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# World Ethics Forum

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The Joint Conference of the:

The International Institute for Public Ethics (IIPE)  
The World Bank

*Leadership, Ethics and  
Integrity in Public Life*

**Abstracts and Biographies  
College Map and Notes**



9-11 April 2006  
Keble College, University of Oxford, UK



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The World Bank

### ***Leadership, Ethics and Integrity in Public Life***

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#### **Sponsored by:**

The World Bank  
The International Institute for Public Ethics (IIPE)  
The United Nations University (UNU)  
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The Australian Government's Overseas Aid Program (AusAID)  
Integrity Institute of Malaysia (IIM)

#### **Co-hosts**

International Association of Religious Freedom  
Centre for Socio-Legal Studies, Oxford University



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## **ABRAHAM-LEVIN, TEMI**

### **The Factors Affecting Ethical Decision Making of Financial Portfolio Managers**

For finance professionals, ethics implies that each individual has the moral reasoning capability to allow them to render business judgment without having self-interest to alter or impair their professional responsibility. The investing decision-making of finance professional is complicated and difficult to understand and as a result adds complexity to the reasoning processes.

Unethical decision-making concerning investment business industry can cause significant losses to business and society. Decision-making processes are integral and significant components in the working routine of portfolio managers. All financial activity takes place in a larger economic, political and social setting and ethical issues arise. Within the scope and power of their authority and position, financial portfolio managers are often subjected to various pressures that influence accepted ethical behaviour.

Many studies have attempted to model contextual factors of ethical decision-making. This study identifies major factors that we hypothesize affect ethical decisions of investing portfolio managers when faced with ethical decisions. The model developed for this study examines how ethical reasoning is related to specific personal, organisational and environmental parameters associated with moral development and ethical decision-making.

Surveys of portfolio managers in active financial firms in Israel were accomplished. With the unit of analysis being organisational, data gathered is compared to moral development as measured in the Defining Issues Test. Descriptive and inferential statistics is used to support hypotheses.

These direct and indirect relationships will provide management with techniques to develop structural and normative ethical controls. The model of this study extends previous work by tying together the contextual elements from these studies, adding insights from finance and investment industries and giving emphasis to the recursiveness of ethical decision-making.

### **Biographical Note**

*Temí Abraham-Levin* is a D.B.A candidate in business administration school at the Newport University (UK campus) in London, England. She received her M.B.A in 1988 and B.A in 1985, from Tel Aviv University in Israel.

Ms. Abraham-Levin holds investment adviser licenses from Israeli Security Authority. She has worked in financial services and institutional investing since 1990.

She worked in “Ofek” the biggest investment and portfolio Management Company in Israel, where she had responsibility for a number of the firm's major investment clients advising them on all investment issues. Prior to that, she was a marketing manager of “Thaclit” Investment and Portfolio Management Company that belongs to a medium-sized bank in Israel.

Prior to her career in investment banking, she was a marketing and advertisement manager of an insurance company in Israel. She has experience that covers a broad spectrum of investment management functions and finance marketing.

Her research interests are in ethics as conceptual framework with the emphasis on the role of finance professionals' behaviour.

## **ADELMAN, HOWARD**

### **Leadership, Ethics, State Creation and State Building**

The talk will be divided into three parts. The first one-third of the talk will offer a philosophical introduction to the concept of leadership. The second third will offer a typology of leadership with examples of such leaders from Africa. The final third will offer a critique of predominant existing methods of supporting leadership in the state building process using Afghanistan as an example.

### **Biographical Note**

*Howard Adelman*, currently Research Professor at the Key Centre for Ethics, Law, Justice and Governance at Griffith University in Brisbane, Australia and previously, a Visiting Professor at the Woodrow Wilson School at Princeton University, was a Professor of Philosophy at York University in Toronto from 1966-2003 where he was the founding Director of the Centre for Refugee Studies and Editor of *Refuge* until the end of 1993. He has written well over one hundred academic articles and chapters in books as well as authored or co-edited 21 books, and most recently served as an Associate Editor of the Macmillan 3 volume *Encyclopedia of Genocide and Crimes Against Humanity*. In addition to his numerous writings on refugees, he has written, articles, chapters and books on the Middle East, multiculturalism, humanitarian intervention, membership rights, ethics, early warning and conflict management. In 1999, he and Astri Suhrke co-edited *The Path of a Genocide: the Rwanda Crisis from Uganda to Zaire*, New Brunswick, NJ: Transaction Press. His latest volume on *Humanitarian Intervention in Zaire* was published by Red Sea Press and appeared in January of 2004. Currently, he is co-authoring a book on *The Rites of Return* as well as his own monograph on *The Ethics of Intervention*. In addition, this past year, he has advised the African Union, IGAD in the Horn of Africa and USAID/WANEP in West Africa on the development of their early warning and conflict management systems.

### **AL-SHAQSI, BADAR**

#### **Public Sector Integrity Systems: The search for an ideal model**

The last few years have witnessed increased global attention on establishing, reorganising and improving national integrity systems. The growing trend resulted from the necessity for establishing systems comprising a group of integrity measures rather than relying on a single agency or one policy as an effective path to control public sector corruption and preserve the integrity of the public offices. Australia is one of the few countries that is recognised globally over the last few years for having a high commitment to public sector integrity. Most of the Australian jurisdictions have multiple integrity measures in their arsenal. This diversity, described by some as chaotic, has led to the question of “what is the ideal and most appropriate integrity system for the public sector”.

This current research compares, (i) the experiences of the three Australian jurisdictions of New South Wales, Queensland and Western Australia external oversight bodies, (ii) their strategies to control corruption and promote integrity, (iii) their similarities and differences. The purpose is to visualise a refined model as a starting point for other countries wanting to set up or improve their integrity systems.

This comparative qualitative study is based on documentary source material analysis, an examination of the existing research, a review of the policy documentation and semi-structured interviews with some of the key stakeholders, especially those working within the examined organisations, past officials and academics researching the same area. An evaluation of the work of the three agencies will be made from these sources.

Although this study is still in its infancy, the examined literature suggests the probability for producing a refined integrity system for the public sector that could equally encompass various sets of strategies to combat public sector corruption.

### **Biographical Note**

*Badar Al-Shaqusi*. Police Officer, Royal Oman Police, Sultanate of Oman; currently pursuing a PhD degree. BA in Political Science, SUNY, USA; MSc Security Administration, Northeastern University, USA.

### **ALPUERTO, JETHRO P (AND DUQUE, FLOREZA U)**

#### **Empowering Youth Leadership In Combating Corruption: Towards Creating A Network Of Corruption-Intolerant Youth Leaders**

Current leadership crisis in the Philippines weakens the idealism of the Filipino youth. They fall prey to political manipulation and are misled by wrong ideologies. The future leaders have lost interest in public service. This sector in the society needs to be grounded back to their inherent need for responsible freedom and be guided to ethical leadership. To reawaken their idealism, they must be given opportunities to lead.

One of which is the fight against corruption in the public service. Strategies that can effectively move young people to lead in curbing and preventing corruption in the government are explored. Strategies identified as effective are the specific, quantifiable, attainable, practical and timely ones. Introducing these strategies to different youth groups is geared towards forming a network of corruption-intolerant youth leaders. This network becomes an avenue for experiencing ethical leadership, empowering them as agents of corrupt-free governance.

### **Biographical Note**

*Jethro P. Alpuerto* is currently employed as Program Coordinator for Advocacy at Barug! Pilipino Incorporated\*. He is assigned for the mobilisation strategies of the entire organisation in the implementation of Barug Pilipino projects and activities. He is connected with different advocacy organisations, actively involved in the youth development programs organised by the National Youth Commission and the Cebu City Government and is a member of the World Youth Alliance in Asia Pacific. He graduated with a degree of Bachelor of Arts in Philosophy at San Carlos Seminary College, Cebu City Philippines.

*\*Barug in English means to make a [conscience] stand. Barug! Pilipino is a corruption-intolerant Church-based movement for a transformed Filipino nation.*

### **ALOLO, NAMAWU**

#### **Are Women More Ethical Than Men? Fighting Public Sector Corruption In Africa Through Gender Mainstreaming: Would It Work?**

Attempts to fight public sector corruption in many sub-Saharan African countries have occasioned the implementation of numerous strategies. These strategies have, however, failed to mitigate corruption, as evidenced in current data which reveals an entrenched corruption in many African countries (Lambsdorff, 2002). Failure of previous anti-corruption strategies has provoked a gradual paradigmatic shift towards gender mainstreaming as a sustainable anti-corruption mechanism. Spawned by the World Bank (2002) and currently gaining currency in the development community, gender mainstreaming is being advanced as a potent tool for curbing public sector corruption, albeit currently on a small scale. This nascent gender-corruption debate arises from perceptions that incorporating gender analysis into governance initiatives is critical for good governance. Considering the broad acceptance of mainstreaming gender into both good governance and sustainable development discourse, it seems logical that attempts at eradicating corruption in African public institutions should pay critical attention to the place and role(s) of women in the sector. Driven by a few studies which posit women as more ethical than men in the public sector, the Bank is recommending the integration of women, into the sector, as a sustainable anti-corruption remedy.

However, given that past anti-corruption strategies have failed to mitigate corruption within the sub-region, the new gender sensitive approach to fighting public sector corruption raises fundamental questions: Would gender-mainstreaming work as a sustainable anti-corruption remedy or would it represent another development rhetoric? Will women necessarily maintain high ethical standards when exposed to African bureaucracies characterised by opportunities and networks of corruption? I propose to present a paper on the effectiveness of gender mainstreaming as an anti-corruption strategy in sub-Saharan Africa. Specifically, I intend to explore the afore-raised questions, drawing on empirical data obtained, from the public sector of Ghana, as part of my PhD thesis.

### **ARUGAY, ARIES A**

#### **Panel Title: Pursuing Public Ethics and Improving Political Accountability in Governance: Institutional Reforms against Corruption in the Philippines**

One of the challenges that consolidating democracies such as the Philippines is how to combat and control the problems of corruption and other forms of particularistic behaviour through the institutionalisation of accountability institutions and mechanisms. The absence of effective measures to counter these perennial “demons” would result in one major democratic deficit – the lack or weakness of accountability (O’Donnell 1999). This was recently displayed when the impeachment of then President Joseph Estrada on charges of cronyism and corruption was aborted thereby opening the floodgates of collective mobilization and public protest culminating in the withdrawal of popular support on January 2001 or more popularly known as “People Power II”.

There are several conclusions that could be drawn in this very contentious episode. For one, it has placed the issues of accountability and the impetus to combat corruption in the Philippines. Moreover, it also highlighted the imperative to undertake serious and meaningful reforms in the country's "national integrity system" (Pope 1996). The prevalence of corruption has been mainly attributed to the inability of its institutions to perform its mandate and responsibilities. Any improvements in the application of public ethics and the improvement of public accountability would also have implications in the restoration of public trust to the country's fledgling democratic regime.

This panel attempts to discuss the various attempts and initiatives of various political institutions, whether located in the state or of society in pursuing public ethics and improving political accountability in the Philippines for the past five years (2001-2005). It examines what are the reforms that have been instituted and assess the impacts that these efforts have generated. This group of papers would also enumerate the challenges that political institutions face as well as the opportunities that are provided to successfully implement reform.

**Paper Title: Partners in Accountability Reform: The Role of Civil Society in Combating Corruption in the Philippines**

In the literature, there is an increasing recognition of the role of the third sector in fostering accountable governance, especially in developing countries (Fox 2000; Pope 1996). For example, there has been an emerging interest in studying the roles of civil society as seen the concept of "societal accountability". According to Smulovitz and Peruzzotti (2000), it rests on actions of a multiple array of citizen's associations and movements and also the media in monitoring the actions of public officials, exposing governmental wrongdoing, and the activation of state agencies.

But it is asserted that accountability initiatives of civil society should go beyond the dynamics of protest and embrace the task of contributing to the reform of political institutions in order to have a lasting impact and genuine contribution to good governance. Given the seriousness and difficulty of instituting accountability reform, there is a need to examine the participation and engagements of civil society in combating corruption in the Philippines. This paper enumerates the various ways in which civil society contributes in the anti-corruption agenda of the Philippine government. By way of conclusion, it offers some prospects for future state-civil society engagements on accountability reform.

This paper is significant in two levels. At the academic level, it aims to contribute to the research gap in the heavily state-centric literature on political accountability and corruption by introducing civil society initiatives. Moreover, this research is relevant at the practical or policy level since it may provide lessons on state-civil society relations in the Philippines.

**Biographical Note**

*Aries A. Arugay* is an assistant professor of political science from the University of the Philippines-Diliman and Research Fellow at the Institute for Strategic and Development Studies Inc. (ISDS). He is also a research consultant to the Presidential Adviser to Implement the Feliciano Commission's Recommendations (OPAIFCR). He obtained his BA and MA in Political Science from the University of the Philippines in 2000 and 2004 respectively.

**AZIZ, TUNKU ABDUL**

**Leadership and Integrity in International Institutions**

At no time since the United Nations Organisation came into existence some sixty years ago has the world seen anything quite like the strident call for international institutions to operate in a more transparent, open, and accountable manner, as we do now. These institutions have for decades enjoyed virtual freedom of action. Reform does not come easily to men and women who lead and manage their institutions where a culture of impunity has become both a way and a fact of life.

