or hinted at payment (figure 12). This is followed by a third of the respondents (33%) who experienced a situation where they, or people they knew, were expected to know in advance what the method and amount were. In less than a quarter (24%) of the situations, the offer was made spontaneously by the citizen.

Figure 12: How corruption occurs, based on victims' experiences
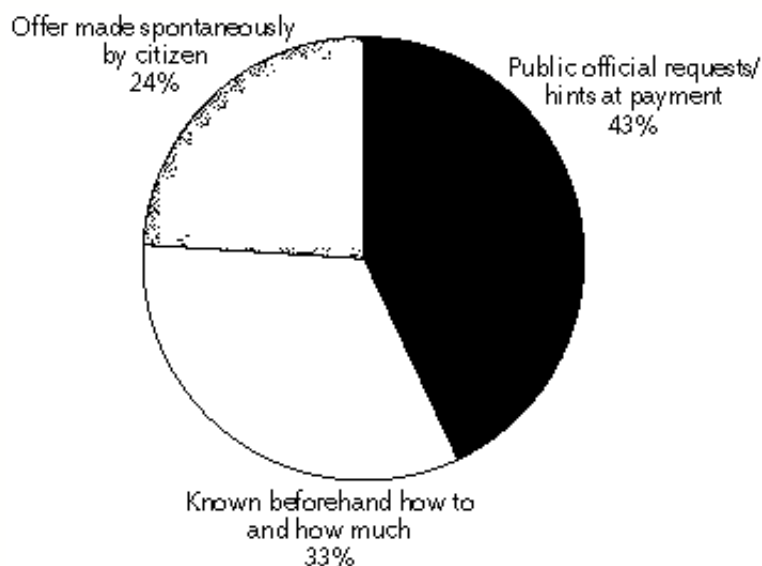
Analysis

It appears as if the demand side of corruption (the public official requests or hints at payment) is more prevalent than the supply side (where the offer is made spontaneously by the citizen). This points to the arrogance of corrupt officials who are confident that they can make demands in a relatively risk-free environment with no checks or controls to influence their behaviour. However, it is the routine, transactive, entrenched form of corruption — where it is known beforehand how it is done and how much to pay — that is of the greatest concern. This could potentially indicate that corruption has a systemic nature and has become entrenched and pervasive across the public sector, influencing expectations on both sides of how things work and how they are done.

The key question is how many of those who believed that paying bribes to government officials

helps overcome the red tape have actually acted on this belief. Interestingly, of those experts who either agreed or strongly agreed to the benefits of paying a bribe, almost two-thirds (61%) had had personal experience, or knew someone who had experienced an incident of corruption. This may imply that those who acknowledge the benefits of corruption, in official spheres at least, are likely to engage in some form of corruption themselves. The perception clearly exists that bribery produces benefits and expedites various otherwise arduous processes. This is exacerbated by the fact that bribery is seen as a victimless crime, in that there are two partners. For example, someone may need a passport quickly, but is prepared to pay the customs official R300 for expediting the request or bypassing certain rules and regulations. The challenge is thus to counter this perception. The fact that more than 30% of the expert group had experienced corruption personally, or knew someone else who did, is cause for some concern.

CHAPTER 5
GOVERNMENT RESPONSES TO CORRUPTION

What is government doing to fight corruption? How effective are government responses in the fight against corruption? How can effectiveness be measured, particularly when the magnitude of the problem is not known? These are just some of the questions emerging in an attempt to evaluate the responses of governments to corruption.

Corruption has long been a characteristic of the South African public service. However, there is a widespread perception that corruption has increased during the period of political and economical transition which commenced in 1994. Particularly in the last three years, numerous anti-corruption programmes and projects have been put in place by the government, in line with international policies, where addressing corruption focuses on:

promoting accountability, transparency and the rule of law;

the practice of good governance;

a free press to report forcefully to the public on corrupt practices; and

the establishment of government watchdog agencies to identify corrupt practices and bring them to the public attention.

In South Africa, a number of initiatives to fight corruption, lead by the government, have been established. In his first state of the nation address in June 1999, President Mbeki spoke extensively about the issue of corruption and reiterated the commitment of the South African government to honesty, transparency and accountability and its determination to act against anybody who transgresses these norms. He highlighted the importance of enacting the Protected Disclosures Act, which provides for the protection of whistle blowers, and the coming into force of the Public Finance Management Act to ensure the proper control of and accountability with regard to public finances. Steps were also taken to enforce the code of conduct in the public service, as well as to implement the proposals that emerged from the anti-corruption conferences held in November 1998, April 1999 and October 1999.

It is within this context that the expert respondents were questioned about the government's responses to corruption. In particular, perceptions were explored of the government's handling of corruption, what was being done right and wrong, and specific opinions on the government's seriousness in committing itself to fight corruption. In addition, resource allocation for the fight

against corruption, as well as the appropriate sentencing of perpetrators were also analysed.

Perceptions of government effectiveness

Recognising that a number of initiatives have been put in place recently by the government to fight corruption, experts were asked how well they thought the government was handling the matter of corruption.

More than a half (53%) of the experts believed that the government was handling the fight against corruption fairly well, while a third (34%) felt that it was not doing very well (table 12). A mere 6% of experts felt that it was either doing very well or not well at all. More blacks (59%) than whites (48%) thought the government was handling corruption fairly well. Whites (41%) were more likely than blacks (26%) to think that the government was not handling the fight against corruption very well.

Table 12: Respondents' perceptions of how well the government is handling the fight against corruption, in general and by race

Response	Total	Black	White
	Percentage		
Very well	6	11	2
Fairly well	53	59	48
Not very well	34	26	41
Not well at all	6	4	7
No opinion	1	0	2
Total	100	100	100

Of those who thought that the government was doing well, the majority (67%) were employed in the public sector, followed by the NGO or civil society sector. Conversely, of those who thought that the government was not faring well at all, almost half (44%) were employed in the NGO or civil society sector, and a third (33%) in the private sector.

Other relevant research findings

During the Opinion '99 Project, two items related to corruption were placed among a larger set of questions that asked people how well the government was performing on a wide range of activities. In April 1999, 44% of respondents felt that the government was doing its job well or very well to control official corruption (a substantial increase from the 26% who had said so in September 1998). By the end of the election campaign, 55% approved of the job the government had done in maintaining democratic transparency and accountability (compared to 31% in September 1998). The degree to which these responses were a reflection of actual government performance, or the result of a very successful ANC election campaign, is uncertain.

Analysis

It is encouraging that the majority of experts (almost 60%) believed that the government was doing very to fairly well in terms of fighting corruption. Interestingly, public sector officials and black respondents were the most likely to hold this opinion. It could be argued that representatives from the public sector at the various anti-corruption conferences from whom the

sample was drawn, have a particular interest and stake in government policies to fight corruption and are therefore likely to defend them. Almost 40% of the experts thought that the government was not doing very or well in fighting corruption, with whites significantly more likely to hold this view. This may be a reflection of expectations of how the government should be responding to corruption. The questionnaire attempted to probe these opinions by asking what the government was doing right and wrong in its responses to corruption. It is thought that these responses may be particularly useful for policy makers.

What government is doing right

Experts were asked, in their opinion, what the government was doing right in the fight against corruption.

There were just over 50 types of responses to this question. These have been clustered into several main areas for purposes of analysis:

greater awareness of and transparency about the problem;
strengthening anti-corruption bodies and the criminal justice system;
putting anti-corruption strategies in place;
demonstrable political commitment to tackle the problem;
improving checks and controls within the public sector; and
adopting a cross-sectoral participatory approach to corruption.

The responses within each of these main categories are detailed in figure 13.

Figure 13: Respondents' perceptions of what the government is doing right in the fight against corruption
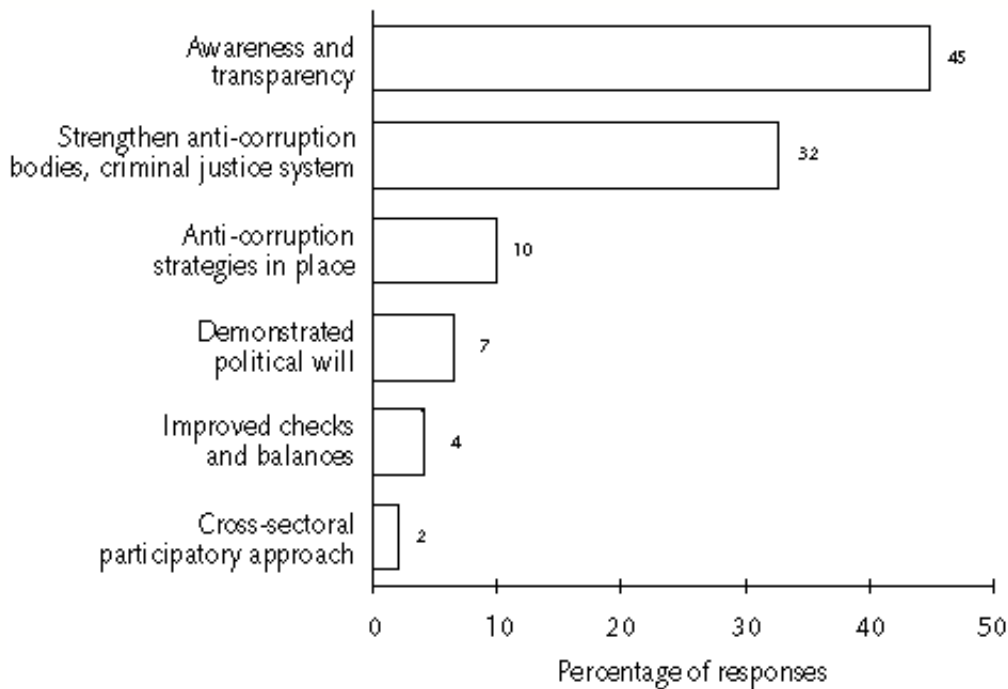
Greater awareness and transparency: According to the experts, the government was creating more awareness, openness, accessibility and transparency around issues of corruption. This includes changing people's mindsets through positive steps such as exposing corruption when it occurs, publicising and highlighting the problem, including

making public announcements, undertaking public campaigns and hosting anti-corruption forums and conferences.

Strengthening anti-corruption bodies and the criminal justice system: The experts perceived that the government was taking steps to strengthen anti-corruption bodies, the criminal justice system and the rule of law. Experts cited the establishment of anti-corruption organisations and watchdog bodies. Particular examples included the Special Investigating Unit, other Special Investigating Units, the Scorpions and the Public Protector's Office as positive developments in this regard. Establishing commissions of enquiry, empowering the office investigating serious economic offences, and overhauling the police were also seen as positive steps. Improving legislation to fight corruption in order to secure high level prosecutions and the proper follow-up of corrupt officials (n-5), as well as fighting organised crime were highlighted as positive responses in the fight against corruption.

Anti-corruption strategies: Respondents indicated that the formulation of anti-corruption strategies is seen as a positive step in the fight against corruption, including the transformation of government policies and the prioritisation of areas for strategic intervention. Experts recognised that more is required than conference resolutions, although these are being used as a basis for devising national anti-corruption strategies that are effective, cost-efficient and measurable.

Political commitment: Political commitment was cited by respondents as an important positive development in the fight against corruption. In particular, presidential engagement with the problem was highlighted as crucial. Involving senior management and stigmatising the problem were seen as part of political will.

Improving checks and controls: The government was seen by respondents to be improving checks and controls in order to fight corruption more effectively. These include decreasing incentives, more transparency in tenders, improving governance systems, financial controls and procedures. Also, putting codes of conduct in place and toll free numbers to encourage whistle blowers were singled out.

Cross-sectoral participation: According to the experts a strength in the government's actions to fight corruption is that of cross-sector participation involving NGOs, the youth, business and civil society and other relevant stakeholders.

Analysis

Each of the factors identified by the group of experts are important strengths around which to build a national anti-corruption strategy and are in line with accepted international practice in fighting corruption. In particular, the government's commitment to address the problem openly is to be welcomed, as well as the participatory approach with which it has embraced all stakeholders and roleplayers. Strengthening the criminal justice system to respond to allegations of corruption in order to conduct both credible investigations and prosecutions is seen as very positive, surpassed only by the open and transparent attitude and approach that have characterised the way in which the government has responded to corruption.

