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Influence of Economic Factors Impede Integrity and Ethical Practices in the Public Sector. A Critical Literature Review



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Abstract

Purpose: Antisocial behavior is a matter of major public concern, especially in neighborhoods perceived to have poor quality of life and in which incidents of more serious crime are likely to occur. The overall objective of this study was to examine influence of economic factors impede integrity and ethical practices in the public sector globally. A critical literature review

Methodology: The paper used a desk study review methodology where relevant empirical literature was reviewed to identify main themes and to extract knowledge gaps.

Findings: The study concluded that the absence of an effective economic crimes law was cited as a major impediment in the fight against graft and unethical practices. The study also concluded that an effective economic crimes law not only outlines the economic crimes, it prescribes penalties to be sanctioned on individuals who have engaged in economic crime and lays out the procedure and process for recovering illicit wealth. The study also concluded that the country that did not have economic crime law the cases of corruption and unethical behaviour were reported to be high.

Unique Contribution to Theory, Policy and Practice: This study recommended that the policy makers should introduce of lifestyle audits of public servants as a key strategy in the fight against unethical practices in public service .This was because democracies where lifestyle audit was a mandatory requirement for key public officials unethical practices were less rampant and investigation and prosecution of graft cases was more effective. The study also recommended that it was imperative that key public officials underwent lifestyle audits in order to curb graft in public service and that officers involved in the investigative process should also undergo lifestyle audits.

Keywords: *Influence, Economic Factors, Impede Integrity, Ethical Practices, Public, Sector, Globally.*

INTRODUCTION

In a study conducted in the United States Dunford (2017) found that economic factors played a role in effective and successful prosecution and conviction of corruption cases. Dunford in his paper noted that where the agencies charged with the investigation of corruption and unethical practices were adequately funded and well-staffed there was likely to higher chances of conviction as opposed to instances where they were not. In another study Aggrey (2017) noted that adequate funding played a significant role in investigation and prosecution of corruption cases. In cases where the investigative agencies were ill equipped and not well funded the chances of conviction were slim as compared to cases where well-funded. He noted that economic muscle of the investigative agencies played a key role in their successes or failure of corruption cases.

Citizen unrest and government overthrow is an increasingly common feature where the public loses confidence in the check and balances instituted by the law, especially where gross conduct of public officials or misappropriation of public resources is brought to the public limelight. As literacy levels rise over the world and the public becomes more sensitive to public governance issues, governments are being compelled to establish mechanisms for the detection, flagging and punishment of unethical practices. Western democracies led by the United States have led in this campaign by adopting stringent mechanisms to enforce ethical standards in the public and private sector.

For over a century, the United States has been at the forefront of driving debate and developing policy frameworks on ethical standards acceptable at the workplace (Allan, 2016). In the United States, the agitation for reform dates back to the early 1880s, sparked by the assassination of then President Garfield by a disgruntled Job seeker. This paved way for the passage of the first civil service legislation, the Pendleton Act, in 1883. Although the implementation got off to a slow start and hardly covered half the federal government workforce by 1930, it was gradually adopted and by early 1960, majority of the federal workforce was covered by the law. Similar versions of this law were replicated across the country's 50 states covering the workforce. (Auckey, 2013).

The seeds of this reform were laid much earlier. In the period between 1890 and 1920, reformers and activists led a spirited campaign to enact reform policies that ranged from adopting professionalism in the management of municipal governments (institutions that were rife with corruption) to the implementation of substantial electoral reforms that were geared towards encouraging transparency as trust-building measure between the government and citizens. Citizens were empowered by constitutional provisions to recall their elected officials at the state level, float new legislation or make changes to state laws (Arnold, 2015). The reform movement was also instrumental in promoting and passing various laws that governed how elected officials and appointed officials related. Stringent regulation that governed fiscal policy was also adopted. This brought greater transparency and accountability in areas such as procurement and auditing of state and federal transactions. The United States is a good model for other countries on how to tame corruption and impunity through regulation. The size of the country, its long history of public

governance, and its diversity makes it a unique case study for other countries, since almost all of them can identify with most of the challenges already faced by the United States