Corruption has touched every international organisation. For all its great work as a development institution, the World Bank, for example, has unfortunately allowed itself to become part of the problem of corruption, particularly in poor Third World countries, by its attitude, at least until fairly recently, of allowing country representatives too free a hand in project implementation worth several hundreds of million dollars. The

United Nations, the quintessential inter-governmental arrangement has, to its embarrassment, incubated some notorious international corruption scandals, the worst, arguably, was the Oil for Food Programme for Iraq and no less horrendous has been the way in which the funds for the UN Peace Keeping operations have been misapplied.

What really has gone wrong with international organisations that have consigned them in a position of public odium and ridicule? What can be done to salvage the reputation and standing of international organisation, to put them back on course to serve member states with integrity, honesty and efficiency? The short answer is systematic reform under ethical and moral leadership. This paper will explore the various options for a return to ethical, responsible governance.

### **Biographical Note**

*Tunku Abdul Aziz*, the founder of Transparency International Malaysia was its President for six years and during that time he was elected Vice-Chairman of Transparency International. He spent some ten years doing voluntary, full time work to raise awareness of the debilitating effects of corruption on society at large. Tunku Aziz has spoken and written widely on corruption and ethical issues, both in his native Malaysia and internationally.

He was a member of the Royal Commission of Inquiry into the Police Service in Malaysia; he is a member of the World Bank High Level Advisory Group on Corruption in East Asia and the Pacific and is currently Special Advisor to the Secretary-General on the UN Ethics Office based in New York.

### **AZRA, AZYUMARDI**

#### **Biographical Note**

*Azyumardi Azra* is one of Southeast Asia's most prominent liberal Muslim intellectuals. He is Rector and Professor of History at the Universitas Islam Negeri (UIN), Jakarta Indonesia. In 1982, Professor Azra graduated from the Faculty of Tarbiyah at the Jakarta IAIN (now UIN). He was appointed Lecturer there in 1985 and in the following year was selected for a Fulbright Scholarship to pursue advanced studies at Columbia University. He graduated with an MA from the Department of Middle Eastern Languages and Cultures in 1988. Winning a Columbia President Fellowship, he moved to the Department of History, Columbia University where he undertook further studies; MA (1989), MPhil (1990) and PhD (1992). He was also Vice Director of the Centre for the Study of Islam and Society (Censis) of the IAIN/UIN Jakarta before his appointment as Vice Rector for Academic Affairs.

### **BAKAR, IBRAHIM ABU**

#### **Religious and Spiritual Ethical Codes for a Humanistic Leadership**

A humanistic leadership is defined here as a type or form of leadership putting human rights and human welfares at the forefront instead of other considerations. Its fundamental ethical codes are based on religion and spirituality since both have humanistic aims. Religion and spirituality should be the sources for a humanistic leadership because their main goals are to manage and control human evil qualities and promote and spread human good qualities. Human evil qualities are the main elements in motivating and implementing actions destroying human beings and their environments. Meanwhile human good qualities are the cardinal qualities in motivating and implementing actions defending and protecting human rights and welfares as well as human and non-human environments. In human history, all small or great wars have taken place since the existence of human beings in this world due to human evil qualities. No doubt, the first and second world wars can be attributed to human evil qualities, not to human good qualities. The initiators of the two world wars can be seen as those who had wanted to controlling and subjugating other peoples who had been labeled as their enemies. So the evil desire and motivation dominated the minds and hearts of the initiators of any war before the war could take place. Hence, it is important to promote a humanistic leadership based on the religious and spiritual ethical codes in order to defend and protect human rights and welfares.

## **BALAND, TIMOTHY**

### **Measuring judicial ethics**

Judicial reform activities are underway in many countries. One tool that can be used to measure whether progress is being made in connection with Judicial Reform activities is the Judicial Reform Index (JRI), a tool developed by the American Bar Association's Central European and Eurasian Legal Initiative (ABA-CEELI).

The purpose of the Judicial Reform Index is to assess a cross-section of factors important to judicial reform. The Judicial Reform Index is made up of thirty factors which have a significant impact on the development of an accountable, effective, independent judiciary. The thirty factors are in turn placed in of six different pertinent categories.

This paper points out that at least half of the thirty JRI factors have a direct relationship to judicial ethics. I demonstrate the connection between those factors and the ethicality of judicial conduct by quoting extensively from recently completed JRI reports in five countries spread across the CEELI service area. I discuss the interconnectedness of the JRI factors which bear on judicial ethics and point out that reform activities intended to improve judicial ethics do not always produce intended results. Four separate conclusions are drawn, one of which is the enormous public benefit (both individual and institutional) which can flow from the publication of a JRI report and a spirited, open, *public* discussion of the findings and conclusions contained in the report.

### **Judicial ethics codes and canons: a comparative international perspective (joint paper with Karl Thoenes)**

In the absence of perfectly virtuous human behaviour, ethical standards and conduct for public officials must necessarily be reinforced and adjudicated by some court, tribunal, or other judicial body. In fulfilling that function, what ethical standards do courts typically impose upon themselves? This presentation would survey court ethics codes and judicial canons adopted by an array of court systems around world, and explore how those codes vary according to local culture, foundational law, and court structure. How do current national political environments, history, and social conflicts influence the operation and structure of various courts around the world, and how is judicial corruption dealt with in various locations? Can a Sharia court in Nigeria, a municipal court in New York, a provincial court in China, and a war crimes tribunal in Kosovo identify some common ethical principles and standards for court employees and judges, or do those court systems vary so drastically in structure and roles that common judicial canons would be so general and vague as to be practically meaningless?

## **BEBLAVÝ, MIROSLAV**

### **Political bias in discretionary funding for municipalities**

Despite fiscal decentralization, central governments in Central European countries continue to disburse large amounts of discretionary funding for regional and local governments. This trend has been exacerbated by the EU accession, after which the central governments began to manage Structural Funds, most or all of which they have kept for their decision-making.

We propose to investigate political bias in this discretionary funding in Slovakia and analyse whether there are any systematic differences depending on the institutional structure of the decision-making mechanism.

In order to achieve this, we are going to analyse four recent avenues of discretionary funding in Slovakia:

- Distribution of a special EUR 10 mln. tax levy on the US Steel based on the decision of the Government
- Distribution of grants for municipalities from the Structural Funds based on ministerial decisions
- Distribution of grant for municipalities from national resources based on ministerial decisions – the Environmental Fund
- Distribution of small grants by the so-called local social inclusion partnerships of the Social Development Fund

These four distributions will be examined for any specific political bias for a specific party or the government coalition, The results will confirm that the higher decision-making level (the Government as a whole) tends to have a significant political bias while the local partnerships do not. The results are mixed at the ministerial level.

These results are relevant both from a normative and a positive point of view. Positively, they demonstrate the existence of a political bias as an instrument by which the central government tends to favour politically allied municipal politicians and can lead to a theory of how and why this works. Normatively, they can contribute to institutional designs that avoid the political bias.

### **Biographical Note**

*Miroslav Beblavý* holds a PhD in Economics from the University of St Andrews in Scotland. At the moment, he is a State Secretary in the Slovak Ministry of Labour, Social Affairs and Family as well as a visiting lecturer in the Institute of Public Policy at the Comenius University in Bratislava, Slovakia.

### **BERRY, VIRGINIA**

*Virginia Berry* joined the Key Centre for Ethics, Law, Justice and Governance in 2003. She is Research Fellow, Director of the Corporate Governance and Social Responsibility Program, UNU-IEGL and KCELJAG, and Project Manager of an Australian Research Council (ARC) funded project “The Ethics of Socially Responsible Investment”. Dr Berry has undertaken academic research in philosophy, education and sociology for many years, and has coordinated and lectured in applied ethics at various Queensland universities. She spent five years working in the mineralogy divisions of BHP Research and the Australian Commonwealth Scientific and Industrial Research Organisation (CSIRO).

### **BESLEY, TIM**

#### **Selection and Incentives in Government**

Improving governance requires both that incentives be improved and that the right people are selected to make decisions. The former has been analyzed extensively, but the latter has received much less attention among scholars of political economy. This talk will review some general arguments for the importance of selection. It will also discuss alternative means of selection and what makes democratic selection work better. Finally, it will discuss the emerging evidence on the importance of selection in improving government performance.

### **Biographical Note**

*Timothy Besley* Professor of Economics and Political Science, LSE and Director of STICERD. He is a former co-editor of the *American Economic Review* and one of the pioneers of the New Political Economy. His work ranges over issues in political economy, development economics and public economics. His book *Principled Agents? The Political Economy of Good Government* is shortly to be published by Oxford University Press. He is currently serving a three year term as president of the Bureau for Research and Economic Analysis of Development (BREAD) and was the 2005 winner of the Yrjo Jahnsson Award given every other year by the European Economics Association to a young Europe-based economist who has made a distinctive contribution to theoretical or applied economics.

### **BIGOMBE, BETTY**

#### **Biographical Note**

*Betty Bigombe* has tirelessly supported a peaceful resolution to the conflict between the Lord's Resistance Army (LRA) and the Ugandan Government. Since March 2004, Ms. Bigombe has been the chief mediator in the negotiations process. Prior to this, she held positions in the Ugandan government as Minister of Parliament and Minister of State. She has also worked with the World Bank as a Senior Social Scientist with the Post-Conflict unit, and as a Consultant for the Social Protection and Human Development units. In 1997, she was the recipient of a fellowship award at the Harvard Institute for International Development and has co-authored several articles on post-conflict peace building and the impact of conflict on women and children. Ms. Bigombe has a Masters from the Kennedy School of Government at Harvard University.

## **BINI, MARCO**

### **Codes of Conduct and Governance in the Victorian Public Sector**

The Victorian Public sector has undergone major changes since 1992, moving from a highly centralised and regulated employment model to a decentralised model. Similarly, large public enterprises have been sold and others reformed, including having their governance structures changed.

During the course of this transition, three separate pieces of legislation have been enacted, the *Public Sector Management Act 1992*, the *Public Sector Management and Employment Act 1998* and the *Public Administration Act 2004* (PAA). Each Act deals with ethics and a code of conduct for employees, and governance generally in a different way.

#### ***Ethics and Codes of Conduct***

The statutory basis of ethics and codes of conduct for public servants based on ethics has evolved over the period of operation of the three acts. The ethics/code of conduct model has changed in line with the changes to employment arrangements. The scope and content of ethics requirements has broadened and been refined to reflect a modernised, changing and dynamic public service workforce.

The most recent reform, the PAA, seeks to provide a stronger emphasis on the role of ethics in public sector organisations and provides a stronger regulatory framework for dealing with ethics and code of conduct issues.

#### ***Governance of Public Entities***

Victoria has a large number of public entities with a variety of differing governance arrangements. Prior to the passage of the PAA, there did not exist in Victoria a generic piece of legislation setting out basic governance standards for public entities. The governance of public entities was regulated by any one or more of:

- Individual establishing statutes;
- Common law;
- Commonwealth *Corporations Act 2001*; or
- The *State Owned Enterprises Act 1992*.

The PAA is novel in Australian jurisdictions by establishing a broad governance set of standards whilst recognising individual differences across different types of entities.

#### **Biographical Note**

*Marco Bini* is the Assistant Director, Government Branch in the Victorian Department of Premier and Cabinet, Australia. Marco is a qualified solicitor and has worked in a number of public sector organisations, and private law firms. Marco holds Masters Degrees in Commerce, Law and Public Policy from the University of Melbourne.

## **BOWMAN, JAMES S (CO-AUTHOR JONATHAN P WEST)**

### **Panel Title: Competence, Complacency, and Corruption: Checking Lord Acton's Clichéd Claim**

Examples of Lord Acton's pungent aphorism ("Power tends to corrupt and absolute power corrupts absolutely") range from the Biblical story of King David's seduction of Bathsheba to Bill Clinton's recent autobiographical *mea culpa* of the Lewinsky affair.

This session examines the utility of Acton's dictum (also reflected in the ancient proverb, "The fish rots from the head.") for today. Is unethical behaviour the result not of failure, but rather success? Do competent leaders become complacent which, in turn, produces corruption? Theories, events, and issues that may shed light on such questions include (but are not limited to): Kohlbergian stages of moral development, virtue ethics, accountability, professionalism, codes of conduct, whistle blowing, secrecy, patronage, employment doctrines, Enron Era scandals, torture, and genocide. The objective of the session will be to develop lessons for governance and a sustainable future in public affairs.



**Paper Title: Lord Acton and Employment Doctrines: Absolute Power and the Spread of At-Will Employment**

This study analyzes the at-will employment doctrine using a tool that encompasses the complementarity of results-based utilitarian ethics, rule-based duty ethics, and virtue-based character ethics. The paper begins with a discussion of the importance of the problem followed by its evolution and current status. After describing the method of analysis, the central section evaluates the employment at-will doctrine. The conclusion explores the implications of the findings for the quality of the world's democracies and develops lessons for governance.

**Biographical Note**

*James S. Bowman* is professor of public administration at the Askew School of Public Administration and Policy, Florida State University. His primary areas are human resource management and professional ethics. He is author of nearly 100 journal articles and book chapters as well as editor of five anthologies. Bowman co-authored, with Berman, West, and VanWart, *Human Resource Management: Paradoxes, Processes and Problems* (2nd ed.; Sage, 2005) and *The Professional Edge: Competencies for Public Service* (Sharpe, 2004). He is editor-in-chief of *Public Integrity*, a journal of the American Society for Public Administration.

*Jonathan P. West* is professor of Political Science and Director of the Graduate Public Administration program in the School of Business Administration at the University of Miami. His research interests include human resource management, productivity, local government, and ethics. Professor West has published over 75 articles and book chapters. He is co-author of *Human Resource Management: Paradoxes, Processes and Problems* (2nd ed.; Sage, 2005) and *The Professional Edge: Competencies for Public Service* (Sharpe, 2004). He is the Managing Editor of *Public Integrity*.