What government is doing wrong

The experts were also asked what they thought the government was doing wrong in fighting

corruption. A range of possible answers were provided, including some actual constraints facing the government. For the purposes of analysis, these have been categorised into the following broad responses (figure 14):

Figure 14: Respondents' perceptions of what the government is doing wrong in the fight against corruption
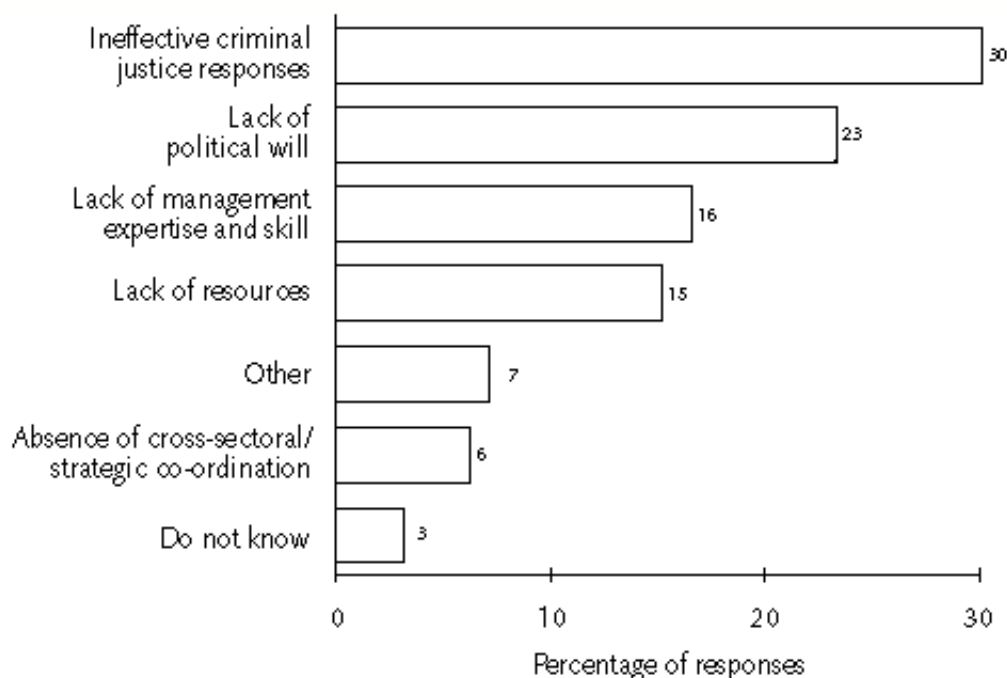
ineffective criminal justice responses;

lack of political will;

lack of management expertise and skill;

lack of resources;

absence of cross-sectoral or strategic co-ordination; and

other.

Ineffective criminal justice responses: Experts felt that the government was neither tough nor fast enough, and that there should be less talk and more action when fighting corruption. "Too little too late", was one response. Anti-corruption methods, including existing criminal sanctions, were thought to be ineffective and there were inadequate legal mechanisms. There seemed to be inconsistency in uprooting corruption and insufficient follow-up, as well as preventive methods, which might include publishing prosecutions widely. The inadequate monitoring of agencies was identified as a further weakness in the criminal justice response to corruption.

Lack of political will: This category included responses by experts such as not enough political will demonstrated by the alleged protection of corrupt persons and by sweeping cases under the carpet. This sets a bad example and sends mixed messages. Insufficient attention was paid to corruption as an issue by not highlighting its seriousness, and by not

providing enough support to anti-corruption strategies. On the other hand, too much publicity was also cited as something that the government was doing wrong in the fight against corruption.

Lack of management expertise and skills: Poor management systems, and the lack of co-ordination and transformation were seen as problems in the fight against corruption. Uneducated, unqualified people, expertise that was lost to affirmative action and an inexperienced government were also cited as reasons. Not enough research and insufficient financial controls and training compounded the problem, as did a lack of discipline. The absence of whistleblowing mechanisms and the lack of emphasis on training in ethics were also considered to constrain the government in the fight against corruption.

Lack of resources: The inadequate resource allocation in terms of actual resources, as well as the lack of people to fight corruption were cited as shortcomings in the government's fight against corruption. In particular, the lack of assistance to the commercial branch of the police was cited. The government was also not allocating resources to address the root causes of corruption and there was poor implementation of policies.

Lack of cross-sectoral and strategic co-ordination: Experts felt that there was not enough interaction with civil society. The government was also not listening to the people, and should include NGOs and other sectors in the fight against corruption. Effective strategies to fight corruption were absent, and insufficient prioritisation took place. There was no clear guidance on the public-private interface where much corruption occurred.

Analysis

It can be argued that all the weaknesses in the government's response to corruption are interlinked to an extent. Ineffective criminal justice responses, for example, are underpinned by a lack of expertise and resource constraints — which are linked, in turn, to political will in terms of the commitment to prioritise this area in the budget. These are all further linked to the general lack of management expertise to tackle the complicated phenomenon of corruption control as an underlying problem.

Two areas, political will and resource allocation, were probed further in the survey. These two factors were identified in the literature as potentially making or breaking anti-corruption efforts. While weaknesses in the criminal justice system may prevent a case from getting to court in the first place, the appropriateness of sanctions should someone be convicted for corruption, was also explored in the survey.

Political will and commitment

Anti-corruption literature confirms that political will and commitment are crucial to any serious attempt to fight corruption. Political will refers to the demonstrated, credible intent of political actors to address an issue seriously. Obviously, political will is a critical starting point for sustainable and effective anti-corruption strategies and programmes. Without this, the government's statements that it will reform the public service, strengthen transparency and accountability, and reinvent the relationship between government and the private sector, remain mere rhetoric. Does the articulation of a 'zero tolerance' approach to corruption demonstrate genuine political will to tackle the problem seriously? Talk of 'zero tolerance' towards corrupt

practice, if not followed through by concrete action to deal with wrong-doers, may further disillusion those already cynical about the high profile anti-corruption debate.

Experts were asked how committed they thought the government was to fight corruption.

Almost half (49%) of the experts felt that the government was committed to fight corruption, with more than one-third (34%) saying that the government was very committed (table 13). While slightly more than a tenth (12%) of the black respondents felt that the government was not at all, or not very committed to fight corruption, more than a fifth (21%) of the white respondents felt this way. A larger percentage of black respondents also felt that the government was committed or very committed to fight corruption.

Table 13: Respondents' perceptions of the level of government commitment to fight corruption, in general and by race

Response	Total	Black	White
	Percentage		
Very committed	34	41	29
Committed	49	47	50
Not very committed	14	11	17
Not at all committed	2	0	4
No opinion	1	1	0
Total	100	100	100

Other relevant research findings

In a survey conducted by the HSRC in March 1999, 34% of respondents believed that the government was giving sufficient priority to the fight against corruption in the public sector. In total, 20% said that the government was affording corruption too high a priority, while ANC supporters were the most likely (27%) to think this was the case.

Analysis

Political will is a critical starting point for effective anti-corruption strategies and programmes. No legislative or administrative changes can be effective unless there is commitment in all spheres of government. In all efforts to combat corruption, the commitment of senior elected representatives and other public officials is pivotal. To some extent, creating this political will and sustaining the momentum for reform depend on a strong civil society that is willing and able to press for change. A strong and active civil society can be a powerful tool for expanding awareness of corruption, and often a key source of information on corrupt practices. In the end, civil society and its institutions are perhaps the most powerful source of support for public leaders who are genuinely committed to reform and willing to pursue reform efforts in partnership with the many individuals and organisations within society.[26] It is therefore very encouraging that the majority (83%) of the expert group believed that the government was committed to address the issue of corruption, although it is of some concern that these opinions showed differences based on race.

Two key indicators emerging from the literature on political will are those of resource allocation and sanctions. Many an agency touted to fight corruption has been rendered inefficient and

unable to fulfil its ambitious mandate by a government that, although verbally committed to fight corruption, has not put its money where its mouth is and has devised either strategies or structures which are unable to perform effectively because of insufficient resources. A further measure of political will is the degree to which those in power are willing to institute appropriate criminal sanctions for those found guilty of corruption. The survey also explored the issues of resources and sanctions.

Resources

The previous questions highlighted perceptions of a lack of resources as a major threat to the fight against corruption by the government. It is thus useful to explore perceptions of the resources available at institutional level. Experts were specifically asked whether the government has sufficient resources to fight corruption.

Over half (51%) of the respondents believed that the government did not have sufficient resources to fight corruption, and needs a lot more (figure 15). This was echoed across race groups, sectors and ideological orientation. Slightly less than a quarter (24%) believed that the government had enough resources, with 22% thinking that it needed a little more. In total, almost three-quarters (73%) of the experts thought that more resources were required to fight corruption.

Figure 15: Respondents' perceptions of whether the government has sufficient resources to fight corruption
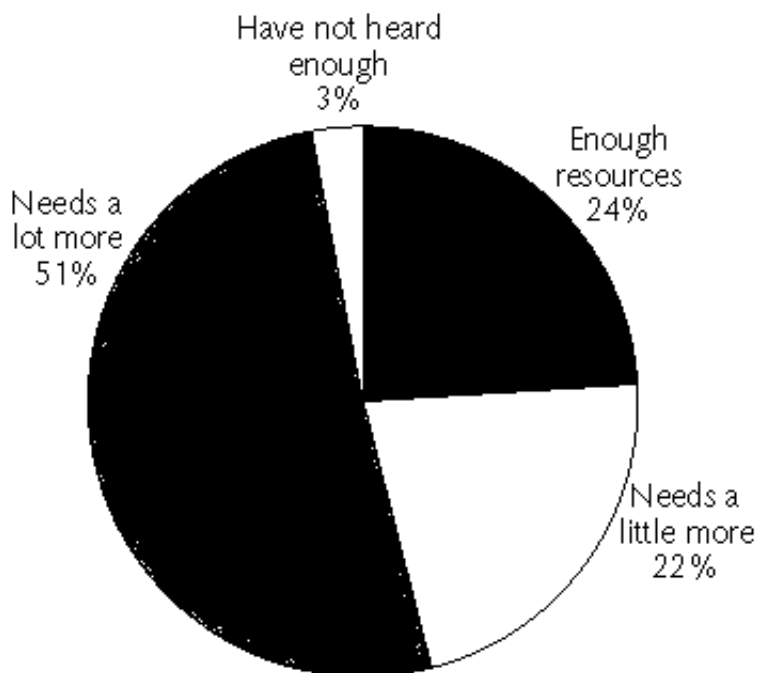
Analysis

These findings indicate that the government will have to allocate sufficient resources to strategic reform measures in the fight against corruption if its efforts are to be taken seriously. The majority of the experts believed that the government needed much more resources to fight corruption. It is unclear what 'a lot more' entails in a context of pressing needs and limited financial and human resources. It will be important, however, for the government to be frank about those resources that are available to allocate to such efforts, which are currently scattered across a range of agencies. Any new proposals will have to be carefully budgeted for to ensure

that policies achieve the goals that are foreseen.

Sanctions

In testing the seriousness with which acts of corruption are viewed, experts were asked about the most appropriate sanction for elected politicians found guilty of corruption and fraud.

The majority (58%) of the respondents believed that guilty politicians should suffer the harshest penalty and lose their jobs and go to prison (figure 16). Over a quarter (27%) felt that the penalty would depend on the seriousness of the corrupt act. None felt that there should be no penalty, Only 9% felt that they should lose their jobs and pay a fine, while a further 5% suggested that they should only lose their jobs. Perhaps surprisingly, the highest percentage of respondents who argued for the loss of jobs and imprisonment were employed in the public sector (38%), followed by the civil society sector (31%). Having said this, however, the bulk of the responses (73%) from experts in the private sector were that the guilty politician should go to prison, followed by the suggestion that it depended on the seriousness of the crime (15%).