Atemi (2016), noted that investigative agencies were crippled due to underfunding and this led to loss of cases in courts. This he noted had greatly contributed to the increase of corruption cases in Nigeria. Atemi in his study found that in periods when the investigative agencies were well funded there was an increase in successful convictions of corruption related cases and in periods when the agencies were underfunded the number of cases successfully convicted were few. Achoki in his study (2015) averred that the economic pressures people faced were among the reasons that graft and unethical behaviour flourished. He pointed out that individuals were susceptible to compromise during investigations of graft related cases as they will be easily swayed by bribes in order to hamper investigations. In his paper he argued that if the government were to ease economic pressure on its citizens then the motivation for graft and unethical practices will be reduced. Greed and accumulation of wealth was also pointed out as a key contributor for graft and also acted as an impediment to the investigations and prosecution of graft suspects (Killu, 2013). In a study Killu found that in cases where there was high level graft in government the individuals involved were already wealthy and that their motive could only be to accumulate wealth. This also presented problems to the investigative agencies as the illicit wealth amassed by the individuals was used to compromise individuals and in some cases institutions in the process of investigating graft. The absence of an effective economic crimes law was cited as a major impediment in the fight against graft and unethical practices.

Osaji (2013), pointed out that an effective economic crimes law not only outlines the economic crimes, it prescribes penalties to be sanctioned on individuals who have engaged in economic crime and lays out the procedure and process for recovering 30 illicit wealth. In instances where the country did not have economic crime law the cases of corruption and unethical behaviour were reported to be high (Osuji, 2015). Introduction of lifestyle audits of public servants was recommended as a key strategy in the fight against unethical practices in public service (Ogal, 2013). Ogal noted that in democracies where lifestyle audit was a mandatory requirement for key public officials unethical practices were less rampant and investigation and prosecution of graft cases was more effective.

Kelly (2016) averred it was imperative that key public officials underwent lifestyle audits in order to curb graft in public service and that officers involved in the investigative process should also undergo lifestyle audits. Ogal (2017), averred that for effective fight against corruption and unethical behaviour money transfers and remittances should be subjected to strict checks to ensure illicit wealth did not find its way in the economy. This he argued will act as a safeguard in the fight against corruption. The ease of cleaning money in the system he argued was what made corruption more attractive. When there were safeguards in the system such behaviour would not be encouraged. Ominde (2017), in his theses averred that religious institutions such as churches and mosques were among the key reasons why graft and unethical practices still persist in our country.

Ominde argued that if religious institutions shied away from taking money from individuals with shady characters such people will not be motivated to participate in unethical practices for self gain knowing that the society will shun them.

Statement of the Problem

Corruption is a retrogressive practice in the world and it is rampant especially to the developing countries. There is overwhelming body of knowledge that proves corruption is an impediment and a threat to development. Corruption facilitates inequality by distorting resource allocation for the personal benefit of a few individuals which leads to skewed distribution of income and wealth” (EACC, 2018). The increased democratic space and public sector reforms have led to increased demand for greater accountability in the public service (Minja, 2013). The drive to promote equity, effective service delivery, citizen engagement in policy making and the observance to the rule of law has never been more heightened. With this in mind, public servants and governmental institutions must re-look into how they serve the citizens and clients from the perspective of accountability for results and means as well (Minja, 2013). Minja (2017) avers that with increased demand for accountability in the public sector institutions engaged in the fight against corruption and unethical practices in the country have been in the spotlight due to the slow progress and few cases that have been prosecuted and secured convictions. Critics have argued that the institutions charged with the fight against corruption and unethical practices have been ineffective in executing their mandate (Njue, 2015). Literature on integrity and ethical practices has focused heavily on the effects of corruption and the laws enacted to address it (EACC, 2018, Minja, 2013, Minja, 2017). There is scant literature on the impediments to integrity and ethical practices in the public sector. This is despite the mounting evidence available on the challenges in tackling integrity and ethical practices. The above has necessitated this research with the aim of addressing the above knowledge gap on the subject. This study filled this gap to provide insight and information that could inform future interventions on influence of economic factors impede integrity and ethical practices in the public sector.

Objective of the Study

The overall objective of this study was to examine influence of economic factors impede integrity and ethical practices in the public sector globally. A critical literature review.

Significance of the Study

This study will provide insight to the policy implementers in the country on matters of integrity and ethical practices in the public sector and shed some more light on influence of economic factors impede integrity and ethical practices in the public sector globally. The information gathered will also provide knowledge valuable to students, academicians, economists and other researchers who might be interested in the subject matter of the study.