**BURNHAM, CHRISTOPHER**

**Biographical Note**

*Christopher B. Burnham* was appointed as Under-Secretary-General for Management of the United States Department of State in June 2005, overseeing all global operations for the State Department, including diplomatic security, human resources, overseas building operations, administration, information resources, and consular affairs.

Since January 2002, Mr. Burnham has also served as the Assistant Secretary for Resource Management and Chief Financial Officer of the Department, leading all budgeting, accounting and disbursing, strategic planning, budget and performance integration, global financial operations, intelligence resource planning, and critical infrastructure protection. Mr. Burnham has led the effort to instill sound business planning practices in all aspects of the State Department, from individual embassy business plans to the Department's strategic plan.

Before joining the Bush Administration, Mr. Burnham served as the Chief Executive Officer of a leading asset management and mutual fund company, PIMCO's Columbus Circle Investors, and as Vice-Chairman of PIMCO's mutual fund group. Earlier, in 1994, he was elected Treasurer of Connecticut, and quickly earned national recognition for sweeping reforms to all aspects of the Connecticut Treasury, and for turning the worst performing state pension fund in the country into one of the top performing public funds nationwide.

Previously, Mr. Burnham was an investment banker with Credit Suisse First Boston and Advest Corporate Finance. He was elected to the Connecticut House of Representatives three times, and served as assistant minority leader. A 23-year veteran of the United States Marine Corps Reserve, he is a veteran of the first Gulf War, and led one of the first infantry units to reach and liberate Kuwait City in 1991.

Mr. Burnham was born in New York. He earned a master's degree in public administration from Harvard University and a bachelor's degree in political science from Washington & Lee University. He also attended Georgetown University, National Security Studies Program. Mr. Burnham is the recipient of several accounting, leadership, and civic awards.

## **BYAMUGISHA, CANON GIDEON**

### **Biographical Note**

*Canon Gideon Byamugisha* is a teacher by profession and pastor by calling; holding degrees in both education and theology. Canon Gideon is the first practicing HIV positive priest in Africa to break the silence still associated with the disease. His life is dedicated to breaking the stigma related to HIV/AIDS and promoting positive action to help prevent its spread. In 1993 Canon Gideon left his teaching job at Bishop Tucker Theological College in Uganda to start the Church of Uganda Provincial HIV/Aids Program as an Educator and Trainer, and later moved on to the Diocese of Namirembe to head their HIV/AIDS program for seven years. He currently serves World Vision International's HIV/AIDS Hope Initiative Team as the Church/FBO Partnerships Advisor on Stigma, Shame, Denial, Discrimination, Inaction and Mis-action (SSDDIM).

## **CARLOS, CLARITA**

### **Ethics in Legislative Oversight**

This paper is an attempt to examine the oversight functions of the many legislative committees in both houses of the Philippine Congress and to assess to what extent such functions are used not to "oversee" executive agencies but to obtain political benefits therefrom by threatening the abolition of offices, downscaling of programs and the like through legislative action.

## **CIULLA, JOANNE**

### **Biographical Note**

*Joanne Ciulla* teaches courses on ethics, critical thinking, conflict resolution, and leadership in international contexts. She is one of the founding faculty members of the Jepson School of Leadership at the University of Richmond. Professor Ciulla has held the UNESCO Chair in Leadership Studies at the United Nations International Leadership Academy in Jordan and academic appointments at La Salle University, the Harvard Business School, The Wharton School, and Oxford University. Professor Ciulla's research interests are leadership ethics, business ethics, international leadership and the philosophy of work. Dr. Ciulla consults on ethics and leadership programs with universities, businesses, and government agencies in the United States and overseas. Professor Ciulla obtained her Bachelors from University of Maryland, her Masters in Philosophy from the University of Delaware, and her Ph.D. in Philosophy from Temple University.

## **CLEMENTS-HUNT, PAUL**

### **Biographical Note**

*Paul Clements-Hunt* is the Head of the United Nations Environment Programme (UNEP) Finance Initiative (FI), based in Geneva, Switzerland. UNEP FI is a unique global partnership between UNEP and the international private financial sector. UNEP FI works closely with approximately 160 financial institutions worldwide to develop and promote linkages between the environment, sustainable development and financial performance. The goal of UNEP FI is to realise environmental and sustainability best practice performance throughout the international finance sector ([www.unepfi.org](http://www.unepfi.org)).

Clements-Hunt joined UNEP in December 2000. Prior to that, he spent the period 1998-2000 representing the Paris-based International Chamber of Commerce (ICC), the World Business Organisation, on matters related to their policy work in the fields of energy, environment and sustainable development.

From 1991-1998, Mr Clements-Hunt was based in Bangkok, Thailand, engaged in environmental business issues in the Southeast Asia region. He started the first environmental communications, information and strategic issues consultancy in Thailand in 1992 and, in 1994, took the idea for a regionally focused environmental strategy consultancy to the world's largest testing, inspection, and certification company, Societe Generale de Surveillance (SGS). The SGS Group developed the idea as the SGS-Environmental Information Unit (EIU) with Clements-Hunt directing SGS- EIU as its Head of Research. He lives near Geneva with his wife and their two children.

## **CONSTANTINO-DAVID, KARINA**

### **Biographical Note**

*Karina Constantino-David* is the chair of the Civil Service Commission in the Philippines. Prior to that appointment, she headed the Housing and Urban Development Coordinating Council (HUDCC), from 1998-1999. As the housing Czarina, she was mainly responsible for setting development goals and strategies, monitoring program implementation, and broadening private sector participation. Before government service, she was the executive director of Harnessing Self-Reliant Initiatives and Knowledge (HASIK) from 1988-1998. She has served as consultant for women and poverty policies at the Asian and Pacific Development Center. Ms. Constantino-David is an active member of the Philippine Sociological Society, Human Development Network, and Asia-Pacific Development Journal.

## **COUTO, RICHARD**

### **Biographical Note**

*Richard Cuoto* has been a Professor of Leadership Studies, at Antioch University, since July 2002. Prior to 2002, he served as professor of leadership studies at the Jepson School of Leadership Studies, University of Richmond. As one of the founding faculty of the Jepson School of Leadership Studies at the University of Richmond, he helped develop a curriculum that integrates community service and action research. He teaches in the fields of community leadership, social movements, public policy, politics, and experiential education. Professor Cuoto obtained his Bachelors from Marist College in New York, his Masters in Political Science at Boston College, and his Ph.D. in Political Science from the University of Kentucky.

## **DUKOR, MADUABUCHI**

### **Politics of Class and Hegemony in Nigeria**

This is an examination of class incubus in Nigeria and a thesis on and *modus operandi* of a revolution which is a historical necessity to over-throw the existing oppressive class structure. Class hegemony in Nigeria today is the highest and final stage of misrule and corruption just as its concomitant and equivalent socio-political formation, neo-colonialism is the highest form of imperialism. The Marxist historical and dialectical materialism explains the revolutionary necessity in Nigerian polity. There are three classes, which constitute the oppressive class in Nigeria; the political class as the class of politicians and political office holders, the ritualist class as the religious, the secret cult members who empowers and sustains the political class spiritually and the rogue class as the class comprising all the supporters of the powers that be or the political class, that is, members of the military, police, the media, the Bench, the Bar, the universities, the kings, the Bureau crafts etc. There is class phenomena in the social and political behaviours of the members of lower and upper classes. Armed robbery, separatist movements in the Delta region of Nigeria, teachers and workers strikes are evidence of class consciousness and the burden of class domination. The political or ethical revolution will target the political, ritualist their interest in commercialization, privatization, Banking, industry and politics. The revolution could be constitutional, ethical or forceful seizure of power. But the post revolutionary society may not be a classless society but a democratic society without reigning sovereign which consists of diverse members of a rationally oriented and directed society.

### **Biographical Note**

*Maduabuchi Dukor* is Reader, Department of Philosophy, Nnamdi Azikiwe University, Awka, Anambra State, Nigeria. Formerly visiting scholar, Dept. of Philosophy, University of Ghana, Accra, Ghana. Cited in *Great minds of the 21st Century* (ABI), International Dictionary of Biography, Cambridge, England, Maquis who is who in the world etc. sixty five publications including articles and books in the local and international journals.

## **DUQUE, FLOREZA U (AND ALPUERTO, JETHRO P)**

### **Empowering Youth Leadership In Combating Corruption: Towards Creating A Network Of Corruption-Intolerant Youth Leaders**

Current leadership crisis in the Philippines weakens the idealism of the Filipino youth. They fall prey to political manipulation and are misled by wrong ideologies. The future leaders have lost interest in public

service. This sector in the society needs to be grounded back to their inherent need for responsible freedom and be guided to ethical leadership. To reawaken their idealism, they must be given opportunities to lead. One of which is the fight against corruption in the public service. Strategies that can effectively move young people to lead in curbing and preventing corruption in the government are explored. Strategies identified as effective are the specific, quantifiable, attainable, practical and timely ones. Introducing these strategies to different youth groups is geared towards forming a network of corruption-intolerant youth leaders. This network becomes an avenue for experiencing ethical leadership, empowering them as agents of corrupt-free governance.

### **Biographical Note**

*Floreza U. Duque* is currently Program Coordinator for Education of Barug! Pilipino Incorporated. As coordinator, she plans, develops and implements information and communication strategies for the realization of the movement's vision, mission and goals. She is also a volunteer of the Commission on Youth of the Archdiocese of Cebu since 2003 where she served as the youth coordinator in 2005. She is involved in initiating youth programs for social action and leadership. She graduated from the University of the Philippines with a degree of Bachelor of Arts in Mass Communications in 2005.

*\*Barug in English means to make a [conscience] stand. Barug! Pilipino is a corruption-intolerant Church-based movement for a transformed Filipino nation.*

### **ERDENER, CAROLYN BUIE (AND MENDEZ, JOAQUIN FLORES)**

#### **The Ethics of Loyalty**

We are engaged in an exploratory empirical study of loyalty as an organisational phenomenon and potential management tool. Following Elwin (1992), loyalty is defined as encompassing the emotional attachment to a person, support costs for 'being there', and interest in the other as in one's self. We use an expanded version of a survey questionnaire originally developed by Xiong, Tsui and Farh (2002) for measuring loyalty to supervisor and organisational commitment. Based on the results of a pilot study carried out in Mexico City, we propose a conceptual model of loyalty as a dynamic, interactive construct with important ethical parameters for managers and employees.

### **ESADZE, LONDA**

#### **Corruption and Lack of Public Ethics in Post-Socialist Transition Countries: a Case Study of Georgia**

The paper examines the problems associated with analysing and controlling corruption and public administration system in the process of democratisation in case of Georgia. Transition involves a transformation in the formal political structures of the state and it invokes new norms and expectations for politics, yet only rarely are these norms and expectations widely shared among the political élites and broader populations of these states. Widespread corruption is one likely consequence, but its control depends very much on the precise character of the corrupt activity.

The popular uprising in Georgia that led on November 23, 2003 to President Eduard Shevardnadze's resignation has been termed a "Velvet Revolution" or a "Revolution of Roses." Many experts called the Georgian events as the former Soviet Union's first anti-corruption revolution. The Rose Revolution was a signal event in the politics of Eurasia and has had a major impact on the other countries of the former Soviet Union. However corruption is still remaining as a country's major problem and system of public administration still retains the main characteristics of Soviet bureaucracy, including autocratic, vertical management, weak horizontal links between organisations, and an organisation structure based on personal rather than societal interests. A model of autocratic governance has been formed in Georgia with a unique difference from the classic one – it functions in an uncontrolled environment.

The Author concludes that developing democracy in post-Soviet republics, it has now become clear over the last 12 years, will be a long, drawn-out process, with no guarantee of success in many of them. Authoritarian traditions remain strong even among the best educated, most Western-oriented leaders, with little or no personal involvement in the Communist Party apparatus or stake in that tradition of governing. Georgian symptoms prove that not all of the western-trained leaders are immune to such temptations of

power and Anti-corruption should not become as the populist, legitimising message of new leaderships regime.

### **Biographical Note**

*Londa Esadze* has been the Coordinator of the TraCCC's Money Laundering and Economic Crime Programme in Georgia since 2002 and chairwoman of the IBA (Independent Board of Advisors) of the Parliament of Georgia since 1998. Dr. Londa Esadze is the author of more than 30 publications and monographs about corruption, money laundering, human trafficking, economic crime, corporate governance, etc. She holds degrees in international criminal law and journalism.

Ms Esadze was the Chair of the South Caucasian Chapter of the Global Organisation of Parliamentarians Against Corruption (GOPAC) and Co-chair of the GOPAC working committee on the UN Convention against Corruption. L. Esadze is the recipient of the Grand Prix of the American Bar Association, as a winner of the international writing competition: The Role of the Rule of Law Addressing Corruption in the Emerging Democracies.

### **GEORGE, NARELLE**

#### **Managing Conflicts of Interest: A practical approach to address common issues and misconceptions**

Conflict of interest is a critical area that can have far-reaching impacts across all levels of the public and private sectors. Despite its significance, conflict of interest is often poorly recognised and managed, and remains one of the most intractable issues for the public sector.

There are common misconceptions surrounding the issue, which can lead to poor decisions regarding the acknowledgement or management of conflicts of interest. In many instances such misconceptions and their consequences are accentuated by a lack of adequate policy and procedures, or a failure to provide stakeholders with a proper understanding of what actually constitutes a conflict of interest.