Figure 16: Respondents' perceptions of the most appropriate response to politicians found guilty of corruption and fraud
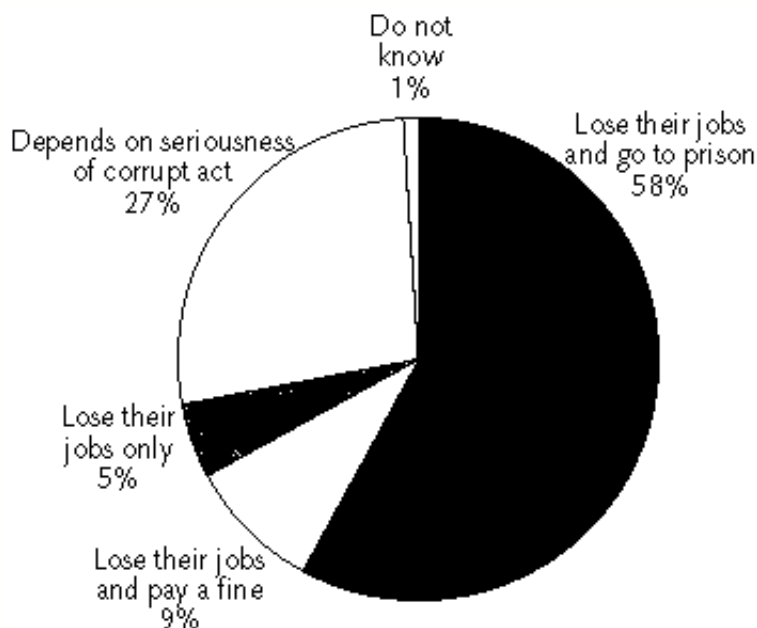
The same question was put to experts regarding public officials found guilty of fraud and corruption.

There was very little variation between the consequences envisaged for politicians and for public officials (figure 17). More than a half (59%) of the respondents believed that guilty public officials should lose their jobs and go to prison, while almost a quarter (25%) believed that the penalty should depend on the seriousness of the corrupt act. All respondents believed that there should be some penalty, with 8% thinking that the appropriate sanctions would be to lose their jobs and pay a fine, or to lose their jobs only. Those with an ideological orientation to the right of centre were more likely to call for harsher penalties.

Figure 17: Respondents' perceptions of the most appropriate response to public officials found guilty of corruption and fraud
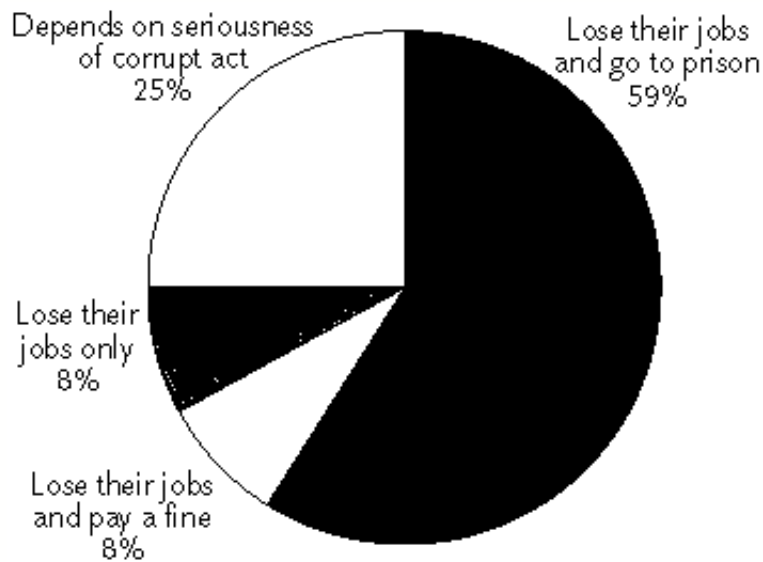
Analysis

The opinions on sanctions for corrupt public officials and politicians were fairly similar. Expert attitudes towards sanctions for corruption indicated a tough stance towards corrupt public officials and politicians. These attitudes might inform criminal justice responses which, in the public's perception, appear not to treat corruption as the crime it is, with fines rather than imprisonment being the norm. Government responses to corruption have to reflect the seriousness with which it is viewed. It may be necessary to 'fry some big fish' in order to show that the government is serious with its well-publicised zero tolerance approach to corruption.

CHAPTER 6
AN EVALUATION OF ANTI-CORRUPTION AGENCIES

How should the effectiveness of anti-corruption agencies be evaluated? This is not an easy question. A formal process is currently under way in South Africa with the Public Service Commission attempting to audit the range of existing anti-corruption bodies. Considering their mandate, legislation, jurisdiction, budget and resources, as well as their cases, results and outcomes, the following agencies with an anti-corruption mandate are under review:

> Office of the Auditor-General
> Office of the Public Protector
> Office of the Public Service Commission
> Independent Complaints Directorate
> South African Police Service Commercial Crime Unit
> South African Police Service Anti-Corruption Unit
> National Prosecuting Authority
> Directorate of Special Operations (Scorpions)
> Asset Forfeiture Unit
> Special Investigating Unit
> Department of Public Service and Administration
> National Intelligence Agency
> South African Revenue Services
> National Anti-Corruption Forum

A public report will be made available by the Public Service Commission in due course on the findings of this audit.

Agencies' ranking in terms of effectiveness

In this survey, respondents were asked to rank each of the units based on whether they considered them to be very effective, effective, not very effective, or not effective at all in fighting corruption.

There are clearly numerous agencies which exist to fight corruption in South Africa. However, as part of this survey, experts were asked to rank the effectiveness of a few of the main agencies, including the Special Investigating Unit, the Special Investigating Directorate on Corruption in the National Prosecuting Authority, the Office of the Public Protector, the Office of the Auditor-General and the Public Service Commission.

It is unclear which factors informed the respondents' opinions on effectiveness as these were not explicitly captured by the survey instrument. It can be assumed, however, that basic information on the agency concerned was probably informed by media profiles and reports (particularly in the case of the Special Investigating Unit and the Scorpions).

Special Investigating Unit

Almost half (47%) the experts felt that the Unit was effective, and more than a third (38%) that it was very effective.

White respondents were more likely than blacks to think that the Unit was very effective (43% compared to 32%), while black experts were more likely to think that it was effective (52% compared to 44%). The Unit was regarded as effective by respondents from all sectors (figure 18). There were very few respondents who did not know whether the Unit was effective.

Figure 18: Respondents' perceptions of the effectiveness of the Special Investigating Unit
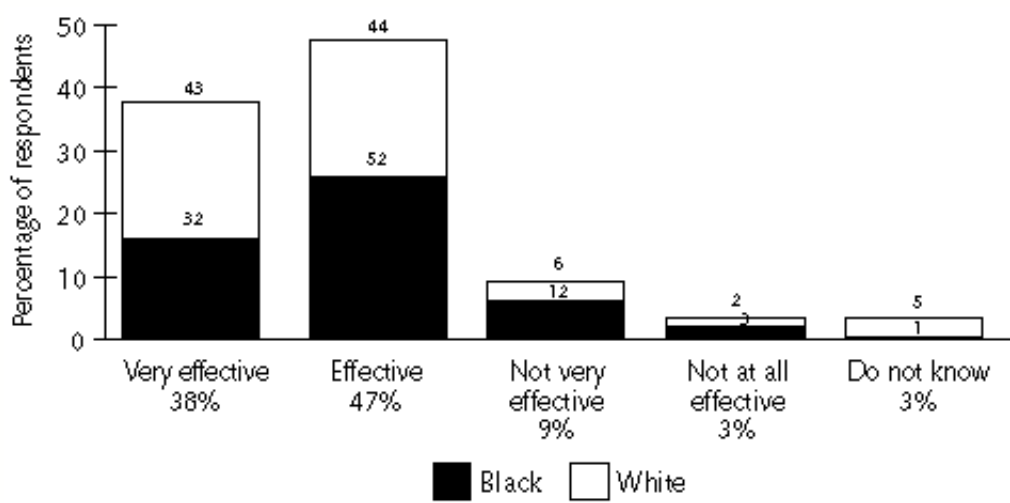

Special Investigating Directorate on Corruption

More than a third (35%) of all the experts regarded this directorate as effective, with a little over a tenth (12%) seeing it as very effective. Not surprisingly, there were a large number of

respondents (31%) who could not express an opinion on the effectiveness of this directorate. Since the directorate was never properly operational, and has subsequently been subsumed as part of the Directorate of Special Operations (Scorpions), it could not expect to attain a significant ranking.

Office of the Public Protector

The Office of the Public Protector was perceived by almost a half (48%) of the respondents as effective, and by more than one-tenth (14%) as very effective (figure 19). A significant proportion of the respondents (27%) saw the office as not very effective. Whites were more likely to think the office is effective compared to other institutions. Whites (55%) were more likely than blacks (39%) to see the office as effective.

Figure 19: Respondents' perceptions of the effectiveness of the Office of the Public Protector
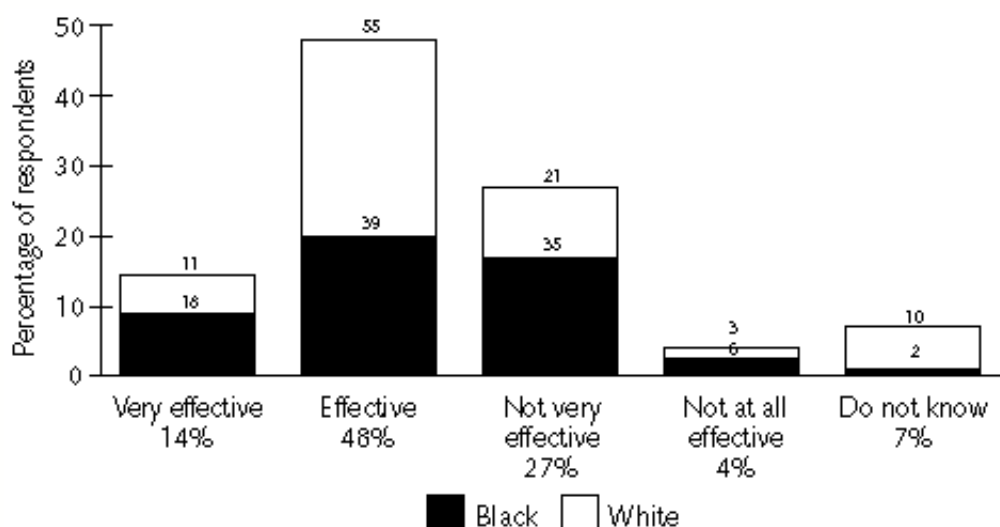
Office of the Auditor-General

A significant proportion (48%) of the respondents saw the office of the Auditor-General as effective in fighting corruption, with more than a quarter (26%) seeing it as very effective. Slightly more than a tenth (14%) of the respondents regarded the office as not very effective, while a mere 5% saw it as not effective at all. A total of 7% responded that they did not know enough to rank the office.
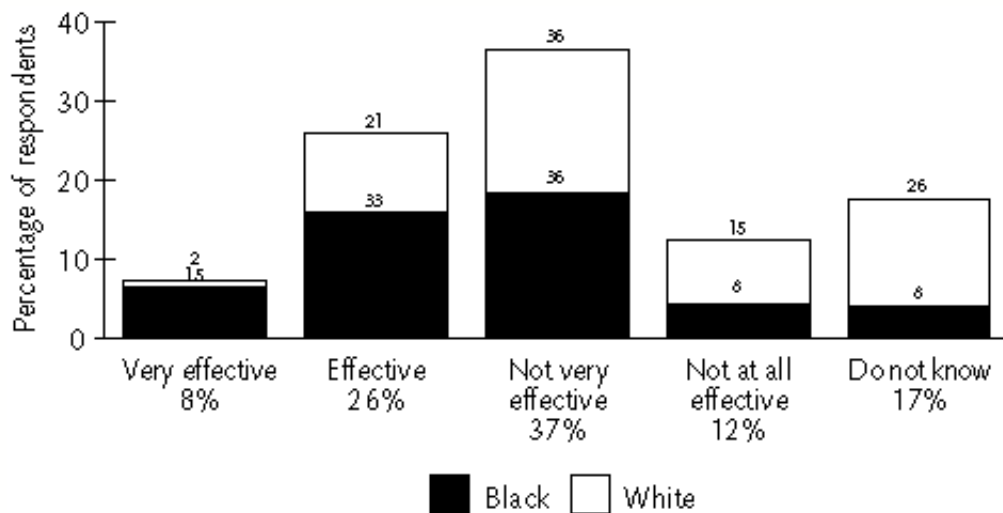
Figure 20: Respondents' perceptions of the effectiveness of the Office of the Auditor-General