THEORETICAL REVIEW

This study will benefit from public choice theory proposed by James Buchanan (1985) and broken window theory, proposed by Kelling & Coles (1998).

Public Choice Theory

This is a theory developed by Geoffrey Brennan and James Buchanan (1985) which holds that the rules that govern individual behavior within a society are important in determining the behavior of individuals and institutions within that society. The theory posits that corruption is an opportunistic trait with attendant benefits for a few at the expense of the wider society. Public choice theory also argues that corruption levels within a country have more to do with the institutional makeup of the country and less to do with the personal values of its public servants. Proponents of Public choice theory also hold that the behavior of the parties participating in corruption should only be studied within the context of the wider institutional frameworks, laws and regulations. Failure to take this into account will result in a distorted picture when trying to study and diagnose corruption in a country. In designing and implementing laws to combat corruption, lawmakers and anti-corruption bodies should be sensitive to the influence that prevailing rules have on the behavior of both citizens and public officials if they are to be successful.

Rules regulate individual behavior and interaction with each other, and provides a basis for the resolution of conflicts while discouraging unacceptable behavioral traits by individuals and groups within a society. Clearly delineated rules encourage individuals and institutions to exercise their private business without curtailing the ability of others to do the same. Corruption can therefore be termed as a breakdown of constitutional order that can only be rectified through legal mechanisms. Presently, anti-corruption initiatives in Africa are bedeviled with some key weaknesses. First, they lack the backing of clear and viable rules. Second, they attempt to get results through policing without rectifying deficiencies in rules. Third, there lacks sufficient checks and balances that govern the operations of agencies mandated with enforcing rules and regulations, leaving them open to compromise. To effectively address corruption, therefore, it is vital to create rules that ensure the results obtained by anti-corruption are in synch with the desired results.

The Broken Windows Theory

This is a criminology theory which was first proposed by Wilson & Kelling (1982) and refined by Kelling & Coles (1998). It posits that urban disorder and vandalism directly impact crime levels and anti-social behavior. It therefore follows that nipping these vices before they take root, and adopting a strict regime to monitor and manage public order is crucial in stopping them from degenerating into unmanageable levels. The theory presumes that minor disorder, if left unchecked, will desensitize individuals and groups to the evils of crime, which will lead to social disorder and a gradual spike in crime levels. Social disorder and physical disorder such as abandoned buildings, empty spaces, waste, graffiti, and abandoned cars all lead to the erosion of social order. Corruption may also be viewed from the lens of a “broken windows” theory. 15 Government

officials who accept bribes points to a breakdown of governance and a compromise of the country's rules, which ultimately leads disorder and anarchy in the society. Graft and unethical practices are a broken window that indicates the failure of systems that regulate behavior and guarantee social order. In essence, when the government lacks the resolve to tackle petty corruption, it will hardly be able to stem grand corruption.

Numerous studies have been undertaken that demonstrate the relationship between corruption and social trust. According to the broken window theory, every form of corruption has a cost on the social trust that citizens bestow on their governing institutions. Public trust in these institutions is equally by petty corruption as by serious graft. In effect, a society that is keen to address petty corruption will also have the necessary capacity to address grand theft. A government that is actively and publicly fighting corruption giving impetus to its citizenry to become partners on the war on graft, while signaling its willingness to promote welfare of its citizens. Empirical data proves a strong relationship between anti-corruption crusades and improvement of the public welfare. The international community has also adopted stringent legal mechanisms to address cross-regional and international graft. An increasing number of world governments have formulated laws to root out the vice from their jurisdictions. Despite the commendable strides made in fighting graft, developing nations are doing poorly when compared to their developed counterparts. These nations would be served well by the adoption of the broken windows framework for tweaking laws that address corruption. This would entail classifying corruption as a component of disorder in the society. More emphasis would also be placed on addressing petty corruption before it festers into grand corruption, while creating synergy between the government and the private sector in the fight against corruption.