Misconduct arising from unresolved conflicts of interest is at the heart of much of the investigation and prevention work of public sector oversight bodies in Australia. To help address this issue, the Crime and Misconduct Commission (CMC) in Queensland and the Independent Commission Against Corruption in New South Wales have collaborated in developing a practical guide and toolkit\* on managing conflicts of interest. These guidelines have quickly established themselves as a valuable resource and standard for effectively managing conflicts of interest in the public sector.

While the development of such resources plays a key role in helping recognition of issues and dispelling misconceptions, strategic extension programs are equally important – to help create greater management awareness, and to help ensure implementation of an effective program for managing conflicts of interest through all levels of an organisation.

This presentation will look at common issues and misconceptions surrounding conflict of interest, and the practical approach being taken within the public sector in Queensland and elsewhere in Australia to address these issues. It will show how organisations and individuals can identify, manage and monitor conflicts of interest as they arise, at a practical operational level.

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\* This resource, *Managing Conflicts of Interest in the Public Sector - Guidelines and Toolkit*, is one of the first practical guides in the world to be developed following the release of the 2003 OECD guidelines for managing conflicts of interest, and has received great interest and acclaim both within Australia and internationally.

### **Biographical Note**

*Narelle George* is a Misconduct Prevention Officer from the Crime and Misconduct Commission, responsible for providing assistance to public sector agencies on issues concerning the prevention of misconduct and corruption. Narelle has developed acclaimed advisory publications on issues ranging from cyber risks and information security, to ethical scrap disposal. She is a principal author of the *Managing Conflicts of Interest in the Public Sector* Guidelines and Toolkit, and has been a keynote speaker on the issue at interstate and international seminars.

## **GHODKE, DINESH**

### **Biographical Note**

*Dinesh Ghodke* holds a Bachelors of Technology degree from the Indian Institute of Technology in Bombay. He worked as a software engineer with Infosys Ltd. before joining the senior level of the Art of Living Foundation. Over the last 12 years, he has traveled extensively teaching a host of leadership programs. Much of his efforts are aimed at empowering and involving youth through various innovative initiatives of music, dance, creative arts, yoga, meditation and sports. He is presently the India program director for the Youth Empowerment Seminars (YES!+) which are being regularly conducted for students and teachers in educational institutes throughout India.

## **GILMAN, STUART**

### **The Common Ground of Integrity: International Civil Servants and the United Nations Convention against Corruption**

One of the least noticed elements of the UN Convention against Corruption is the inclusion of international civil servants in articles addressing prevention of corruption as well as its criminalization. This presentation will focus on the common ground of integrity that should be the foundation of all civil service, the special vulnerability of those who work in international organisations and some of the dilemmas confronting multilateral institutions. The conclusion will sketch some possible solutions to these latter problems and how they will impact on the structure and function of international organisations.

### **Biographical Note**

*Dr Stuart C. Gilman* is currently the Programme Manager for the United Nations Global Programme Against Corruption and is Head of the UN Office on Drugs and Crime's Anti-corruption Unit. In this role he is responsible for effective technical implementation of the United Nations Convention Against Corruption. His thirty-year career includes positions in universities, government as well as the non-profit sectors. His work has focused on integrity and anticorruption systems in government and the private sector. Dr. Gilman has provided counsel and training for a variety of individuals; from corporate chief executive officers to cabinet secretaries and ministers, from heads of anticorruption agencies to local judges and prosecutors. He has worked in the "trenches" and understands how important integrity systems are to both the public and private sectors.

## **GITHONGO, JOHN**

### **Biographical Note**

*John Githongo* is one of Africa's leading anti-corruption advocates. Until his recent resignation, he was Kenya's first anti-corruption czar following the election of a coalition government in 2002. In that capacity, he aggressively investigated cases of large-scale corruption within the new government and led asset recovery efforts. Prior to that, he was Executive Director of Transparency International in Kenya. Mr. Githongo remains a powerful advocate of governance reform in Kenya and across Africa even after his resignation from his post as Permanent Secretary for Governance and Ethics. Originally a journalist, Mr. Githongo holds a Bachelor of Science in Economics from the University of Wales Swansea.

## **GRAHAM, JOHN**

### **Biographical Note**

*John Graham* was a U.S diplomat for 15 years. His assignments included revolutionary Libya, Viet Nam, NATO, the US Mission to the UN; and a stint as foreign policy advisor to Senator John Glenn. Since leaving the Foreign Service in 1980, he has lectured and led seminars worldwide, helping individuals, organisations, and communities successfully tackle the challenges of risk and change. He joined the Giraffe Project staff in 1983, where he currently serves as Project President and principal speaker/workshop leader. Mr. Graham has degrees in geology from Harvard and engineering from Stanford. He is the author of *Outdoor Leadership*, from Mountaineers Books; *It's Up to Us*, from the Giraffe Heroes Project; and *Stick Your Neck Out — A Street-smart Guide to Creating Change in Your Community and Beyond*, published by Berrett-Koehler.

## HANCOCK, MARTIN

### **Panel Title: Leadership and Corporate Social Responsibility**

The focus of this workshop is the role of socially responsible investment (SRI) in promoting integrity and combating corruption. It is divided into two themes.

#### *1. Promoting Integrity and Combating Corruption in Corporate Practice*

In the wake of recent corporate scandals, various reforms aimed at rehabilitating the credibility of corporate leadership have been developed and implemented. The SRI community has long advocated reforms involving greater corporate accountability and disclosure on environmental, social and governance (ESG) issues. It recognises that corporate irresponsibility is risky and unsustainable. Companies prepared to incorporate ESG issues in their business strategies can expect greater access to capital available through SRI funds. SRI therefore has an important function in promoting responsible corporate behaviour.

With the globalisation of capital markets, the impact of SRI goes beyond developed countries and increasingly influences companies operating in developing nations. Differences in traditional business practices and, ultimately, in values in different cultures create a need to consider what ongoing reforms might be required in working towards a common global understanding of what constitute ESG and stakeholder responsibilities.

#### *2. Integrity and Corruption in SRI?*

Ethical investors should not invest in companies that bribe, ignore global environmental concerns, or are socially irresponsible – even if the returns are high. If some SRI funds are tempted to invest in such companies, arguing that the returns are sustainable, they appear at odds with the values motivating ethical investment. This raises questions about what ‘sustainability’ means, and whether the term is unhelpfully broad, and corrosive of the social responsibility of SRI. Of particular concern is whether the term ‘socially responsible’ could become meaningless in an industry able to defend investment in almost anything.

### **Paper Title: Ethical Banking – an oxymoron?**

Financial Institutions have an important role to play in the corporate responsibility arena. Not only are Financial Institutions key intermediaries in the economic system, but they also finance the future

‘Ethical Banking’ has been described as the provision of financial services that are designed to promote equity and sustainable development. Finance Institutions have risen to this challenge, both at the individual, and sector level. This presentation will look at developments at Westpac Banking Corporation, the acknowledged global leader for sustainability in the banking sector, and also at the work done by the United Nations Environment Programme Finance Initiative (UNEP FI) to promote sustainability across the industry.

Where does the responsibility of the finance sector, start and end? What are the boundaries? Who are the key players and drivers in the financial system? Is myopism really rife? This presentation will review these questions and will also look at;

- Developments and achievements, from the perspectives of customers, employees and the community.
- How the needs of stakeholders, not just shareholders, are taken into account.
- How ‘best practice’ is being encouraged globally, in both developing and developed countries.
- How the emphasis is moving from niche to mainstream activities.
- The challenges ahead.

### **Biographical Note**

*Martin Hancock* is the Chief Operating Officer for Westpac in London, and represents the bank on corporate responsibility matters in the Northern Hemisphere. He has over 25 years banking experience. Since 1984 he has worked for Westpac in a variety of roles, and gained a breadth of knowledge about the banking sector in areas such as relationship management, corporate finance, financial control and strategic planning.

Martin has a first degree in Economics and a M.Sc. in Management and Business Studies. He has also gained distinctions in (1) a Postgraduate Diploma in Ecology, Conservation and Environmental Management from the Durrell Institute at the University of Kent, and (2) a M.Sc. in Environmental Management from Wye College, University of London, where he specialised in Environmental Impact Assessment, NGO Management, and International Environmental Law.

Martin was on the Working Group for the Global Reporting Initiative (GRI) Sector Specific Supplement on Social Performance Indicators (SPI) for the Finance Sector, and co-chaired the United Nations Environment Programme Finance Initiative (UNEP FI) and GRI Environmental Performance Indicators Project, to develop a Sector Specific Supplement for environmental issues. He is a member of the Equator Principles Working Group, taking specific responsibility for reporting and transparency, and also worked with the Global Compact on the “Who Cares Wins” initiative. He is also a member of the ENGAGE International Business Leadership Team, a business-led organisation from the Prince of Wales International Business Leaders Forum and Business in the Community (BiTC), that aims to increase the quality and extent of employee engagement.

Martin has been a member of the UNEP-FI Steering Committee since February 2004 and was elected to the Chair in January 2005. Martin has a personal active interest in wildlife and habitat conservation. He runs a smallholding, where amongst other things, he breeds rare sheep. He has also been a respite carer for children with special needs for nearly 15 years.

## **HERNANDEZ, CAROLINA**

### **Panel Title: Pursuing Public Ethics and Improving Political Accountability in Governance: Institutional Reforms against Corruption in the Philippines**

One of the challenges that consolidating democracies such as the Philippines is how to combat and control the problems of corruption and other forms of particularistic behaviour through the institutionalization of accountability institutions and mechanisms. The absence of effective measures to counter these perennial “demons” would result in one major democratic deficit – the lack or weakness of accountability (O’Donnell 1999). This was recently displayed when the impeachment of then President Joseph Estrada on charges of cronyism and corruption was aborted thereby opening the floodgates of collective mobilization and public protest culminating in the withdrawal of popular support on January 2001 or more popularly known as “People Power II”.

There are several conclusions that could be drawn in this very contentious episode. For one, it has placed the issues of accountability and the impetus to combat corruption in the Philippines. Moreover, it also highlighted the imperative to undertake serious and meaningful reforms in the country’s “national integrity system” (Pope 1996). The prevalence of corruption has been mainly attributed to the inability of its institutions to perform its mandate and responsibilities. Any improvements in the application of public ethics and the improvement of public accountability would also have implications in the restoration of public trust to the country’s fledgling democratic regime.

This panel attempts to discuss the various attempts and initiatives of various political institutions, whether located in the state or of society in pursuing public ethics and improving political accountability in the Philippines for the past five years (2001-2005). It examines what are the reforms that have been instituted and assess the impacts that that these efforts have generated. This group of papers would also enumerate the challenges that political institutions face as well as the opportunities that are provided to successfully implement reform.

### **Paper Title: Good Governance and Security Sector Reform in the Philippines**

Good governance, particularly of the military in a democracy means that civilian control over the military prevails. Thus, democratisation involves constitutional and other institutional changes, including the definition of the relationship between the government and the security sectors, the restructuring of the security sector such as the separation of the police from the military, the institutional oversight mechanisms to ensure this relationship is sustained, such as executive and legislative oversight over the budget and appointments, and the body of civil rights that would enable other civilian sectors to monitor the behaviour of the security sector.



This paper discusses the linkages between good governance and the security sector in the Philippines. It also enumerates the various reforms that were implemented that their impacts in improving the governance of the country's security sector. By way of conclusion, the paper provides prospects for the future.

### **Biographical Note**

*Prof. Carolina G. Hernandez, PhD* is currently Professor of Political Science at the University of the Philippines where she is also its Carlos P. Romulo Professor of International Relations. She is the Founding President of the Institute for Strategic and Development Studies (ISDS Philippines), an independent non-profit policy research and advocacy institute that is also involved in training activities in cooperation with other training institutions at home and abroad. She holds the degrees of Bachelor of Science in Foreign Service (*cum laude*) from the University of the Philippines, Masters in International Relations (First in First Class) from the University of Karachi, and PhD in Political Science from the State University of New York at Buffalo. She also trained in Political Philosophy at Duke University where she advanced to doctoral candidacy with a dissertation draft on the Christian-Marxist Dialogue until martial law in the Philippines led her to drop out from the program and pursue her PhD instead in the field of the military in politics. Her doctoral dissertation at SUNY Buffalo was a pioneering work in civil-military relations in the Philippines that had served to popularize in the 1980s the implications of martial law and changing civil-military relations for the country's future political development.

She also served the Philippine Government as a Commissioner in the Fact-Finding Commission to investigate the failed coup of December 1989 under President Corazon C. Aquino, the National Peace Forum to conduct local peace talks with communist insurgent groups under President Joseph Ejercito Estrada and Commissioner of the Feliciano Fact-Finding Commission Pursuant to Administrative Order No. 78 (series of 2003) under President Gloria Macapagal-Arroyo. On 24 November 2003, President Arroyo appointed her Presidential Adviser with Cabinet rank to oversee the implementation of the Feliciano Commission Recommendations.

### **HERNANDEZ, KATHERINE**

#### **Panel Title: Pursuing Public Ethics and Improving Political Accountability in Governance: Institutional Reforms against Corruption in the Philippines**

One of the challenges that consolidating democracies such as the Philippines is how to combat and control the problems of corruption and other forms of particularistic behaviour through the institutionalization of accountability institutions and mechanisms. The absence of effective measures to counter these perennial "demons" would result in one major democratic deficit – the lack or weakness of accountability (O'Donnell 1999). This was recently displayed when the impeachment of then President Joseph Estrada on charges of cronyism and corruption was aborted thereby opening the floodgates of collective mobilization and public protest culminating in the withdrawal of popular support on January 2001 or more popularly known as "People Power II".