Percentage of respondents

50
40
30
20
10
0

52
42
23
29
12
17
4
6
8
6

| Very effective 26% | Effective 48% | Not very effective 14% | Not at all effective 5% | Do not know 7% |

■ Black □ White
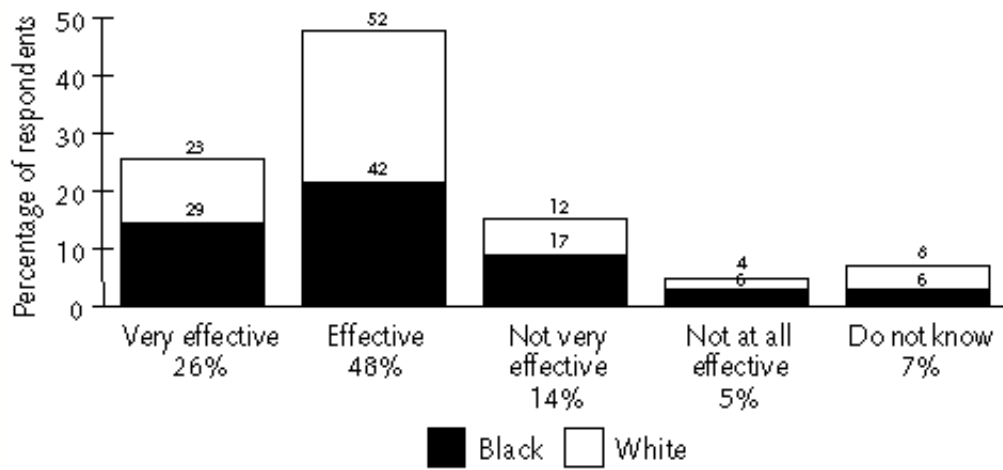
Public Service Commission

The most likely (37%) opinion on the effectiveness of the Public Service Commission was that it was not very effective. Just over a quarter (26%) of the respondents regarded it as effective and less than a tenth (8%) as very effective. Slightly more than a tenth (12%) saw the Commission as not effective at all, and a significant proportion of respondents (17%) did not know how to rank it. Black respondents were much more likely to regard the commission as very effective, than were whites. Whites were much more likely to indicate that they did not know.

Figure 21: Respondents' perceptions of the effectiveness of the Public Serv ice Commission

Percentage of respondents

40
30
20
10
0

2
15
21
33
36
36
15
6
26
6

| Very effective 8% | Effective 26% | Not very effective 37% | Not at all effective 12% | Do not know 17% |

■ Black □ White

Comparative analysis

In the experts' opinion, the Special Investigating Unit stood out by a significant margin as the anti-corruption agency perceived to be the most effective of those covered by the survey (figure 22 and 23). This is followed by the office of the Auditor-General (74%), the office of the Public Protector (62%), the Special Investigating Directorate on Corruption in the National Directorate of Public Prosecutions (47%) and the Public Service Commission (34%).

Figure 22: A comparison of respondents' perceptions of the effectiveness of anti-corruption agencies

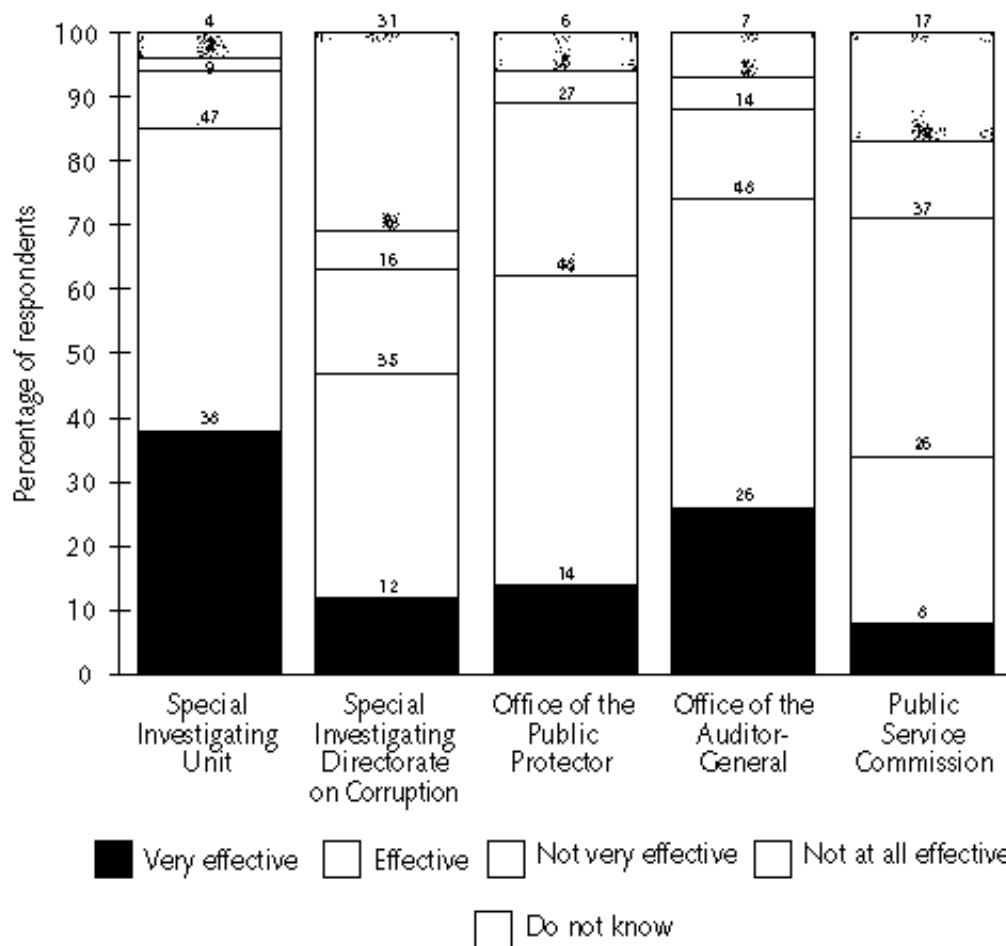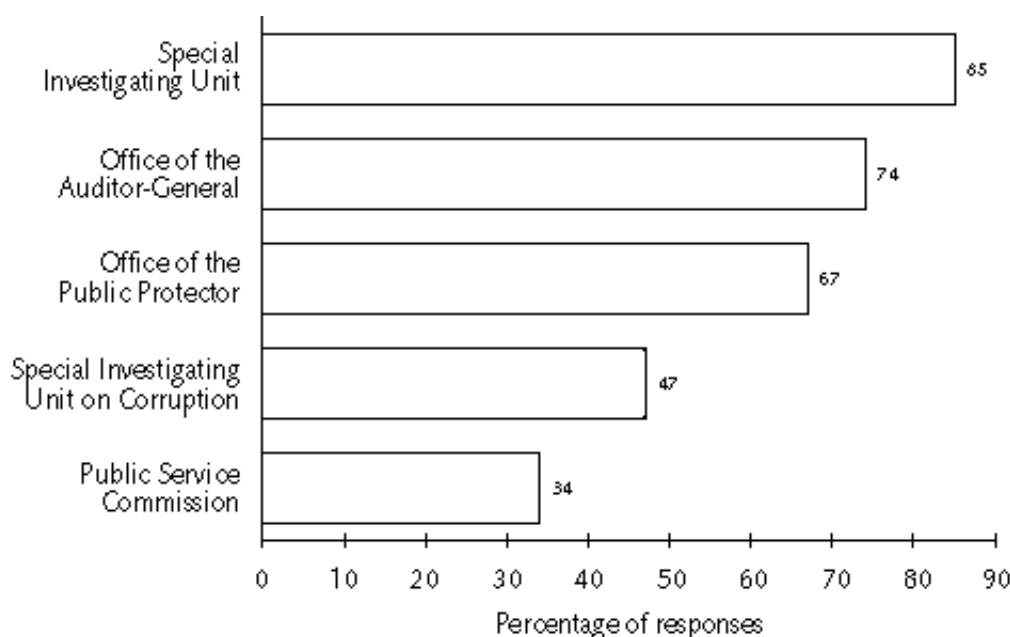**Figure 23: A comparison of respondents' perceptions of the ffectiveness of anti-corruption agencies**

The Special Investigating Unit clearly stood out in the expert rankings as the most effective of the anti-corruption agencies polled. With a specific anti-corruption mandate and special powers to prevent the loss of, as well as to recover public money on behalf of the state on the basis of

presidential proclamations, the unit and its former head, Judge Willem Heath, were able to persuade public and expert opinion of their effectiveness in fighting corruption.

The constitutional court judgement in November 2000 ruled that a judge could not head an investigative unit and receive executive directives. This and other issues led to the resignation of Judge Heath in early 2001, resulting in uncertainty over the future of the unit. In the meantime, the Henning report, which reviewed the outstanding caseload of the unit, found that the effectiveness of the unit in speedily acting to recover assets was severely hampered by poor case management and taking on cases which were not necessarily within their primary mandate. The head of the Asset Forfeiture Unit of the National Prosecuting Authority, Willie Hofmeyer, was appointed head of the Special Investigating Unit in July 2001.

Although the Public Service Commission has been tasked to be the flag carrier of the government's anti-corruption initiative at the April 1999 summit and has been responsible for convening meetings of the cross-sectoral task team, it is perceived to be least effective in fighting corruption by the expert panel. Since April 2001, the Department of Public Service and Administration has been mandated by the cabinet to play a far more active role in defining government priorities around fighting corruption. It is likely that the Public Service Commission will revert back to its constitutional oversight function of promoting professional ethics and monitoring the public service.

A striking 31% of the respondents were not able to give an opinion on the effectiveness of the work of the Special Investigating Directorate on Corruption. This is not surprising, since the directorate struggled for various reasons to define its mandate and acquire the appropriate capacity to fill it, although much excitement arose when it was proclaimed in February 2000. With the streamlining of the Scorpions under the National Prosecuting Authority, all special directorates have been integrated under the Directorate of Special Operations (the 'Scorpions').

It is clear that the perception of the effectiveness of anti-corruption agencies is a key issue. How is the effectiveness improved of existing bodies tasked with an anti-corruption mandate, particularly in terms of the investigation and prosecution of corruption cases? Should these institutions be replaced with a single anti-corruption agency in the anticipation that such a move would improve the current capacity to deal with corruption in a more effective way?

While the Public Service Commission's audit report has gone some way towards documenting the current situation in agencies with an anti-corruption role in terms of their mandate, resources and outcomes, not enough consideration has been given to how these bodies might function optimally in terms of their primary mandate and in relation to corruption. Such an exercise requires further deliberation and thinking around how to measure the effectiveness of such agencies in dealing with corruption. One of the main difficulties is not really knowing what the extent is of the corruption problem, as identified earlier in this monograph. Ideally, both the audit report and the strategy document on how to fight corruption in the public sector, currently being formulated by the Public Service Task Team, should be premised on (currently non-existent) baseline data on the nature and extent of corruption in the public sector. Cases, outcomes and opinions of the effectiveness of various agencies could then be measured against some appreciation of the magnitude of the problem.

CHAPTER 7
AN EVALUATION OF ANTI-CORRUPTION STRATEGIES

What are effective strategies to fight corruption? Which strategies are appropriate for South

Africa? Drawing on an international literature review of different measures to help fight corruption from Huberts' work on anti-corruption strategies, experts were asked to rank anti-corruption measures in terms of their perceived effectiveness.

Anti-corruption strategies and their effectiveness

On a scale of one to four, with one considered the least effective and four the most, the experts were asked to rate the effectiveness of the different measures used to fight corruption (see table 14).