Empirical Review

Juma (2022), conducted a study on valuated the effects of policy content, funding, and stakeholder engagement and monitoring on the implementation of the Nairobi County disaster and emergency management policy and will assist in understanding why good policies in place have not been applied in real-life disaster situations. A descriptive research design was employed in the inquiry. This study used a sample of 240 respondents from a 600 target population includes disaster management staff working for the organizations mandated to manage disasters in Nairobi County which included; The Nairobi County department of fire and disaster management, The Kenya Red Cross, The National Disaster Management Unit (NDMU) of the Kenya Police Service. For the purposes of research, the study used both descriptive and inferential statistics produced by the SPSS program. The former statistics methodology employed computations such as percentages and frequencies, while the latter employed statistical analysis using a multiple linear regression model. The study argue that Stakeholder involvement had the least effect on implementation of disaster management policy whereas funding had the highest effect. The results recommends that the county government of Nairobi should ensure timely disbursements of funds that will go a long way in aiding disaster management activities in the county. The findings also recommend that a

proper monitoring framework is developed and implemented by the county so as to ensure proper execution of the policy. The study presented a conceptual gap as it focused on effects of policy content, funding, and stakeholder engagement and monitoring on the implementation of the Nairobi County disaster and emergency management policy and will assist in understanding why good policies in place have not been applied in real-life disaster situations while our study will focus on influence of economic factors impede integrity and ethical practices in the public sector globally.

Kangangi (2022), conducted a study that investigated the effects of policy regulation on alcohol trade in Kirinyaga West, Kirinyaga County, Kenya. The study adopted availability theory and single distribution theory pioneered by Single Eric and Sully Ledermann respectively. The research used descriptive research design using a target population of 349 participants from 38 urban centres within Kirinyaga West Sub County. The research instruments were validated and their reliability was proved. Pilot study was conducted in the town excluded in the study. Quantitative data was analysed through descriptive statistics and presented in form of percentages, frequency tables, bar graphs, and pie chart whereas qualitative data was analysed through content analysis. Permission to undertake this research was sought from Kenyatta University, County government offices, respondents, and National Commission for Science, Technology and innovation (NACOSTI). The research revealed that issuing of license limits, enactment of alcohol licensing laws and penalties have by and large, helped to regulate alcohol trade in the county. Besides this, war on illicit brews is still a big issue in Kirinyaga County. Corruption has been seen to undermine enforcement of alcohol trade policies. The research also revealed that majority of alcohol traders do not adhere to stipulated business hours, while a good number of manufacturers do conform to the requirements of labelling standards. The study used descriptive research design presenting a methodological gap as our study will use desktop review design.

Muthoni (2021), conducted a study aimed at establishing factors associated with use of modern contraceptives among men in union in Mukuru kwa Njenga informal settlement. Questioners were administered to 398 men in union to collect quantitative data while three focused group discussions were conducted to gather qualitative data to complement quantitative. The study found that among social demographic characteristics only age had a significant association with modern contraceptive use. Men aged 25-29 were more likely to use modern contraceptive ($P=0.034$) compared to men in the other age bracket. Significant association ($p=0.009$) was also found between men who thought modern contraceptives are good as well as those who believed people are incomplete without children ($p=0.009$). Those who discussed ($p=0.025$) with their partner on how many children to have and those who initiated the discussions themselves ($p=0.000$) were more likely to use modern contraceptive. Media (56%) and friends (23.8%) remained the main source of information on modern contraceptives. However, there was no association found between knowledge of modern contraceptive and use. This study concluded that among the social demographic characteristics only age was significantly associated with use of modern contraceptives. The study however presented a conceptual gap as it focused on factors associated

with use of modern contraceptives among men in union in Mukuru kwa Njenga informal settlement while our study will focus on influence of economic factors impede integrity and ethical practices in the public sector globally.

Omondi (2019), conducted a study on whether attitudes, practices and knowledge of policy makers play any role in the enactment of nuclear energy laws in Kenya. The researcher adopted a descriptive research design and used a combination of primary and secondary data sources in order to meet the objectives of this project. Primary data was collected through interviews and questionnaires, whilst secondary data was collected through a literature review that entails extensive and rigorous desktop research. The study established that indeed Knowledge, attitudes, and practices do have an influence on the enactment of nuclear energy laws in Kenya. The study recommended that there be increased knowledge dissemination to counter the knowledge deficit, negative attitudes and inform practices that will lead to successful enactment of nuclear energy laws in Kenya. The study presented a geographical gap as it was conducted in Kenya while our study will be a global study.