There are several conclusions that could be drawn in this very contentious episode. For one, it has placed the issues of accountability and the impetus to combat corruption in the Philippines. Moreover, it also highlighted the imperative to undertake serious and meaningful reforms in the country's "national integrity system" (Pope 1996). The prevalence of corruption has been mainly attributed to the inability of its institutions to perform its mandate and responsibilities. Any improvements in the application of public ethics and the improvement of public accountability would also have implications in the restoration of public trust to the country's fledgling democratic regime.

This panel attempts to discuss the various attempts and initiatives of various political institutions, whether located in the state or of society in pursuing public ethics and improving political accountability in the Philippines for the past five years (2001-2005). It examines what are the reforms that have been instituted and assess the impacts that that these efforts have generated. This group of papers would also enumerate the challenges that political institutions face as well as the opportunities that are provided to successfully implement reform.

**Paper Title: Judicial Reform and Public Ethics in the Philippines: Reforming the Ombudsman and the Sandiganbayan**

In order to combat corruption, a country requires an effective, responsive, and accountable judiciary. Through the leadership of the head of the Philippines judiciary since 1998, Chief Justice Hilario G. Davide, Jr., has embarked on what is known as the Action Program for Judicial Reform (APJR). It contains a wide-ranging and comprehensive set of reform projects and activities to enhance judicial conditions and performance and to improve delivery of judicial services. There are also parallel attempts to reform the country's lead agency for enforcing accountability. This paper enumerates the set of reforms and improvements in increasing the capacity and efficiency of the country's Ombudsman and the anti-graft court *Sandiganbayan*. It also analyses several cases that these institutions prosecuted and disposed in order to highlight their strengths and weaknesses. By way of conclusion, the paper offers some recommendations on how to further improve the Ombudsman and the *Sandiganbayan*.

**Biographical Note**

*Katherine Marie G. Hernandez, Esq.* is Executive Assistant at the Office of the Presidential Adviser to Implement the Feliciano Commission Recommendations (OPAIFCR) under the Office of the President of the Republic of the Philippines. A lawyer by profession, she is also affiliated with the Institute for Strategic and Development Studies Inc. (ISDS). She obtained her BA in Political Science from the University of the Philippines and Bachelor of Laws from the Ateneo de Manila University.

**HICKS, DOUG**

**Biographical Note**

*Douglas Hicks* is an Associate Professor of Leadership Studies and Religion at the Jepson School of Leadership Studies at the University of Richmond and Director of the University's Bonner Center for Civic Engagement. In 2003 he served as a visiting assistant professor of religion and society at the Harvard Divinity School. He holds an A.B. with honors in economics from Davidson College, an M.Div. from Duke University, and an M.A. and a Ph.D. in religion and economics from Harvard University. Professor Hicks' research focuses on religion in public life and the ethical dimensions of economic issues. An ordained minister in the Presbyterian Church (USA), Dr. Hicks is a parish associate at Bon Air Presbyterian Church in Richmond, Virginia.

**HYDE, JOHN**

**Small Pond, Big Fish, Snagged Lines**

What are the short-term responses and long-term implications for an anti-corruption body, when its Acting Commissioner admits she's tipped off a suspect that he shouldn't use his mobile phone?

John Hyde, Chairman of Western Australia's Joint Standing Committee on the Corruption and Crime Commission, the parliamentary committee responsible for oversight of the State's corruption and crime watchdog, the Corruption and Crime Commission (CCC), discusses how Commissions and parliamentary oversight bodies function when misconduct is revealed within.

The high-profile Acting Commissioner of the CCC was charged in October 2005 with corruption and perverting the course of justice. The charges relate to her admitting that she told a friend who was under surveillance by the CCC that his phone was "probably being bugged". The investigation was compromised as a result of this warning.

The friend being investigated by the CCC was the Clerk of the Parliaments, one of the State's most senior public officials, and on his death-bed at the time. He was a close personal friend of the Acting Commissioner, and was also ultimately charged with serious corruption and drug related offences.

If convicted, the Acting Commissioner faces a long custodial sentence. If acquitted, her former reputation as a well-respected lawyer and human rights advocate might be ruined given the extensive media coverage. The case study raises significant issues in respect to corruption prevention. In particular, it highlights the need for stringent accountability mechanisms and independence from the Executive. It also raises concerns

about natural justice and the complex balance between granting corruption watchdogs broad powers while ensuring that innocent people are afforded due process.

### **Biographical Note**

*John Hyde* is Chair of Western Australia's Joint Parliamentary Committee on the Corruption and Crime Commission. He has been a Member for Perth in WA Parliament since 2001, and was previously inner-city Mayor and national vice-president of the Australian Local Government Association. He is the Inaugural chair North Perth Community Bank and a former journalist and arts CEO.

### **JAVIDAN, MANSOUR**

#### **Biographical Note**

*Mansour Javidan* received his MBA and Ph.D. degrees from the Carlson School of Management, University of Minnesota. He is professor and chairman of the Strategy and Global Management Area and the Academic Director of the NPC Executive MBA program at the Haskayne School of Business, University of Calgary in Canada. Currently, he is a visiting professor at INSEAD. Since 2004, he assumed the role of the Director of the Garvin Center for Cultures and Languages of International Management at Thunderbird, The Garvin School of International Management in Glendale, Arizona.

### **JURKIEWICZ, CAROLE**

#### **Panel Title: Competence, Complacency, and Corruption: Checking Lord Acton's Clichéd Claim**

Examples of Lord Acton's pungent aphorism ("Power tends to corrupt and absolute power corrupts absolutely") range from the Biblical story of King David's seduction of Bathsheba to Bill Clinton's recent autobiographical *mea culpa* of the Lewinsky affair.

This session examines the utility of Acton's dictum (also reflected in the ancient proverb, "The fish rots from the head.") for today. Is unethical behaviour the result not of failure, but rather success? Do competent leaders become complacent which, in turn, produces corruption? Theories, events, and issues that may shed light on such questions include (but are not limited to): Kohlbergian stages of moral development, virtue ethics, accountability, professionalism, codes of conduct, whistle blowing, secrecy, patronage, employment doctrines, Enron Era scandals, torture, and genocide. The objective of the session will be to develop lessons for governance and a sustainable future in public affairs.

#### **Paper Title: Post-Modern Alchemy: Defying the Absolutism of Power and Corruption**

### **KABELL, DORTE**

#### **Biographical Note**

*Dorte Kabell* is a graduate of the University of Copenhagen with a M.Sc. in Economics and Public Sector Management. After completing her degree, with a specialisation in development economics, Dorte Kabell has worked for over 20 years in the field of multilateral development assistance. Her experience spans major international organisations including the United Nations, the OECD and International Financial Institutions such as the Asian Development Bank and the African Development Bank, where she was a senior advisor to the President. Immediately prior to establishing Kabell Konsulting, she spent several years in Danida where she developed the multilateral performance management framework.

### **KIFT, SALLY**

#### **Ethics 101: Assessing for ethical attunement from the first year of a professional degree.**

All Australian universities have promulgated statements of desirable graduate attributes – those "qualities, skills and understandings the university community agrees its students should develop during their time with the institution" (Bowden *et al*, 2000). Almost without exception, each of these statements contains a commitment to developing in graduates an "ethics" attribute, though variously described. But the question must be asked – just what is it that these statements are actually committing to and, in terms of constructive alignment, can it be assured that what is encapsulated is being validly assessed.

Harrison (2002) suggested that there was a gap “between teachers of professional ethics and those drafting [these] generic [attributes] statements”. The gap between institutional rhetoric and classroom reality is most keenly felt in the assessment context. If all that is sought to be developed in the graduate is (for example) the unadventurous objective of *knowledge of* normative codes of (professional) conduct, then the academy can heave a sigh of relief and proceed down its traditional cognitive assessment path. However, if what is sought to be inculcated (and must problematically then be assessed) is a more ambitious objective of (for example) ethical decision making or a broader conception of ethics in the sense of attunement to ethical values (what we at QUT Law have named an “ethical orientation”, referring to the ability to value and promote truth, honesty, integrity, accountability, self-critical/reflective practice, respect for others, social justice, and the like manifestations of moral and ethical behaviour) then very real and difficult questions arise as to how these attributes, which fall under the affective domain, are to be validly assessed.

This paper will examine the rhetoric and discusses a range of innovative attempts to progress this assessment problem within a large first year cohort in a law faculty context.

### **Biographical Note**

*Sally Kift* is an Associate Professor and Assistant Dean, Teaching and Learning in the QUT Faculty of Law. Her research interests are legal education and criminal law and she has published widely in both. Sally has received national recognition for her excellence in teaching. In 2003, she was one of eight national Teaching Award winners (winning the AAUT Economics, Business, Law and Related Studies category) who each received a \$40,000 federal government grant.

### **KIM, YOUNG JONG**

#### **The New Paradigm of Anti-corruption Policies in Korea: A Focus on the Lobbying Disclosure Act**

The prevalent corruption in Korea threatens the democratic development of Korea. Although the government of Korea has struggled to prevent the corruption phenomena, for various reasons their efforts were not very successful. One of the major causes of corruption in Korea is the weakness of ethics among public officials. In addition, currently there is no lobbying disclosure or prevention act in Korea despite the fact that widespread lobbying is an important factor of prevalent corruption phenomena. In this paper, the author argues that we need to build the new paradigm by stipulating lobbying disclosure act because of its use in controlling dealings of corruption in private or public sectors. In addition, the author suggests the new paradigm focusing on how to strengthen public ethics in Korea and how to maximize the control-mechanism of lobbying by establishing new system in the country. In short, in this paper, the author focuses on the realities of corruption phenomena, causes of corruption, measures of anti-corruption, and suggests lobbying disclosure or prevention acts in Korea.

### **KRAMBIA-KAPARDIS, MARIA**

#### **Correlates of ethical behaviour in business: An empirical contribution**

Unethical behaviour by business people underpins a lot of corporate collapses. Researchers into ethics and gender have reported conflicting findings. Studies of the relationship between age and ethical beliefs have reported a correlation between the two. No research has been carried out in Cyprus pertaining to correlates of ethical beliefs. The study reported involved a questionnaire survey of 544 managers and MBA students and used a broad range of ethical dilemmas to examine their beliefs and practices. It was found that female respondents are more ethical than males, managers are more ethical than other categories of employees and, finally, elder managers are more ethical than younger ones. The paper discusses the policy implications arising from the findings.

### **Bibliographical Note**

*Maria Krambia-Kapardis* is Professor in Accounting at Intercollege and holder of the PricewaterhouseCoopers Chair in Applied Accounting Research. She studied in Australia where she obtained: B.Ec. (La Trobe Univ.), M.Bus (R.M.I.T), Ph.D (Edith Cowan), and is a Chartered Accountant. Her current research interests include: corporate governance, corporate social responsibility, triple bottom line reporting, company fraud victimization, business ethics and auditing. She was a member and vice president of the education committee of the Institute of Certified Public Accountants of Cyprus and a member of the Disciplinary Committee for ICPAC.

## **KUFFNER HIRT, MARY JANE**

### **Teaching Applied Ethics in an Interdisciplinary Administration and Leadership Studies Program**

Over the last seven years, Ms Kuffner Hirt has taught a course at both the doctoral and master's levels, "The Ethical Dimensions of Leadership," which examines the responsibilities of leaders within the public and not for profit sectors to create and maintain an ethical organisational climate. This paper will discuss the highly interactive strategy she has used to design a learning experience which encourages the development of a self-reflective leadership capacity by focusing on the effect a leader's behaviour and decision making have on those within and outside the organisation. She will describe how the interdisciplinary and mid-career nature of the students present valuable opportunities to capitalize on a diverse range of policy, administrative, and client/constituent issues and dilemmas to ground the discussion and demonstrate how "storytelling" can be used as a pedagogy to develop a sensitivity to and foster critical thinking about ethical questions and issues.

To support the theme that effective leadership is ethical leadership, she will discuss how books about moral leadership, video and audio presentations and current events as well as practitioner "experts" can be used to foster ethical reasoning capacity. Course projects which emphasize the integration of theory and practice require students to develop a case study to analyze personal experiences, assess the leadership and ethical implications of crisis-based problem-solving under conditions of uncertainty, and investigate a disciplinary field or a professional area of interest through the development of a scholarly literature portfolio.

### **Biographical Note**

*Mary Jane Kuffner Hirt* is a Professor of Political Science at Indiana University of Pennsylvania (IUP), one of fourteen universities which comprise the Pennsylvania State System of Higher Education. Dr Kuffner Hirt teaches leadership theories and ethics in an interdisciplinary Administration and Leadership doctoral program for public and non profit sector, mid-career practitioners. Her research and writing has focused on leadership, ethics and public sector finance. She is a member of the American Society for Public Administration and its Ethics Section. Her prior professional experience includes 13 years as a city manager in Pennsylvania.

## **LABELLE, HUGUETTE**

### **Biographical Note**

*Huguette Labelle* is currently Chancellor of the University of Ottawa and Chairwoman of Transparency International. She also serves on the board of numerous NGOs, including the International Institute for Sustainable Development and the International Union for the Conservation of Nature. Prior to her current roles, Dr. Labelle served as President of the Canadian International Development Agency, Chairman of the Public Service Commission of Canada, and Deputy Minister of Transport, as well as other Deputy posts in the Canadian Government. She has been awarded honorary degrees from several Canadian Universities and has received the Vanier Medal of the Institute of Public Administration of Canada, the Outstanding Achievement Award of the public Service of Canada, the McGill Management Achievement Award, and l'Ordre de la Pleiade. Dr. Labelle holds a Ph.D. in Education from the University of Ottawa.