Table 14: Respondents' perceptions of the effectiveness of a variety of anti-corruption strategies

Type of anti-corruption strategy	Percentage very effective	Mean (1=least, 4=most effective)
Greater access for citizens and news media to government information (including budgets)	44	3.25
A national anti-corruption hotline	43	3.51
Legal protection for whistle blowers	62	3.58
Vigorous news media investigation of corruption	57	3.51
Tougher legislation enabling more prosecutions and harsher sentences for corruption	48	3.41
Codes of conduct to promote professional ethics in government	31	2.85
Increased commitment by political and business leaders to fight corruption and fraud	43	3.26
Schools placing more emphasis on moral values	56	3.6
Religious community placing greater emphasis on promoting moral values in everyday life	46	3.4
A media campaign to raise public awareness of the extent and costs of corruption	40	3.4
More resources to investigate and prosecute corruption cases	57	3.6
Special anti-corruption courts	46	3.27
A single independent agency dedicated to fight corruption	29	2.92
Fighting organised crime	48	3.45
Bar corrupt officials from holding public office	69	3.56
Increase salaries of police officers	29	3.14
Increase salaries of government employees	14	2.76
Detailed information provided by government on how revenue is spent	35	3.15
Greater internal financial controls and internal audits of government spending	65	3.53
Greater transparency of government tender procedures	66	3.63
Verifying qualifications of all potential incumbents in the public service	49	3.25
Blacklisting businesses proved to be involved in corruption	57	3.32

Disclosure by top public officials and politicians of all financial interests	47	3.34
Greater transparency of political party finances	40	3.19
Opposition parties and civil society acting as 'watchdogs' over government activities	33	3.04
Increase the ability of parliament to oversee the activities of government	37	3.4
Create a national, non-statutory independent body to advise and co-ordinate the implementation of anti-corruption policies	33	3.12
More research on the causes, nature and extent of corruption	26	3.19
Regular anti-corruption conferences that bring together all sectors and stakeholders	14	2.68
Prosecution of high-profile individuals	62	3.57

The list of anti-corruption measures were grouped into five categories for purposes of analysis. These categories include:

Access/information and transparency: greater access to information, vigorous news media investigations, detailed information on government revenue, disclosure by top public officials and politicians of all financial interests, transparency of political party finances, research on the nature and extent of corruption, and regular anti-corruption conferences.

Oversight and watchdog mechanisms: a national anti-corruption hotline, verification of applications, opposition parties and civil society acting as 'watchdogs' over government activities, parliamentary oversight, and a national, non-statutory independent body to advise and co-ordinate the implementation of anti-corruption policies.

Criminal justice responses: legal protection for whistle blowers, tougher legislation enabling more prosecutions and harsher sentences for corruption, more resources to investigate and prosecute corruption cases, special anti-corruption courts, a single independent agency dedicated to fight corruption, fighting organised crime, and prosecution of high-profile individuals.

Moral and ethical values: codes of conduct to promote professional ethics in government, increased commitment by political and business leaders to fight corruption and fraud, more emphasis on moral values in schools and the religious community, as well as greater emphasis on promoting moral values in everyday life, in general.

Public service reforms: the barring of corrupt officials from holding public office, increased salaries for police officers, increased salaries for government employees, greater internal financial controls and internal audits of government spending, and the blacklisting of businesses proved to be involved in corruption.

Access to information and transparency

Of the anti-corruption strategies promoting access to information and transparency, measures promoting transparency in government tender procedures were viewed as the most effective in this category, as well as overall (figure 24). The majority (93%) of the experts felt that such a measure would be either effective or very effective in combating corruption (4 on the mean scale). In the light of allegations around the tenders and procedures for contracts and

subcontracts in the controversial arms deal currently under investigation, this is not surprising. The vigorous investigation of corruption by the news media was seen as the next most useful means to combat corruption (91%). With particular newspapers such as the Mail & Guardian specialising in investigative journalism and playing an important watchdog role over corrupt dealings, unrestricted and independent media, able to serve the public interest, are clearly essential in the fight against corruption.

Figure 24: Respondents' perceptions of access to information and transparency as anti-corruption strategies
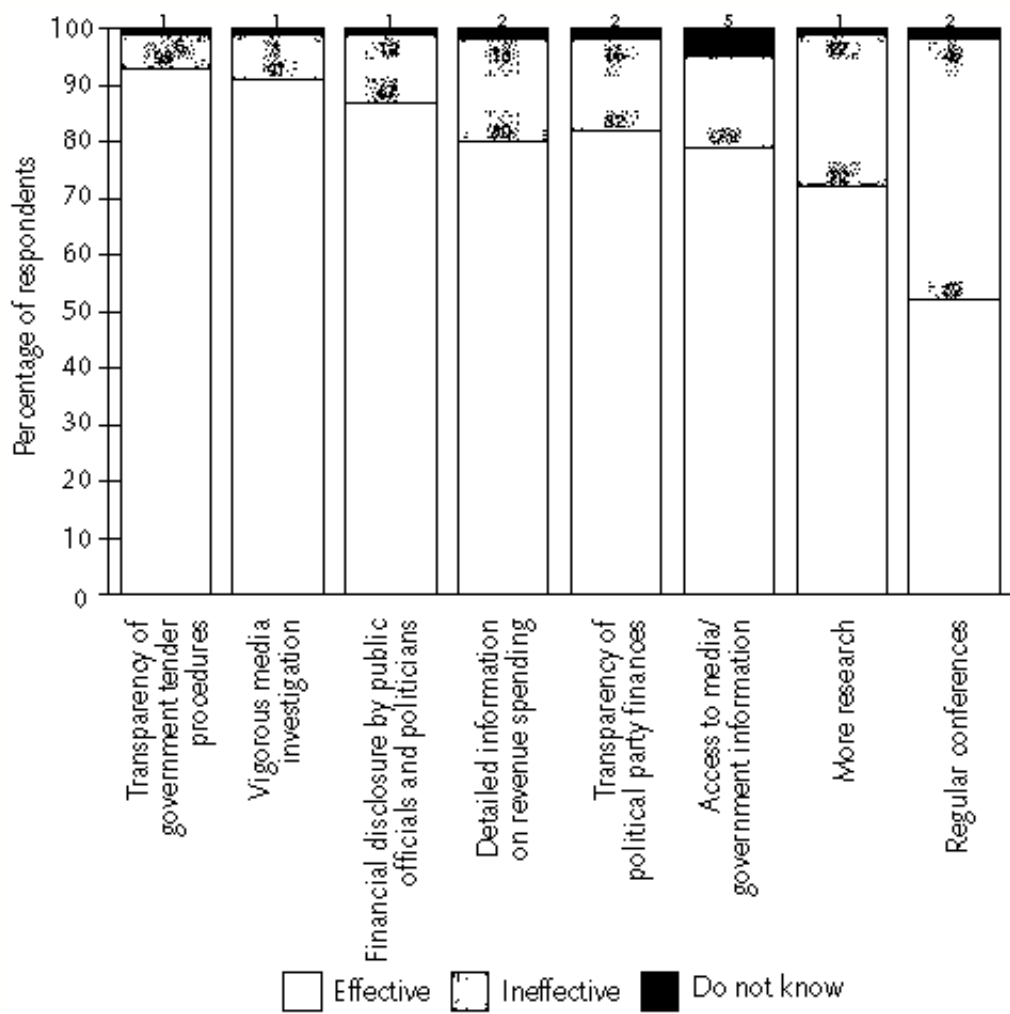

In this category, and overall, experts rated regular anti-corruption conferences as the least effective method to fight corruption, with just less than a half (46%) of respondents feeling that such measures were ineffective. Clearly, at this point in the policy debate, conferences have served their role and there is a sense of frustration at conference resolutions not being implemented. Less talk and more action are required for the fight against corruption to be effective.

Oversight and watchdog mechanisms

In this category, verifying the qualifications of all public officials was viewed as the most effective oversight or watchdog mechanism available, with the majority (88%) of respondents feeling such a measure was effective (figure 25). The Public Service Commission is aware of the role it can play in this regard, having recently compiled a report on public officials who were ill-qualified

for the positions in which they were appointed. A recent example that comes to mind is that of a provincial director of health with a grade 10 (standard 8) qualification, earning over R400 000 a year. Clearly, something is amiss. Basic prevention of crime in the workplace (within which corrupt activity falls) necessitates strong screening procedures. The verification of qualifications is a simple but effective way to screen public officials before allowing them into the system.

Figure 25: Respondents' perceptions of oversight and watchdog mechanisms as anti-corruption strategies
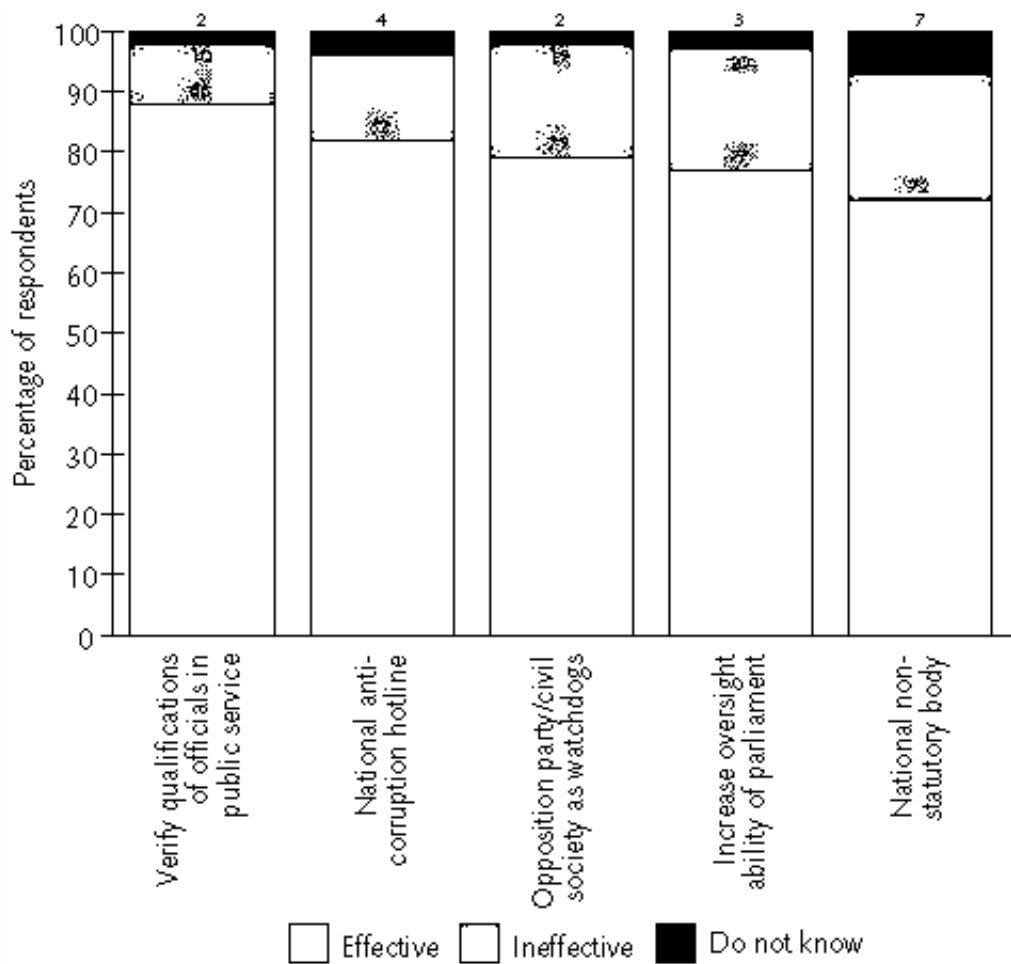
Four-fifths (82%) of the respondents felt that a national anti-corruption hotline would be the next most effective measure in reducing corruption. The Public Service Commission is currently undertaking a feasibility study of such a system, which would encourage public participation in the fight against corruption.

The formation of a national independent body to advise and co-ordinate the implementation of anti-corruption policies (along the lines of the National Anti-Corruption Forum) was felt to be the least effective measure within this category, with 72% of the experts suggesting that such a measure was effective.

Criminal justice responses

Of responses by the criminal justice system, the increased availability of resources to investigate and prosecute corruption cases was felt to be the most effective (95%) method to fight corruption. Equally important was the prosecution of high-profile corruption cases (95%).

'Frying big fish' guilty of corruption has not occurred sufficiently in South Africa and, by all accounts, would be more effective in demonstrating the government's intent to address the problem than numerous conferences and policy documents.