Mohammed (2018), conducted a study to investigate the impact the migration policy in Kenya on human trafficking at the Kenya-Somalia border, Garissa town, Garissa County. This study used the descriptive research design. This research design was beneficial to the researcher, as it allowed triangulation in the study. Findings indicate that whereas there exist clear and well laid out migration policies, they have not been significantly effective in curbing human trafficking in the study area, owing to a variety of inadequacies in their formulation, enactment and execution. It was also found that various socio-economic factors constitute the underlying factors and are responsible for increasing human trafficking cases across the Kenya-Somalia border, as well as inhibiting enforcement efforts to curb the same. Findings further reveal that a myriad of challenges hamper efforts to implementation migration policies in the country, with a view to curb human trafficking. The study used descriptive research design presenting a methodological gap as our study will use desktop review design

David (2015), conducted a study aimed at finding out the state of copyright law implementation in libraries in Kenya with specific reference to reproduction of informational materials. The study aimed at specifically establishing the rules, regulations and procedures of reproduction of informational materials used in the libraries. The survey also aimed at finding out the level of copyright law awareness by the library staff and library users and the methods used in creating the awareness. The other objective of the survey was to establish the views of librarians and publishers on Copyright Law in Kenya and its application in libraries. The study revealed that the rules, regulations and procedures of copying in libraries are not, clear. It was also found out that the copyright law is inadequate and does not meet the needs of the libraries. The copyright law awareness among the library users and library staff was found to be low. The study presented a methodological gap as it was a survey while our study will utilize desktop review approach.

Olum (2015), conducted a study to establish the land rights challenges among widows in Boro Division, Siaya County of Kenya, to establish the effects of customary law on land and property ownership among the widows; identify the empowerment needs of the widows who experience property inheritance challenges; explain the mechanisms used in Boro to allocate land and property to widows; and determine the extent to which widows are aware of existing laws on property ownership. The researcher applied the African feminist theory relevant in this context. The researcher adopted survey design in order to capture the opinion of the respondents. The study findings indicate that there are various opportunities for women in the new statutory land rights including ownership and inheritance. The findings also suggest that the respondents are aware of these opportunities but the opportunities are not being actualized on the ground due to a variety of challenges, including: predominant use of cultural land tenure systems in the rural areas; customs and traditional practices that are dominantly patriarchal and largely discriminate against women. Social cultural norms in the diverse communities in Kenya prohibit uniform kind of ownership, meaning widows have no claim over traditional form of land and property. The study presented a conceptual gap as it focused on land rights challenges among widows in Boro Division, Siaya County of Kenya while our study will focus on influence of economic factors impede integrity and ethical practices in the public sector globally.

METHODOLOGY

The study adopted a desktop literature review method (desk study). This involved an in-depth review of studies related to influence of economic factors impede integrity and ethical practices in the public sector globally. Three sorting stages were implemented on the subject under study in order to determine the viability of the subject for research. This is the first stage that comprised the initial identification of all articles that were based reduction of influence of economic factors impede integrity and ethical practices in the public sector globally. The search was done generally by searching the articles in the article title, abstract, keywords. A second search involved fully available publications on the subject on influence of economic factors impede integrity and ethical practices in the public sector globally. The third step involved the selection of fully accessible publications. Reduction of the literature to only fully accessible publications yielded specificity and allowed the researcher to focus on the articles that related to influence of economic factors impede integrity and ethical practices in the public sector globally which was split into top key words. After an in- depth search into the top key words (influence, economic factors, impede integrity, ethical practices, public, sector, globally), the researcher arrived at 7 articles that were suitable for analysis. This were findings from:

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SUMMARY, CONCLUSION AND RECOMMENDATIONS

Conclusion

The study concluded that the absence of an effective economic crimes law was cited as a major impediment in the fight against graft and unethical practices. The study also concluded that an effective economic crimes law not only outlines the economic crimes, it prescribes penalties to be sanctioned on individuals who have engaged in economic crime and lays out the procedure and process for recovering illicit wealth. The study also concluded that the country that did not have economic crime law the cases of corruption and unethical behaviour were reported to be high.

Recommendations

This study recommended that the policy makers should introduce of lifestyle audits of public servants as a key strategy in the fight against unethical practices in public service .This was because

democracies where lifestyle audit was a mandatory requirement for key public officials unethical practices were less rampant and investigation and prosecution of graft cases was more effective. The study also recommended that it was imperative that key public officials underwent lifestyle audits in order to curb graft in public service and that officers involved in the investigative process should also undergo lifestyle audits.

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