## **LAYADOR, ANNA ROWENA G**

### **Panel Title: Pursuing Public Ethics and Improving Political Accountability in Governance: Institutional Reforms against Corruption in the Philippines**

One of the challenges that consolidating democracies such as the Philippines is how to combat and control the problems of corruption and other forms of particularistic behaviour through the institutionalization of accountability institutions and mechanisms. The absence of effective measures to counter these perennial "demons" would result in one major democratic deficit – the lack or weakness of accountability (O'Donnell 1999). This was recently displayed when the impeachment of then President Joseph Estrada on charges of cronyism and corruption was aborted thereby opening the floodgates of collective mobilization and public protest culminating in the withdrawal of popular support on January 2001 or more popularly known as "People Power II".

There are several conclusions that could be drawn in this very contentious episode. For one, it has placed the issues of accountability and the impetus to combat corruption in the Philippines. Moreover, it also highlighted the imperative to undertake serious and meaningful reforms in the country's "national integrity system" (Pope 1996). The prevalence of corruption has been mainly attributed to the inability of its institutions to perform its mandate and responsibilities. Any improvements in the application of public ethics and the improvement of public accountability would also have implications in the restoration of public trust to the country's fledgling democratic regime.

This panel attempts to discuss the various attempts and initiatives of various political institutions, whether located in the state or of society in pursuing public ethics and improving political accountability in the Philippines for the past five years (2001-2005). It examines what are the reforms that have been instituted and assess the impacts that these efforts have generated. This group of papers would also enumerate the challenges that political institutions face as well as the opportunities that are provided to successfully implement reform.

**Paper Title: Anti-Corruption Agencies and Political Accountability in the Philippines: The Role of the Presidential Anti-Graft Commission (PAGC)**

There are other anti-graft bodies created by the executive branch to implement public ethics in governance in the Philippines. One example is the PAGC, which is mandated "to assist the President in her campaign against graft and corruption by investigating administrative cases or complaints involving presidential appointees". Throughout the years, the PAGC has embarked on a serious anti-corruption agenda that both included the investigation of erring officials as well as the implementation of graft prevention programs.

One of the innovative programs led by PAGC to address corruption is the so-called *Lifestyle Check* program launched in 2002. Following that, a government official who is not given a relatively high financial compensation (vis-à-vis those working in the profit sector), the indication of any incongruity in terms of the corresponding lifestyle of that particular public servant and/or his/her family deserves government scrutiny and attention from accountability institutions. This may require the particular official to be made answerable either to explain or justify his/her manner of living. This paper attempts to discuss how this specific program has addressed the problem of corruption in the country by examining its achievements and shortcomings. It will also suggest ways on how to improve this reform initiative.

**Biographical Note**

*Anna Rowena G. Layador* is Assistant Professor of political science from the University of the Philippines-Diliman. She is also Research Fellow at the Institute for Strategic and Development Studies Inc. (ISDS).

**LÉAUTIER, FRANNIE A.**

**Biographical Note**

*Frannie A. Léautier* has been Vice President of the World Bank Institute since December of 2001. Prior to that, Ms. Léautier was Chief of Staff for President James Wolfensohn. Dr. Léautier is recognized as a leading expert in infrastructure strategy formulation in developing countries. She has held several positions in the World Bank Group including Transport Economist for the Latin America and Caribbean and South Asia regions, and as a research economist in the Development Economics Department. She served as Sector Director for Infrastructure in South Asia from 1997-2000 and later as Director for the Infrastructure Group. Dr. Léautier received her Master of Science in Transportation, and her PhD in Infrastructure Systems, from the Massachusetts Institute of Technology (MIT).

**LENARCIC, JOHN**

**Academic leadership with integrity through dramatic inspiration**

Information technology is the engine of the modern world. However, university computer science and information systems schools across the globe are at present undergoing an "identity crisis", driven primarily by falling student numbers. One reason for this paradox is that the custodians of these computing disciplines themselves - the professors, lecturers and tutors - lack creative leadership. Those who should be champions of the future have failed to impart a sense of awe in their prospective clients and the result is a near universal lack of interest in tertiary-level IT courses. This paper will outline a philosophical strategy

for regaining this lost control: A leadership framework that encourages computing academics to teach via dramatic revelation of both the conceptual and socio-economic underpinnings of information technology. Academic management is like herding cats or so the old adage goes. A related aphorism states that, "Happiness is being owned by a cat." If academics are feline in how they take to being led then they should be persuaded at the outset to share the wonder that lies dormant within their possession. At the turn of the first millennium, the Greek historian Plutarch famously proclaimed, "The mind is not a vessel to be filled but a fire to be kindled." A rediscovery of this spirit of academic leadership is of paramount importance for society now at the cusp of the second millennium.

#### **Biographical Note**

*John Lenarcic* is a physicist and applied mathematician by training, an IT academic by fortunate accident and an armchair philosopher by conscious choice. He is currently a Lecturer in the School of Business Information Technology at RMIT University, Melbourne, Australia.

#### **LEVINE, NEIL**

##### **Biographical Note**

*Neil Levine* is the Chief of the Governance Division at USAID. Prior to this position, Mr. Levine served as Deputy Director for the Office of Central American Affairs. He has a strong interest in countries in transition and worked closely with USAID missions supporting peace accords in El Salvador and Guatemala. He has also worked as a research assistant at Human Rights Watch in New York. Mr. Levine has a Bachelor's from Earlham College, a Master's in International Affairs from the School of International and Public Affairs at John Hopkins, and a certificate from the Institute for Latin American and Iberian Studies at Columbia University.

#### **LEWIS, CAROL**

##### **Biographical Note**

*Carol Lewis* is a Professor of Political Science at the University of Connecticut, where she teaches ethics, public budgeting, and public administration. Dr. Lewis has taught in colleges and universities in four states, lectured to scholars and practitioners nationally and internationally, and conducted training programs for public managers in many locales. As consultant or project member, she has worked with the World Bank, International Institute of Administrative Sciences, the U.S. National Academy of Public Administration, cross-national projects with the U.S. Department of Housing and Urban Development, and government agencies at all levels. Her research interests are in public budgeting, public service ethics, and comparative public administration. Dr. Lewis received her Masters and Ph.D. degrees in Political Science from Princeton University, and her Bachelors degree from Cornell University.

#### **LOUM, MAMADOU LAMINE**

##### **Biographical Note**

*Mamadou Lamine Loum* is a graduate of the Faculty of Law and Economics of the University of Dakar and of l'Ecole Nationale d'Administration et de Magistrature (ENAM) of Senegal. Mr Loum joined the Ministry of Economy, Finance and Planning in 1977. He has held a number of senior positions in the Ministry, including Chief Treasurer and Paymaster, General Director of Treasury, and Deputy Minister in charge of the Budget, and was appointed Minister of the Economy. Mr. Loum was Prime Minister of Senegal between July 1998 and March 2000. His negotiations with the Paris Club over international debt recovery for the country earned him a reputation as having a shrewd economic mind. In 2001, Mr. Loum was appointed Head of the International Advisory Group (IAG) on the Chad-Cameroon Petroleum Development and Pipeline Project.

#### **LUI, ROBYN (CO-AUTHOR EARLE, KATHLEEN)**

##### **From the inside out: living in integrity, leading with integrity**

We are living at a time when many of our beliefs and practices no longer serve us. Many of us feel that we are moving far away from being able to create the world we want. But amidst the sense of hopelessness, there is a creative urge to find a better way. There is something else stirring down beneath the surface.

People are waking up and shifting the currents. They are consciously re-directing their creativity and energy to lead purposeful and holistic lives.

Each of us has something unique to bring to the table; we long to make a positive contribution. The quality questions are: How do we connect with our creativity and our true purpose? What is the most direct path to act our values and manifest them into reality at the physical level? How do we step into the opportunities being offer to us now to attend to our true Self, to lead an authentic life so we can lead with integrity, and work in partnership with Life to co-create a sustainable future for all beings? In other words, how do we connect with who I am, where I am, and what I do with the larger whole?

This paper will reflect on how we can genuinely connect with and act on what is truly meaningful to us. When we live in our integrity, we can lead with integrity. This is the foundational step. If we want to change the discord, imbalance and exploitation in the social, economic, political and ecological sphere, we have to a make a personal journey. We have to bring the question of leadership, integrity and ethics back home to ourselves. Let's start right here with us, where we are, and how we lead our own lives. It is up to each of us individually and collectively to learn our way into the changes we are willing to make in ourselves, the actions we are ready to undertake where we live and work and the connection we must create with each other so we can truly come together for the solutions.

We invite you to take a fresh look at the challenges we are facing and to accept the personal and organisational challenge of taking the practical steps to act on our intentions to co-create a life-affirming world.

#### **Biographical Note**

*Robyn Lui* is a core member of Coreis, an Australian based experiential learning centre specialising in the creation and facilitation of solution focused learning programs and projects. She is also an executive member of Earth Charter Australia and Senior Research Fellow at the Key Centre for Ethics, Law, Justice and Governance at Griffith University, Brisbane. The foundational purpose of her work is to empower people to consciously co-create sustainable pathways to personal, organisational and planetary wellbeing. She was a participant of the 2004 Global Integrity Alliance meeting in Istanbul.

#### **MCBARNET, DOREEN**

##### **From Enron to Ethical Compliance? Corporate Social Responsibility and the Law**

Legal compliance and ethics are often seen as quite separate issues. This paper demonstrates, however, that an ethical approach to law is necessary if law is to have any chance of controlling corporate practice. Too much of what is claimed to be compliance is compliance with the letter not the spirit of the law. It is "creative compliance". This paper begins with Enron, arguing that the corporation's practices demonstrate not just non-compliance but creative compliance. It demonstrates the pervasiveness of creative compliance and the difficulties of controlling it through law. Finally it argues the need for a shift to "ethical compliance", not just to ensure good practice from the perspective of ethics but to facilitate legal control.

#### **Biographical Note**

*Doreen McBarnet* is Professor of Socio-Legal Studies at Oxford University. She graduated from Glasgow University with an MA honours in History and Sociology, and PhD in the Sociology of Law. Her research has addressed various areas of law, including the criminal justice process. However her main interest for many years now has been business and the law, particularly in the context of corporate finance, tax avoidance, creative accounting and corporate responsibility. She teaches Corporate Responsibility for the MBA at Oxford's Said Business School. Her publications include the books *Conviction* (Macmillan 1981, 1983), *Creative accounting and the cross-eyed javelin thrower* (with C Whelan, Wiley 1999), and *Crime, compliance and control* (Ashgate, 2004).

#### **MAHBOB, DATUK DR SULAIMAN**

*Datuk Dr. Sulaiman Mahbob* is currently the President of Malaysian Institute of Integrity or IIM, an agency established to coordinate the implementation of the National Integrity Plan (PIN). Dr. Sulaiman took this appointment on his retirement from the Malaysian Civil Service in July 2004, after having served the



Government (Malaysian Civil Service) for over 33 years. Prior to this appointment, he was the Secretary-General of the Ministry of Domestic Trade and Consumer Affairs, a post he held beginning February in 2001. By virtue of that position, he was also the Chairman of Companies Commission of Malaysia, and a board member of Malaysian Intellectual Property Corporation, (two agencies of the ministry).

Datuk Sulaiman is an economist by training. He has a Bachelors degree in economics (with honours) from the University of Malaya (1971), Master of Science degree from University of London (1977) and a Ph.D from Syracuse University, USA (1986). His working career includes experience in the Economic Planning Unit of the Prime Minister's Department (1972-1982), the Ministry of Finance (1986-1994). He was seconded as Executive Director of Malaysian Institute of Economic Research (MIER) (1994-1997), an independent economic policy think-tank. He had a chance to serve as Deputy Vice-Chancellor of Northern University of Malaysia (UUM) (1997/1998) but his secondment was cut short as he was called to head the Secretariat of National Economic Action Council (NEAC) during the financial crisis of 1998. At the NEAC he helped plan and carry out recovery measures such as the currency peg and the capital controls.

Datuk Sulaiman's experiences are in the areas of national economic planning, public finance, public policies and overall national economic management. Whilst at MIER, he led the consulting group to draft the Second Industrial Master Plan (1996-2005). Sulaiman has also served in a few commissions, including the Commission for Communication and Multimedia, and for Energy. He had also served in the board of directors of MISC, and of Bernas, and also in Pengurusan Amanah Saham Nasional. Datuk Sulaiman is also Adjunct Professor (Economics) at University of Malaya in 2001/2002 and in 2004, where he taught Malaysian Economy at Masters degree level. He is also Vice-President of the Malaysian Economic Association. He often contributes articles on Malaysian economy in the local press.

## **MAHOP, CHRISTOPE**

### **(National) Integrity Systems: Beyond national and corporate Institutional Maps, Assessing and Effectively Auditing Ethics**

Ever since integrity and its opposite have emerged on the world agenda as themes of the global development debate, focus has been and to a large extent, is still (rightly) is, on setting up and laying down institutional and legal tools, as a first ever strategy against corruption and corrupt practices.

In many instances, this diverse weaponry acted as a banner or an advertisement, for it was considered (at least for some) as an end in itself. Yet it didn't take too long to realise that as, (with) (not to say more than) others legal frameworks, *integrity-building tools* and *integrity-servicing tools* do not necessarily work robotically once they are set up. They need to get and to keep being activated both by internal and external forces or parties, instead.