Interestingly, only two-thirds (66%) of the respondents felt that a single independent agency dedicated to fight corruption would be effective in reducing corruption. It is possible to speculate on the reasons for this relatively low response. Experts, possibly knowledgeable about the complexity of the corruption phenomenon, are less inclined to see a single agency as the panacea in addressing the problem. There is also a feeling that a range of institutions with an anti-corruption mandate provide checks and balances and ensure that there is no single all-powerful agency which might become the political police of the ruling party. The debate on whether South Africa should go the route of a single agency is ongoing, although there is agreement to bolster the capacity and effectiveness of existing agencies and strengthen co-ordination between them.

Figure 26: Respondents' perceptions of criminal justice responses as anti-corruption strategies

Morals, ethics and commitment
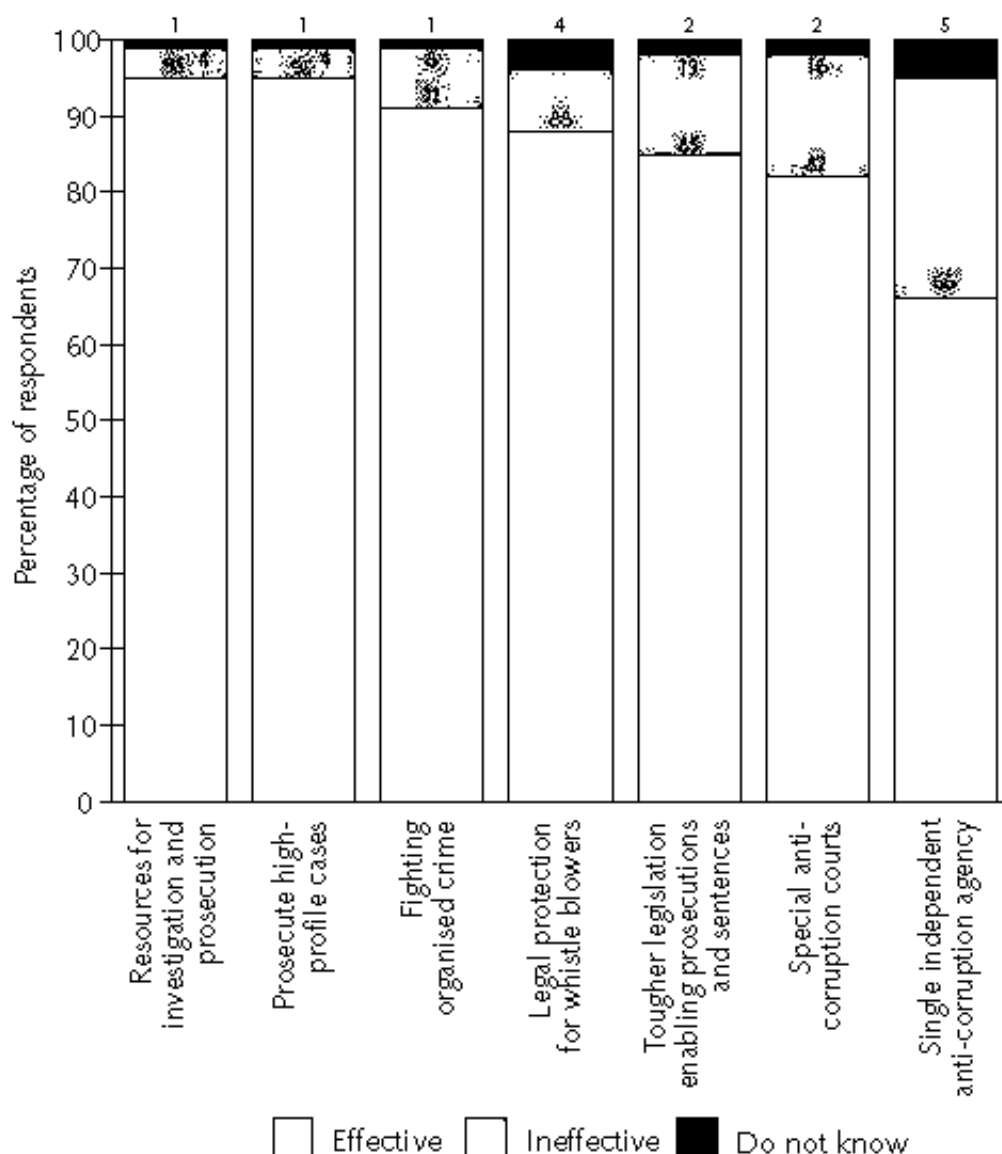
In terms of a moral and ethical response to corruption, the notion of schools placing more emphasis on moral values was felt to be an effective method of undermining corruption, with the majority (90%) of experts nominating this measure as effective. Increased commitment by political and business leaders was noted as the next most effective anti-corruption measure (85%) in this category. Leadership across sectors in fighting corruption is also vital.

Codes of conduct to promote professional ethics in government generally scored poorly in terms of perceived effectiveness, with only two-thirds (63%) of the respondents feeling that such measures were effective. Ethical management issues within the public service, while clearly important, were seen as soft issues that would take time before they made an impact. Tougher control measures and criminal justice responses to corrupt individuals within the public service were more likely to receive a positive ranking from the experts.

Figure 27: Respondents' perceptions of morals, ethics and commitment as anti-corruption strategies

Public service reforms
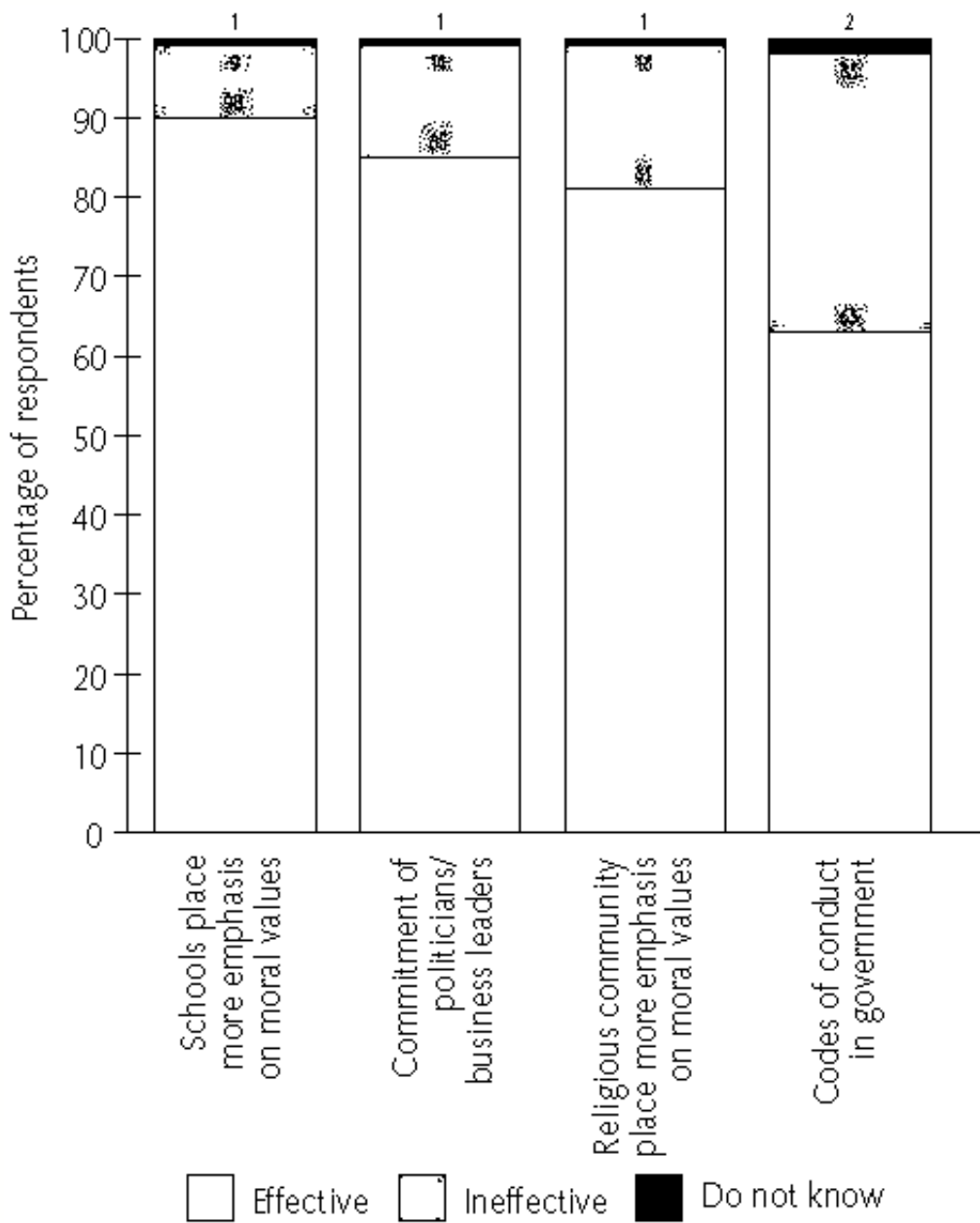
The barring of corrupt officials from holding public office was perceived as the most effective means to combat corruption (97%) within the category of public service reforms. Once again, this is a relatively simple measure to institute, should consensus exist. Only marginally fewer experts (95%) felt that greater internal financial controls and internal audits of government spending would be effective in reducing corruption. In this respect, the Public Finance Management Act has greatly assisted departments to put the basic risk and control measures in place, although the quality of financial and management skills in the public sector poses a major challenge to the effective implementation of this ambitious legislation.

Least effective of public service reforms was to increase the salaries of government employees, with close on half of the respondents maintaining that such a measure was ineffective (48%). There is general consensus that public officials in South Africa, with some exceptions, are not poorly paid and cannot therefore be acting corruptly out of need. Greed, as the survey showed, is a primary cause of corruption in society, in general, and in government, more specifically. Experts did distinguish, however, between the police and the public sector, with many (78%) believing that increased salaries for police officers might be an effective anti-corruption strategy.

Figure 28: Respondents' perceptions of public service reforms as anti-corruption strategies
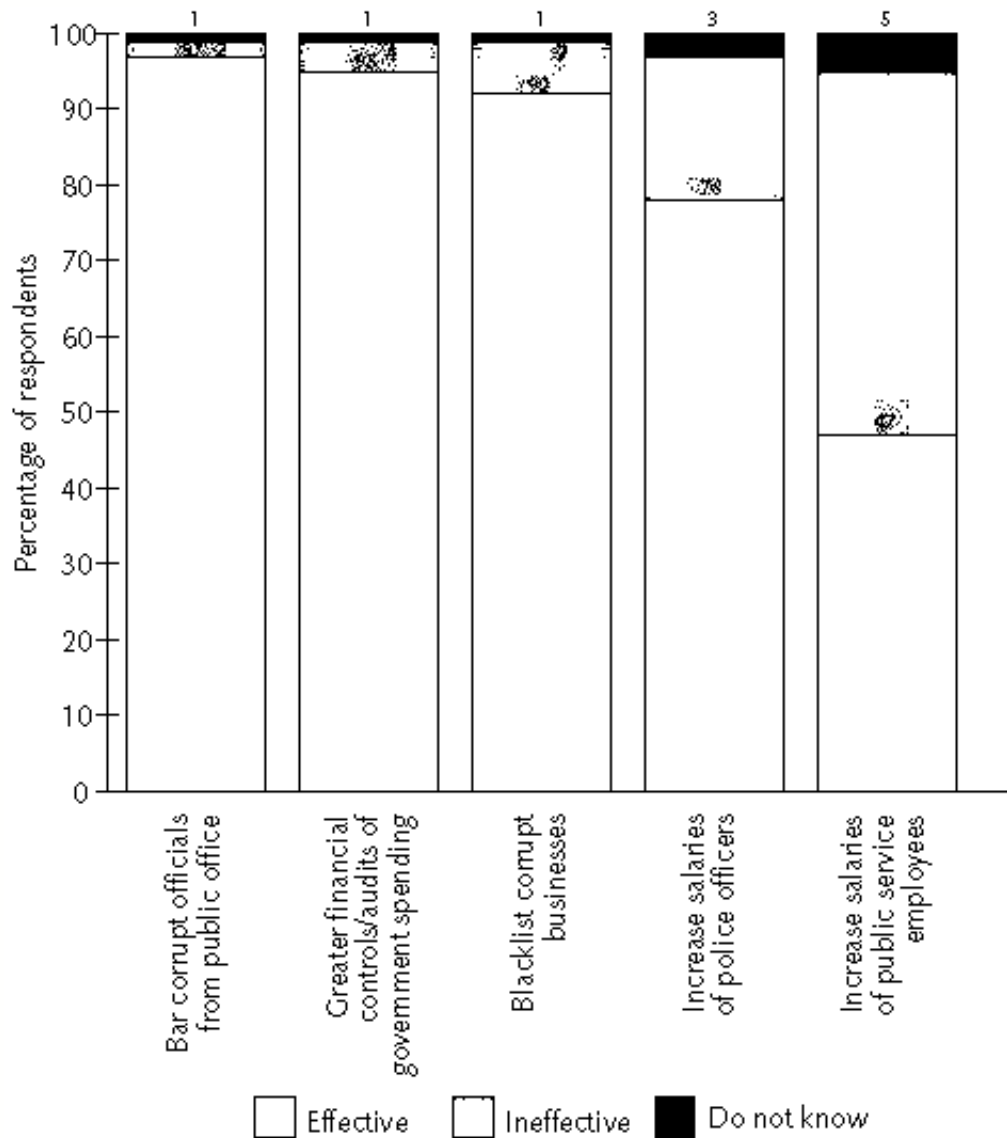
CHAPTER 8
CONCLUSION