Either as a free presentation or in a workshop, this paper argues that unless integrity is actually universally owned as an asset with positive externalities for officials and non officials, private and public bodies, by the north and the south, it may still run the risk of being an unrelenting and unyielding campaign theme. To that effect, (as the recent briefing of The White House staff over ethical issues tends to show) there may be a need for a move from perception to facts, that is, to take a step further towards new strategies focusing on assessments and audits to be carried out from the citizen, the stakeholder or the user perspective and not necessarily from a profit-yielding one. So, beyond what a third party or oneself perceives or suspects as deriving from or nurturing a corrupt practice, are we not required, *here and now*, to proceed as with financial resources and other corporal assets? That is, to internally, externally and systematically monitor and *audit* compliance services as well as the implementation of any procedure with, for instance, an assumed or actual fraud and corruption risk. Are we not required, too, to assess and audit integrity systems or their segments, with a view to ascertaining as to what extent they are or there are not implemented and as to what extent people outside the organisation or within the society as a whole refer to them as shared tools for progress, development, fairness, transparency and equality, that is, as a key component of a (soon to be seen?) new global social capital?

### **Biographical Note**

*Christophe N. Mahop* has a postgraduate in law, in political science, in economics and in public Administration. He is an administrator, Senior Audit Officer with the Supreme Audit Institution of

Cameroon and CEO of *Ideas and Progress* and an IPE Fellow. Regular contributor in governance and ethics gatherings, he presented papers at the 9<sup>th</sup> anti-Corruption conference in Durban, South Africa in 1999 and at the IPE Biennial Conference in Brisbane Australia in 2002. He is also the editor of *Governance and Development*, a periodical.

## **MARQUEZ, PEDRO GABRIEL (AND MAZA-PEREDA ANTONIO)**

### **Duties Toward Competitors Under The Ethics Of Fair Competition**

The ethics of fair competition has stressed the aspects of corruption, obeying the law and avoiding anti-competitive actions. In a world of hyper-competition, the standard appears to be no barriers for competition and even destructive competition models. This leaves a void in which friction on ethical duties toward competitors and other bystanders is needed, as opposed to an anything goes proposition. The question is: Is there any ethical limit to competitors' destruction through price wars, distribution exclusivity arrangements, supply exclusivities, piracy and similar attitudes aimed to destroy competitors? Are there any ethical guidelines in this respect?

Following the war metaphor, in a similar way to the business strategy metaphor, the doctrine of just war may have something to contribute to this theme. Criteria from early philosophers like Suarez, Aquinas, and bodies of law like the Geneva Convention on War and the UN guidelines for conduct of war, prove a fertile field to get some insights to be applied to this ethical theme. Some fields to be covered include the duties toward bystanders in competitive war, toward suppliers, distributors, and the competitors themselves.

### **Biographical Note**

*Pedro Gabriel Marquez* is Dean of the Business Division at the Mexico City campus of ITESM, where he teaches in the doctoral program in the area of Strategic Management. His research in the areas of business ethics and strategic management has been presented at professional conferences and has appeared in leading scholarly journals. Currently he is Principal Investigator of a 3-year sponsored research program at ITESM on Business Ethics in NAFTA.

## **MARSHALL, KATHERINE**

### **Biographical Note**

*Katherine Marshall* has worked for over three decades on international development, with a focus on issues for the world's poorest countries. She is a senior officer of the World Bank, where she has worked since 1971. Ms. Marshall is currently responsible for a broad range of issues turning around ethics, values, rights and faith in development work, and serves as Counsellor to the World Bank's President. Ms. Marshall is a graduate of Wellesley College and the Woodrow Wilson School at Princeton University (MPA '69); she currently serves as a Princeton University Trustee. She serves on the Boards of several NGOs, and most prominently has been engaged in the creation and development of the World Faiths Development Dialogue (WFDD).

## **MARTELL, MICHEL**

### **The Ability to Impute and the Moral Reasoning Gap**

Diverse studies regarding moral reasoning have shown that, the individual reaches the higher levels with age, formal education and religiousness. Some find that the women in general, are more moral than the men; others do not find differences by gender. With a sample from the middle class population of the Federal District (Mexico City) and with an assembly of five ethical dilemmas that present situations that could be found at a working environment we show that, moral reasoning would adapt with changes in *Imputability* (the possibility to associate an individual with its acts) and is found that, though it is possible to separate the levels of moral reasoning by age, formal education and gender, in the sample raised, no significant difference was found by religiousness level. The data gathered for this work show that the *Imputability* could be a factor of adaptation of moral reasoning and this could imply that moral reasoning does not turn out to be sufficient for the ethical performance; it is possible that a structure to make evident the *Imputability* is needed. We called this possible adaptation the moral reasoning gap. With the moral reasoning gaps of our data set and the assumption of a group of rules, we constructed a multi-agent model to simulate the possible outcome of their interaction in a social network. Our results show that although

moral reasoning strategy may be changed to lower moral levels due to the interaction with agents with greater moral reasoning gaps, it takes a small number of variables to significantly modify the speed at which these changes in strategy occur in large populations.

### **Biographical Note**

*Michel Martell* is a doctorate student at Monterrey Tec in Mexico City. He worked as a management consultant from 1984 to 2000. He is currently part of the faculty at the business school and teaches consulting techniques. His areas of interest are around the factors that influence moral reasoning of professionals.

### **MAYSON, CEDRIC**

#### **The route of Secular Spirituality**

The world has come of age. Divisive colonial concepts have been subsumed by the consciousness that Earthlings depend upon political, economic and spiritual cooperation for survival. Politically, we recognise the need for a United Nations, its failure, the terrorist peril, and the necessity of new solutions. Our economic systems impose impoverishment on most Earthlings which neither capitalism nor socialism seem to solve. Ecologically, we are destroying Earth's atmosphere with jets, cars, industry and preparations for nuclear warfare. Humanity is short of breath.

We require ethical, spiritual answers. Greed and dishonesty kill states, profits and persons. The culture of competition, consumerism and corruption destroys cooperation. We need morals not munitions; kindness not dictatorship; holism not selfish individualism; caring, generosity, integrity and courage to resist political and financial oppression. A rational solution is not enough. Our communities comprise people of body, mind and spirit which need regeneration of collective spiritual power to drive body, mind and community forward. Ethical action needs ethical power, but from where does it come? Not from religions. Religions stop neither wars nor poverty. Even ecumenical Christian and inter-faith bodies have no united Theology of Transformation.

The South African 'Kairos Document' analysed the problem in 'one of the most profound theological statements' in history. It discarded *State Theology* which legitimated oppression; it advocated the *Prophetic Theology* of Liberation; and it eschewed the deathly *Church Theology* promoting a private individualistic spirituality with little to do with the affairs of Earth. The priority of most religions is to promote their structures, prestige and pensions; not to save the world. Their opt-out is a cop-out which civil society condones.

But throughout the world is a quest for Secular Spirituality, a post-religious movement to rediscover the genre of Jesus and the Prophets, a holistic collective answer giving new birth to the spiritual motif. This paper explores the contribution of the World Ethics Forum to Secular Spirituality.

### **Biographical Note**

*Cedric Mayson* has worked in the Methodist Church of South Africa, the Christian Institute, South Africa Council of Churches, the World Conference of Religion and peace, and now the African National Congress Commission on Religious Affairs.

### **MAZA-PEREDA ANTONIO (AND MARQUEZ, PEDRO GABRIEL)**

#### **Duties Toward Competitors Under The Ethics Of Fair Competition**

The ethics of fair competition has stressed the aspects of corruption, obeying the law and avoiding anti-competitive actions. In a world of hyper-competition, the standard appears to be no barriers for competition and even destructive competition models. This leaves a void in which friction on ethical duties toward competitors and other bystanders is needed, as opposed to an anything goes proposition. The question is: Is there any ethical limit to competitors' destruction through price wars, distribution exclusivity arrangements, supply exclusivities, piracy and similar attitudes aimed to destroy competitors? Are there any ethical guidelines in this respect?

Following the war metaphor, in a similar way to the business strategy metaphor, the doctrine of just war may have something to contribute to this theme. Criteria from early philosophers like Suarez, Aquinas, and bodies of law like the Geneva Convention on War and the UN guidelines for conduct of war, prove a fertile field to get some insights to be applied to this ethical theme. Some fields to be covered include the duties toward bystanders in competitive war, toward suppliers, distributors, and the competitors themselves.

### **Biographical Note**

*Antonio Maza-Pereda* is a long-standing Professor in the MBA program at the Instituto Tecnológico y de Estudios Superiores de Monterrey (ITESM) in the area of Strategic Management. He has been active in consulting for 25 years, advising Mexican companies on business strategy and competition. He was involved with an organized effort by Mexican businessmen to further business ethics in Mexico. He has also developed research projects for the World Bank.

### **MENDEZ, JOAQUIN FLORES (AND ERDENER, CAROLYN BUIE)**

#### **The Ethics of Loyalty**

We are engaged in an exploratory empirical study of loyalty as an organisational phenomenon and potential management tool. Following Elwin (1992), loyalty is defined as encompassing the emotional attachment to a person, support costs for 'being there', and interest in the other as in one's self. We use an expanded version of a survey questionnaire originally developed by Xiong, Tsui and Farh (2002) for measuring loyalty to supervisor and organisational commitment. Based on the results of a pilot study carried out in Mexico City, we propose a conceptual model of loyalty as a dynamic, interactive construct with important ethical parameters for managers and employees.

### **MENZEL, DONALD**

#### **Ethical Management Internationally**

This paper provides a broad overview of worldwide efforts to put into place ethics management strategies that encourage ethical behaviour and combat corruption. Efforts by international organisations such as the United Nations and the Organisation for Economic Cooperation and Development to promote ethical governance are examined. Additionally, the paper examines programs in Europe, specifically the United Kingdom and The Netherlands, and in Asia, specifically China and Japan. The paper concludes that nations around the globe are embracing ethics management strategies but primarily from the perspective of combating corruption through laws, rules, and regulations. The approach reduces ethical behaviour to a minimalist conception (don't break the law or regulations) and encourages a narrow, legalistic view to defining acceptable behaviour. However, there is reason to be optimistic about a change in direction.

### **Biographical Note**

*Donald C. Menzel* is the 2005-06 President of the American Society for Public Administration and emeritus professor of Public Administration, Northern Illinois University. He holds a Ph.D. (political science-1973) from the Pennsylvania State University. He has published widely in the field of public administration with particular interest in local government management and ethics and has lectured on these subjects in Europe and Asia. He has completed a book on *Ethics Management for Public Administrators: Building Organisations of Integrity* that will be published later this year. His current research focuses on public administration and governance in China where he also conducts public management training for Chinese government officials.

### **MORRE, JAN**

#### **The Impact of Recent Ethics Management Measures in Queensland and Victoria, Australia: A Practitioners' View.**

Due to some major corruption cases and misbehaviour of civil servants and politicians, citizens are increasingly aware of the importance of integrity and ethics management. Codes of conduct, prevention measures, whistleblower protection and other means of strengthening the ethical dimension of politics and administration have reached a high status on the agenda in many countries.

Australia was one of the first countries to introduce modern approaches of integrity and ethics management in the public sector, starting already in the seventies, and this on all government levels (federal - state - local). The paper describes the structure of the integrity systems of Queensland and Victoria, and the impact of the latest ethics management initiatives, emphasising the practitioners' view.

This paper is primarily based on interviews held during visits to the Key Centre of the Griffith University, Brisbane, and to several public sector institutions involved in integrity and ethics management. Much attention is given to the organisational changes of the integrity frameworks in both states.

- In recent years, Queensland has modified their integrity system by creating in 2000 the unique function of the Integrity Commissioner and in 2002 the Crime and Misconduct Commission. Also, since the beginning of this year the Ombudsman is no longer Information Officer, as the Parliament had decided to split both functions.
- Due to some corruption scandals within the Victoria Police force in 2004, the Victorian government has been forced to make some major changes in their integrity system, strengthening the role of the Ombudsman and even creating the Office of Police Integrity. Other important initiatives taken by the Victorian government are e.g. reinstating the independent role of the Auditor-General (2000), the introduction of the Whistleblowers Protection Act 2001 and the creation of the State Services Authority (April 2005).
- The states of Victoria and Queensland have different integrity framework approaches. These differences are explained in this report. Which model is most appropriate, is still an open question and subject to the NISA-project by the Key Centre of the Griffith University and Transparency International.

Some practical toolkits and other integrity instruments are also put in the spotlight.

### **Biographical Note**

*Jan Morre*, Licentiate Commercial Science (specialisation: Government Management), started his professional career at the Belgian Post Office. In 1987 he entered the Ministry of Finance, in particular the Budget Administration. He is currently working as a Director at the Federal Public Service Budget and Management Control, the in 2003 created organisation which is also responsible for stimulating prevention of misconduct in the other federal organisations.

In 2005 Jan Morre was following the Public Management Programme at the Catholic University of Leuven. A one month's internship in Australia concerning the Integrity Frameworks was part of this programme. As a speaker at the *International conference "Ethics and integrity of governance: The first transatlantic dialogue" Leuven (Belgium), 2-5 June 2005*", he presented the results of his internship.

### **MORAUTA, MEKERE**

#### **Biographical Note**

*Rt Hon Mekere Morauta, Kt MP* was the first graduate in Economics from the University of Papua New Guinea. He became a Member of the Papua New Guinea National Parliament in 1997, and was Prime Minister from 1999 to 2002. He holds the seat of Port Moresby North-West, and is also currently Chairman of the National Capital District Commission Board.

Prior to entering politics, Morauta was Secretary for Finance (1972–1982), Managing Director of the Papua New Guinea Banking Corporation (1983-1992), Governor of the Bank of Papua New Guinea (1993-1994), a company director and successful businessman.