The suggestion has been made that once the causes of corruption have been identified in a particular society, they can be matched with appropriate control strategies to address the problem. However, this is only possible up to a point. In the South African context, where political transformation and the legacy of apartheid, as well as socio-economic conditions are cited as key causes of the corruption phenomenon, wider reform strategies are clearly required than those listed. Economic growth, the inculcation of democratic practices and measures to address the apparent culture of impunity are just some of the challenges facing the current government.

In revisiting Johnston's features of societies where corruption is the most likely to occur — where there is low political competition, low and uneven economic growth, a weak civil society and the absence of institutional mechanisms to deal with corruption — South Africans would be wise to focus their attention on the first two features. Besides the need for sustained economic growth, the arrogance bred by power within political parties that feel no threat to their majority position from other parties, is not healthy in any context. The incumbents and custodians of public power, office, authority, resources and trust have to retain strict vigilance to prevent even the perception of abuse of these public goods.

There is as much corruption in a society as its citizens are prepared to accept. Civil society has to be strengthened and mobilised to play its important watchdog role in the fight against corruption. While the architecture of anti-corruption agencies within the South African context is impressive, its effectiveness has not been proven in the public perception. The key challenge is therefore to sustain the positive national anti-corruption initiatives under way. The data from this survey will hopefully play some role in informing policy and decision makers on where to focus and how to prioritise their interventions to fight corruption in a context where other, seemingly more pressing and real needs will compete for space on the agenda.

NOTES

1. The author is indebted to Prof Leo Huberts from the Vrije Universiteit Amsterdam for first alerting her to the expert panel methodology for conducting anti-corruption research and allowing generous access to his original questionnaire.

2. U Zvekic & A Matlei, *Research and international co-operation in criminal justice*, Publication no 29, UNICRI, Rome, 1987.

3. M Johnston, The new corruption rankings: Implications for analysis and reform, paper prepared for Research Committee 24, *International Political Science Association, World Congress*, Quebec City, Canada, August 2000, (author's emphasis).

4. L Huberts, *Expert views on public corruption around the globe: Research report of an international expert panel*, PSPA Publications, Amsterdam, 1996.

5. Corruption Act no 94 of 1992.

6. J Nye, Corruption and political development: A cost-benefit analysis, *American Political*

Science Review 51, 1967.

7. In R Klitgaard, *Controlling corruption*, University of California Press, Berkeley 1988.

8. M Johnston, The search for definitions: The vitality of politics and the issue of corruption, *International Social Science Journal* 49, 1996, pp 321-335.

9. R Stapenhurst & S Kpundeh (eds), *Curbing corruption: Towards a model for building national integrity*, EDI Development Studies, World Bank, 1999.

10. UNDP, *Corruption and good governance* 1997, Discussion Paper 3, Management and Governance Division, Bureau for Policy and Programme Support, UNDP, New York, 1997.

11. Klitgaard, op cit.

12. Hansie Cronje is the disgraced former South African cricket captain; Alan Boesak is the former head of the Foundation for Peace and Justice who was sentenced to a jail term for defrauding funders; and Abe Williams is the former NP minister of Welfare in the Western Cape provincial government.

13. *Public protection report 11 (special report) on the investigation of allegations of nepotism in government*, April 1999.

14. R Mattes & C Africa, Corruption — the attitudinal component: Tracking public perceptions of official corruption in South Africa, 1995-1998, paper read at the 9th International Anti-Corruption Conference, Durban, 1999.

15. R Humphries, Corruption in the public sector: What the public think, *Nedcor ISS Crime Index 3(3)*, 1999.

16. Mattes and Africa, op cit.

17. Ibid.

18. Huberts, op cit.

19. M Johnston, What can be done about entrenched corruption?, paper read at the *9th Annual Bank Conference on Development Economics*, The World Bank, Washington DC, 1997.

20. S P Huntington, *Political order in changing societies*, Yale University Press, New Haven, 1968.

21. *Public service ethics in Africa,* volume 1, UN Economic and Social Affairs, New York, 2001.

22. Stapenhurst & Kpundeh, op cit.

23. P Heywood (ed), *Political corruption*, Blackwell Publishers, Oxford, 1997.

24. M Robinson (ed), *Corruption and development*, Frank Cass, London, 1998.

25. A Doig & J Wilson, Contracts and UK local government: Old problems, new permutations, paper read at the *47th Annual Conference of the Political Studies Association*, UK, 1997.

26. Stapenhurst & Kpundeh, op cit.

APPENDIX 1
QUESTIONNAIRE

Introduction

Good morning/ afternoon/ evening, I am ... an interviewer working for Markinor, an independent market research company. We are conducting a survey among decision-makers who have attended conferences focusing on the issue of corruption. The survey is done on behalf of a South African research organisation and sponsored by the European Union and I would like to assure you that we are only interested in your opinion regarding the issue of corruption and your answers will be confidential. At the end of July we faxed you a letter to alert you that we would be contacting you in the near future. On completion of the survey you will receive a report from the Institute for Security Studies as a show of appreciation. May I have a few minutes of your time now to ask you some questions?

1 q Yes, continue
2 q No, new appointment, refused etc

S1. Were you invited and/or did you attend any of the following conferences? Public Sector Anti-Corruption Conference held in November 1998 — Cape Town

1 q Yes
2 q No

S1. Were you invited and/or did you attend any of the following conferences? National Anti-Corruption Summit held in April 1999 — Cape Town

1 q Yes
2 q No

S1. Were you invited and/or did you attend any of the following conferences? 9th International Anti-Corruption Conference held in October 1999 — Durban

1 q Yes
2 q No

Let us begin by talking about the general conditions in South Africa.

Q1. What are the most important problems facing this country that government should address? Please tell me the MOST important problem.

Now the SECOND MOST important problem.

1 q 2nd Problem
2 q No other problems

Now the THIRD MOST important problem.

1 q 3rd Problem
2 q No other problems

Now I would like to speak to you about corruption in general. Q2. What do you understand by the word "corruption"? What does it mean to a person like yourself?

Q3. Can you give me one example of corruption?

For the purpose of the interview we would like to suggest that the following definition of corruption is kept in the back of your mind. Corruption is where those in government and the civil service take money or gifts from the people and use it for themselves, or expect people to pay them extra money or give them a gift to do their job.

I am now going to read out a list of institutions and offices. Please give me your opinion on whether you think they could be involved in corruption or not. Please use the scale as read out. Q4. How many officials in the Office of the President do you think are involved in corruption?

1 q All/almost all
2 q Most
3 q A few/some
4 q Almost none/none
5 q Haven't had a chance to hear enough about it

How many cabinet ministers do you think are involved in corruption?

How many senior government officials do you think are involved in corruption?

How many members of parliament do you think are involved in corruption?

How many civil servants, or those who work in government offices and ministries do you think are involved in corruption?

How many officials in provincial government do you think are involved in corruption?

How many officials in your local government do you think are involved in corruption?

Q5. Is government today more, just as or less corrupt than under apartheid?

1 q More
2 q About the same
3 q Less
4 q Don't know

Q5.1 You mentioned that corruption increased. Why do you say so?

Q6. What about the next few years? Do you expect levels of corruption to increase, stay about

the same, or decrease?

1 q Increase
2 q Stay about the same
3 q Decrease
4 q Don't know

Q7. Thinking of the various ministries, departments and agencies in the national government, which would you say have the greatest levels of corruption? Any other? Any others? ACCEPT UP TO THREE

1 q Culture and Technology
2 q Customs and Excise
3 q Defence
4 q Education
5 q Environment/Conservation/National Parks
6 q Finance
7 q Foreign Affairs/Embassies/Consulates
8 q Health
9 q Home Affairs/Passports
10 q Housing
11 q Justice/Attorney Generals
12 q Public Service and Administration
13 q Public Works
14 q Safety and Security/Police
15 q Trade
16 q Welfare and Population Development
17 q Other (SPECIFY)
18 q Don't know

Q8. When it comes to fighting corruption, which political party, if any, comes to mind first?

1 q ACDP
2 q Afrikaner-Eenheidsbeweging
3 q ANC
4 q Azapo
5 q Democratic Alliance
6 q DP
7 q Federal Alliance
8 q Freedom Front
9 q IFP
10 q NNP
11 q PAC
12 q UDM
13 q None
14 q Don't know
15 q Other (SPECIFY)

Q9. When it comes to its members being involved in corrupt practices, which political party, if any, comes to mind first?

1 q ACDP
2 q Afrikaner-Eenheidsbeweging
3 q ANC
4 q Azapo
5 q Democratic Alliance
6 q DP
7 q Federal Alliance
8 q Freedom Front
9 q IFP
10 q NNP
11 q PAC
12 q UDM
13 q None
14 q Don't know
15 q Other (SPECIFY)

Q10. Beside government, is corruption a serious problem in any other areas of South African society?

1 q Yes
2 q No/Don't know

Q10.1. Which sectors?

1 q Business
2 q Labour
3 q NGO sector
4 q Educational institutions
5 q Community organisations
6 q Church
7 q Sport
8 q Other (SPECIFY)

Q11. Are corruption and fraud more prominent in the public or the private sector or is it about the same in both ?

1 q Public sector
2 q Private sector
3 q About the same in both
4 q Don't know

Q12. What is your interpretation of the seriousness of corruption in South Africa? With which ONE of the following statements do you agree most?

1 q South Africa has a lot of corruption and it is one of the most serious problems the country is confronted with

2 q South Africa has a lot of corruption, but this country is confronted with other, more serious problems

3 q South Africa does not experience a lot of corruption, but it is still one of the most serious

problems the country is confronted with

4 q South Africa does not experience a lot of corruption and it is not among the serious problems the country faces

Q13. What do you think is the MAIN cause of corruption in South African society in general?

Q14. What do you think is the MAIN cause of corruption in government in South Africa?

Q15. How well would you say the government is handling the matter of fighting corruption? Would you say ...?

1 q Very well
2 q Fairly well
3 q Not very well
4 q Not at all well
5 q Haven't you heard enough about this to have an opinion?

Q16. How committed do you think the government is to fight corruption? Would you say that it is...?

1 q Very committed
2 q Committed
3 q Not very committed
4 q Not at all committed
5 q Haven't you heard enough about this to have an opinion?

Q17. Does the government have sufficient resources to fight corruption? Do you think it has enough resources, needs a little more resources, needs a lot more or haven't you heard enough about this to have an opinion?

1 q Enough resources
2 q Needs a little more resources
3 q Needs a lot more
4 q Haven't you heard enouh about this to have an opinion?

Q18. What is government doing RIGHT in the fight against corruption?

Q19. What is government doing WRONG in the fight against corruption?

Q20. What about you personally? During the past year, has any government official, for instance a customs officer, police officer or traffic officer asked you or expected you or anyone you know to pay a bribe for his or her service?

1 q Yes, I have been asked to pay a bribe or I know of someone who has been asked

2 q No

Q21. Which of the following statements would you think best describes the majority of cases where an official has to be bribed in exchange for a service or for solving a problem?

1 q The public official requests or hints payment
2 q The offer must be made spontaneously by the citizen
3 q It is known beforehand how it is done and how much to pay

Q22. In general, which of the following statements would you think best describes the majority of cases where an official has to be bribed in exchange for a service or for solving a problem?

1 q The public official requests or hints payment

2 q The offer must be made spontaneously by the citizen

3 q It is known beforehand how it is done and how much to pay

Q23. I would like to read you a list of statements concerning corruption in government. For each, please tell me whether you strongly agree, agree, neither agree nor disagree, disagree, or strongly disagree.

Government officials are so poorly paid that they have no choice but to ask people for extra payments

Paying bribes to government officials or doing favours for them helps overcome the red tape of bureaucracy and makes it easier to get things done

Democratic systems of government increase the amount of corruption in a country

By selling government factories and businesses to private citizens (privatisation), the potential for corruption in government is increases

Q24. Elected politicians found guilty of corruption and fraud could face a number of situations. Which one of the following do you think is the most appropriate?

1 q Lose their jobs and go to prison
2 q Lose their jobs and have to pay a fine
3 q Lose their jobs only
4 q It depends on the seriousness of the corruption
5 q There should be no penalty for this
6 q Don't know DO NOT READ OUT

Q25. Civil servants found guilty of corruption and fraud could face a number of situations. Which one of the following do you think is the most appropriate.

1 q Lose their jobs and go to prison
2 q Lose their jobs and have to pay a fine
3 q Lose their jobs only
4 q It depends on the seriousness of the corruption
5 q There should be no penalty for this
6 q Don't know DO NOT READ OUT

Q26. There are numerous agencies that exist to fight corruption in South Africa. For each, please tell me whether you think they are very effective, effective, not very effective, or not at all effective in fighting corruption in government. If you have not yet had a chance to read or hear

about the institution, please feel free to tell me.

How effective do you think Heath Special Investigating Unit is?

How effective do you think Special Investigating Directorate on Corruption (part of NDPP) is?

How effective do you think Office of the Public Protector is?

How effective do you think Office of the Auditor General is?

How effective do you think Public Service Commission is?

Q27.1. People talk about different measures to help fight corruption. For each of the following proposals, please tell me whether you think it would be very effective, effective, not very effective, or not at all effective in fighting corruption.

How effective would Greater access for citizens and news media to government information (including budgets) be?

How effective would A national anti-corruption hotline be?

How effective would Legal protection for whistleblowers be?

How effective would Vigorous news media investigation of corruption be?

How effective would Tougher legislation enabling more prosecutions and harsher sentences for corruption be?

Codes of conduct to promote professional ethics in government ?

Increased commitment by political and business leaders to fight corruption and fraud?

Schools placing more emphasis on moral values?

Religious community placing greater emphasis on promoting moral values in everyday life?

A media campaign to raise public awareness of the extent and costs of corruption?

More resources to investigate and prosecute corruption cases?

Special anti-corruption courts?

A single independent agency dedicated to fighting corruption?

Fighting organised crime?

Bar corrupt officials from holding public office?

Increase salaries of police officers?

Increase salaries of government employees ?

Detailed information on the part of government on how revenue is spent?

Greater internal financial controls and internal audits of government spending?

Greater transparency of government tendering procedures?

Verifying qualifications of all potential appointees to the civil service?

Blacklisting businesses proved to be involved in corruption?

Disclosure by top civil servants and politicians of all financial interests?

Greater transparency of political party finances?

Opposition parties and civil society acting as a "watchdog" of government activities ?

Increase the ability of parliament to oversee the activities of government ?

Create a national, non-statutory independent body to advise and co-ordinate the implementation of anti-corruption policies?

More research on the causes, nature and extent of corruption?

Regular anti-corruption conferences that bring together all sectors and stakeholders?

Prosecution of high profile individuals?

Q28. In politics, people sometimes talk of "left" (or "radical") and "right" (or "conservative"). Where would you place yourself on a scale from 0 to 10 where 0 means the left and 10 means the right?

0 q Left
1 q
2 q
3 q
4 q
5 q
6 q
7 q
8 q
9 q
10 q Right
11 q Don't know/Refuse

I would like to conclude this interview by asking you some general questions for analysis purposes.

D1. Gender

1 q Male

2 q Female

D2. Into which age group to you fall?

1 q Younger than 24 years
2 q 25 ñ 34 years
3 q 35 ñ 49 years
4 q 50 ñ 59 years
5 q 60 years or older
6 q Refuse to answer

D3. Race

1 q Black
2 q Coloured
3 q Indian
4 q White
5 q Refuse/Not sure

D4. What is the language you would consider as your home language?

1 q Zulu
2 q Xhosa
3 q English
4 q Afrikaans
5 q South Sotho
6 q Swazi
7 q Northern Sotho
8 q Tswana
9 q Venda
10 q Other (SPECIFY)

D5. In which one of the following sectors do you work?

1 q Criminal Justice sector
2 q Public sector (government)
3 q Business sector
4 q Labour sector
5 q NGO sector
6 q Legislative sector (Parliament/Provincial Legislature)
7 q Other (SPECIFY)

D6. What is your highest academic qualification?

1 q Lower than matric
2 q Matric
3 q Diploma
4 q Bachelor's degree
5 q Honours degree
6 q Masters degree
7 q Doctorate

8 q Refused

D7. If applicable, into which one of the following broad religious categories do you fall?

1 q Christian
2 q Jewish
3 q Moslem
4 q Other
5 q Agnostic
6 q Atheist
7 q Refuse

D8. Would you like to receive a free copy of the report that the Institute for Security Studies will be compiling upon completion of this survey?

1 q Yes
2 q No

Can I please have your postal details?

Thank you for the time and input provided during this interview.

APPENDIX 2
MEMORANDUM OF UNDERSTANDING,NATIONAL ANTI-CORRUPTION FORUM

Preamble

WHEREAS the National Anti-Corruption Summit held in Parliament, Cape Town, on 14 — 15 April 1999, recognised the serious nature and extent of the problem of corruption in our society;

AND WHEREAS the delegates to the National Anti-Corruption Summit committed themselves to develop a culture of zero tolerance of corruption;

AND WHEREAS it has been resolved at the National Anti-Corruption Summit that sectoral co-operation at national level is required for the prevention and combating of corruption;

AND WHEREAS it has been resolved at the National Anti-Corruption Summit that various measures and sectoral co-operation are required to prevent and combat corruption;

NOW THEREFORE a National Anti-Corruption Forum is established.

The founding of a National Anti-Corruption Forum

A non-statutory and cross-sectoral National Anti-Corruption Forum (hereinafter "the Forum") is established:

To contribute towards the establishment of a national consensus through the co-ordination of sectoral strategies against corruption;

To advise Government on national initiatives on the implementation of strategies to combat corruption;

To share information and best practice on sectoral anti-corruption work ; and

To advise sectors on the improvement of sectoral anti-corruption strategies.

The members of the Forum

The Forum shall consist of thirty (30) members on the basis of ten (10) representatives from each of the sectors envisaged in the resolutions of the National Anti-Corruption Summit.

The members of the Forum shall be fit and proper persons who are committed to the objectives of the Forum and who shall serve as members on a voluntary basis. Such representatives shall be suitable leaders within each sector.

The Forum shall appoint a Chairperson with two deputies from the other representative sectors.

Each sector shall ensure that members of the Forum are representative of all constituent parts of the sector and that members provide continuity in their contributions to the work of the Forum.

The Minister of Public Service and Administration will convene members of the Public Sector.

Convening the Forum

The Public Service Commission shall convene at least two meetings of the Forum a year.

The Forum shall be assisted by a secretariat provided by the Public Service Commission.

The Public Service Commission shall at the first meeting of the Forum submit a proposal to the Forum on the manner, nature and impartiality of support of the secretariat.

The Public Service Commission shall, under the guidance of the Forum, convene an Anti-corruption Summit on a bi-annual basis.

The Forum shall consider its composition, capacity and continued functioning after one year.

Functions of the Forum

The functions of the Forum shall be to do all such things as are reasonably necessary to achieve its objectives as set out in paragraph 1 above. The Forum shall at its first meeting adopt a plan of work in order to achieve the objectives set out in the Memorandum of Understanding.

Reporting

The Public Service Commission shall prepare an annual report on the activities of the Forum. The annual report must be approved by the Forum. The Public Service Commission shall publish the annual report, including to Parliament, at the bi-annual Anti-corruption Summits and on the Public Service Commission's official Website.

Any report by the Forum shall be distributed by the members of the Forum to the entities they represent to be made as widely available as is reasonably possible.

Expenditure

The Public Service Commission will bear all expenditure emanating from secretarial support, excluding the cost of publication and printing of annual reports. Each sector undertakes to bear all costs related to the attendance of Forum meetings and the bi-annual Summits. The Public Service Commission will strive to obtain donor funds and sponsorships for the activities of the Forum and the bi-annual Summits.

APPENDIX 3
RESOLUTIONS OF THE NATIONAL ANTI-CORRUPTION SUMMIT, 14-15 APRIL 1999

The We the delegates drawn from various sectors in South African society acknowledge that corruption:

Adversely affects all sectors in society and impacts most directly on the poor.

Is corroding the national culture and ethos of democracy and good governance at all levels and sectors of society.

Depletes both government and civil society of scarce resources that are needed to ensure economic prosperity, equality and a better life for all.

Is a blight on society caused by the worship of self, which gives the pursuit of personal affluence priority above the pursuit of economic justice for all.

We therefore commit ourselves to:

Stamp out corruption at every level in society;

Develop a culture of zero tolerance of corruption; and

Visibly support and subscribe to the national integrity strategy in order to combat corruption in all sectors of civil society and government.

Educate all persons in South Africa to work together towards a higher moral purpose.

We therefore resolve to implement the following resolution as the basis of a national strategy to fight corruption.

Combating corruption

To endorse, support and implement all the sectoral initiatives developed in the National Anti-Corruption Summit.

To critically review and revise legislation in place to combat corruption, and to address any shortcomings by either amending, or drafting new legislation where necessary.

To develop, encourage and implement whistle blowing mechanisms, which include measures to protect persons from victimisation where they expose corrupt and unethical practices.

To support the speedy enactment of the Open Democracy Bill to foster greater transparency and accountability in all sectors.

To ensure effective investigation and prosecution of acts of corruption by establishing special courts.

To establish Sectoral Coordinating Structures to effectively lead and manage the National Anti-Corruption Programme in their sector and to feed into the development of a National Coordinating Structure. In particular the Public Service Commission should be empowered to effectively lead, coordinate, manage and monitor the National Anti-Corruption campaign within the Public Service.

To rapidly establish a cross sectoral task team to look into the establishment of a National Coordinating Structure with the authority to effectively lead, coordinate, monitor and manage the National Anti-Corruption Programme. The Public Service Commission to take responsibility for establishing the cross sectoral task team.

Preventing corruption

To publicise and support the blacklisting of businesses, organisations and individuals, who are proven to be involved in corruption and unethical conduct.

To establish a National Anti-Corruption Hotline to facilitate the reporting of corrupt practices in all sectors.

To establish and promote Sectoral and Other Hotlines to strengthen the National Hotline.

To take disciplinary action and other proactive measures against persons found to be behaving in corrupt and unethical ways.

To monitor and report consistently and fairly on corruption in all areas of civil society, the private sector and government.

To promote and implement sound ethical, financial and related management practices in all sectors.

Building integrity and raising awareness

To promote and pursue social analysis and research and policy advocacy to analyse the causes, effects and growth of corruption, as well as to evaluate and monitor the effectiveness of anti-corruption strategies.

To negotiate, develop, support and enforce Codes of Good Conduct and Disciplinary Codes in each sector of civil society.

To work together to inspire the youth, workers, employers and the whole South African society with a higher moral purpose and ethos that will not tolerate corruption.

To promote training and education in occupations ethics on all levels of South African society

To support and work together with government in creating a sustained media campaign to highlight the causes of, and solutions to corruption, and to communicate the national integrity strategy.