### **NICOLAIDES, ANGELO**

#### **Shared Governance in business and the development of a Code of Ethics based on the Holy Bible.**

Big business plays a pivotal role in society and shapes government policy and therefore is challenged to conduct itself in a manner that contributes positively to the meaningful socio-economic transformation of South African society and the protection of the environment. This paper focuses on the question of why businesses should adopt shared governance practices in which employees who are impacted upon by

decisions should have the right to participate in the decision making process. Shared governance is considered to be morally as well as ethically non-negotiable and anything less is immoral. The paper also addresses the question of how the Bible with its many ethical principles can be used to develop a code of ethics for a business.

### **Biographical Note**

*Dr Angelo Nicolaidis*, (University of Johannesburg, Faculty of Management).

### **OBIDAIRO, SIMEON**

#### **The Prospective Role of Anti-Corruption Conventions in Curbing Transnational Bribery by Corporations**

This paper argues that the current framework of multilateral efforts to curb transnational bribery by corporations is unable to tackle the problem of transnational bribery by corporations effectively.

The focus of the current regulatory regime to curb transnational bribery is on the imposition of criminal prohibitions on corporations engaging in transnational bribery. This regime has been criticised mainly with regard to the disparities in the ability of States to respond to the problem of transnational bribery. In response to these criticisms, through multilateral institutions, States have made considerable efforts to galvanise the international cooperation required to regulate transnational bribery by corporations. These efforts resulted in the adoption of three major multilateral conventions.

Unfortunately, these responses are inadequate. A simple comparison of the levels of compliance with the various multilateral conventions indicates that where the targets set by the agreements were low, the level of compliance was high. This is unfortunate because although these weak conventions have garnered a high level of compliance, they have provided little or no effective reduction in the levels of transnational bribery.

The paper develops an alternative explanation arguing that the current liability regime regulating corporations has ossified outdated perceptions of the corporation. This liability regime treats corporation as a fiction for deriving liability, underestimating the complexity of the modern. Similarly, the liability regime treats the corporation as an entity for the purposes of imposing liability, exaggerating the unity of the corporation. These formalistic perceptions simultaneously bolster the capacity of the corporation to evade liability and constrain the imposition of criminal liability on the individuals within the corporation responsible for transnational bribery.

The paper advocates a different focus involving an augmented analysis of the primary participants in transnational bribery transactions, corporations, and an alteration of the existing regulatory regime to alter the behaviour of these corporations.

### **Biographical Note**

*Simeon Obidairo* currently serves as Counsel to the Honorable Minister of Finance Nigeria and leads the Anti-corruption unit for the Ministry and its related parastatals. He is an attorney licensed to practice law in the State of New York. His prior work experience includes working at the World Health Organization in Geneva as the External Relations Officer responsible for collaboration with the private sector. Mr Obidairo worked in the Corruption Unit at the World Bank in Washington DC developing anti corruption policies and investigating allegations of fraud in Bank funded projects. Until recently, he was a Senior Counsel with the Independent Inquiry Committee (Vocler Committee) investigating allegations of fraud and corruption in the United Nations Oil for Food Programme.

Originally from Nigeria, he graduated from the University of London (SOAS) with a degree in law, and the New York University School of Law with an LLM in Corporate Law. He recently submitted his PhD thesis on transnational corporations and bribery for examination at SOAS.

## **O'BRIEN, JUSTIN**

### **Securing corporate accountability or bypassing justice? The efficacy and pitfalls of pre-trial diversion**

The public policy imperatives now emanating from the United States suggest that effective policing of the market requires the development of mechanisms to provide public legal standing to private norms. This reformulation jettisons the enabling framework of company law in favour of more rigorous societal controls over the corporate form. The paper assesses the jurisprudential, ethical and public policy implications of this. The paper tracks how and why the mechanism developed. Second, the paper also charts the implications of negotiated prosecution on corporate governance reform. Third, it evaluates the impact of mandatory governing arrangements on organisational structure and, more broadly, the theoretical underpinnings of company law. Fourth, by evaluating “negotiated prosecution” on the basis of accountability and legitimacy criteria the paper seeks to ascertain appropriate parameters of application.

## **OLOJEDE, DELE**

### **Biographical Note**

*Dele Olojede* joined *Newsday* as a summer intern in 1988. Since then has served in numerous positions at the publication including foreign editor, where he managed the newspaper's five overseas bureaus and its daily coverage of foreign affairs. Prior to *Newsday*, Olojede was a reporter at the *National Concord Newspaper* in Lagos, Nigeria and a founding staff writer and assistant editor at *Newswatch*, a Lagos weekly news magazine. A 1986 award-winning investigative report by Olojede resulted in the freeing of an internationally known Nigerian musician, Fela Kuti, and the dismissal of the federal judge who had sentenced him to prison on trumped up charges. Mr. Olojede earned a master's degree at Columbia University in New York, where he won the Henry N. Taylor Award as the outstanding foreign student. Among Mr. Olojede's numerous awards includes a 2005 Pulitzer Prize for *Rwanda: 10 Years of Pain*.

## **OPIO, PETER JOHN**

### **Biographical Note**

*Peter John Opio* is professor of business ethics, medical ethics and professional ethics at Uganda Martyrs University (UMU), Uganda. His areas of interest include poverty, famines and development project management, as well as theology, Christian ethics, and social ethics. Dr. Opio has been lecturer at the Center for Catholic Social Thought in Leuven Belgium, at the University of London, and has participated in many project management programs in Germany, Kenya and Uganda. He is a founding member of the Business Ethics Network Africa (BEN-Africa) and member of the Academic Council on United Nations Studies at Yale University, USA.

## **PELTO, MARCUS**

### **Civil Society and the National Integrity System in PNG**

The paper argues that the National Integrity System is always in a state of flux, and that it is constantly exposed to pressure of the highest order aimed at weakening its effect.

This paper examines a civil society campaign against two private Member's Bills in Papua New Guinea in 2005. In the lead up to the 2007 national elections, the Bills were directly aimed at increasing the funds available to individual MPs, while reducing the punitive remedies available to the Ombudsman Commission for abuse of these funds by MPs.

A civil society campaign against the two Bills raised the ire of Members of Parliament, culminating in a media statement from the Opposition Leader describing the PNG chapter of Transparency International as “foreign-funded mafia bent on dragging down the country through malicious and selective dissemination of information calculated to undermine the country's leadership and destroy Papua New Guinea's international reputation.” The campaign was ultimately successful, and the two Bills were withdrawn just short of four months after they were gazetted.

The campaign raised a number of questions: Is the Legislature or the Executive answerable to civil society groups or the media? Should NGOs such as Transparency International play a role in public policy debate in developing countries, or should state agencies be left to find their own place in a rapidly evolving political environment?

The campaign against the two Bills illustrates that in a rapidly evolving political environment such as PNG, the interplay between a free media, civil society and the state is never entirely clear and is open to wide interpretation by all players involved. Only time, and political episodes such as the ‘campaign against the two Bills’, will determine the longer-term shape of PNG’s National Integrity System.

#### **Biographical Note**

*Marcus Pelto* is a young Australian who has been working in public sector policy and reform since 1999, following a short career as a construction tradesperson. He is currently the Executive Officer of the PNG chapter of Transparency International, and is continuing his postgraduate study externally with Flinders University in South Australia.

#### **PEVKUR, AIVE**

##### **Interrelations in the implementation of systems of integrity, ethics, and public administration**

In democratic societies the question of ethics in governing is a rising topic. There are ongoing discussions about the different elements of the ‘ethics infrastructure’ approach to Public Sector Ethics (‘PSE’), teaching ethics to public servants, core values of public service, and so on. There are also discussions of the appropriate use of different moral language (through the use of behaviourist, role-based, and classical ethical theories). There are few discussions about how to implement new ethics standards in the conditions created by various recent public sector reforms, especially in countries in transition.

The level of acceptance of PSE as an implicit part of a fully-functioning system of Public Administration depends on the systems of administration of organisations already in place. In my work as a practitioner I see that the integrity-based principles and values of PSE, as proposed by international organisations, are widely accepted as valuable. At the same time the implementation of these values is progressing slowly or meeting resistance among civil servants, and the level of coherence between the adopted values of a given public administration system and the values of a proposed new ethics system determines the level of acceptance (or lack of acceptance) of the proposed PSE framework. More open and fast-developing organisations are more ready to implement the integrity-based PSE system.

Based on a recent survey of values espoused by Estonian civil servants, my aim is to show the interdependency of the values which are generally required in a modern (reformed) public administration system and the values which are often explicit in a modern Public Service Ethics system.

#### **Biographical Note**

*Aive Pevkur* has an MA from the Moscow State University (Department of Philosophy), a MA (Philosophy) from the Tartu University and is currently undertaking doctoral studies at the Tartu University. Aive has been a Lecturer at the Tallinn Technical University (Institute of Humanities and Social Sciences) an Assistant within the Department of Philosophy at Tartu University and an Advisor (Public Service Ethics) in the Department of Public Service, State Chancellery of the Republic of Estonia.

#### **PLESTINA, DIJANA**

##### **Biographical Note**

*Dijana Plestina* is an Associate Professor of Political Science at Wooster College, an advisor to the Foreign Minister of Croatia, and wife of Croatia's former Prime Minister, Ivica Racan. She is the author of *Regional Development in Communist Yugoslavia: Success, Failure and Consequences*. A native of Croatia, her research and teaching interests include political and economic transitions, economic development and democratization in East and West Europe, the former Soviet Union, and the developing world. Professor Plestina has a Bachelors and Masters from Carleton and a Ph.D. from University of California, Berkeley.



## **PRADHAN, SANJAY**

### **Biographical Note**

*Sanjay Pradhan* is Director of Public Sector Governance for the World Bank. He is responsible for providing the strategic directions for the World Bank's global work across all member countries on improving public sector governance and combating corruption. Dr. Pradhan earlier served as the World Bank's Sector Manager for Public Sector and Poverty Reduction for the South Asia region. Prior to that, he was responsible for managing the Bank's unit supporting governance and public sector reform in 26 countries across Central and Eastern Europe and the former Soviet Union. Dr. Pradhan was a Principal Author of the World Development Report 1997, *The State in a Changing World*. He presented the WDR in 20 countries across regions, including press conferences, high-level seminars, and presentations to Heads of State and Parliaments. He has authored numerous articles, books and policy papers. Dr. Pradhan completed his Ph.D. from Harvard University in 1988, and his Bachelor's degree from Harvard College, Harvard University in 1982.

## **PYMAN, MARK**

### **Reducing corruption in the defence and security sectors**

We believe that it is realistic – and increasingly possible – for civil society organisations to play an active and critical role in defence governance, whether it is a highly industrialised nation or a developing one. Good governance of national defence and security is necessary not only for defence, but as a pillar of a country's development for increasing the confidence of its citizens. Strong anti-corruption measures, such as transparency and civil society engagement, form an integral part of that good governance. We are also finding that the corporate climate has changed sufficiently in the last ten years that defence companies are ready to work together collaboratively and with others to combat defence corruption.

Transparency International, through both its UK Chapter and others, is engaged with defence importing and exporting governments and with defence companies to strengthen anti-corruption measures. This paper reviews the subject, outlines TI(UK)'s current work, and suggests priorities for action.

### **Biographical Note**

*Mark Pyman* works with Transparency International UK as the Project Leader for TI's collaborative project on preventing corruption in the official arms trade. This multi-year project seeks to reduce corruption in the defence sector by strengthening anti-corruption practices in importing countries, by encouraging collaborative anti-corruption behaviour across defence companies internationally, and by improving defence procurement practices. He has led this work since January 2004, engaging with Defence Ministries of importing and exporting countries, and with the larger defence companies. Outside of his TI work, he is an independent who leads reviews of procurement and programme strategy for the UK Government on their major investment programmes. His earlier background is in the oil industry with Shell International, where he was Finance Director and Procurement Director of major Shell companies in West Africa, Asia and Europe. Whilst at Shell, he was responsible in those roles for investigations into fraud and corruption cases, and for the Business Principles in those countries.

## **RAINER, ALAN**

### **A religious view of public ethics.**

The Religious view of Public Ethics is concerned with eternity, creation and the natural laws and principles that underlie the way creation works and who ultimately the whole cosmos depends upon for its existence and pre-existence. This is contrasted with those in temporal authority and the modern ethical systems which prevail. As old traditional religious or philosophically based traditions have been challenged because of questions of authority in theocratic or nationalistic states, so world wars have often resulted. These may have been attributed to religious reasons, but in reality are more owing to man's fallen nature. As phenomenological methods have been developed by Edmund Husserl on a more humanistic approach to life and followed by philosophers such as Jean-Paul Sartre, so more realism and non-realistic ways of understanding religion and the phenomenal world have evolved. Can one just jettison old traditions and codes of ethics? As Jean-Paul Sartre was well aware that if you do, then the consequence is that you can choose your own world but existentially you have to live with it.

In a liberal and secular post-modern world, what are the basic principles of modern ethical systems today? The division between the religious and the temporal and political spheres does have far greater consequences than we may realise. The second section explores what is a true person's nature. What is the true self as expounded in the Hindu Vedas? Is Sigmund Freud's psychological analysis of the mind into the "id", "superego" and the "ego" adequate or do we need to teach spiritual awareness in the schools, particularly where there is no religious ethos? What is our sacred duty in a fallen world? Beliefs are important, because they are the basis for our values and our vision.

Section three deals with the area of moral education briefly, looking at the role of conscience from Thomas Aquinas' analysis of using right reason *synderesis* and acting upon it *conscientiae*. The conclusion is that whether we believe there is a God or not, we have a moral duty to one another and the whole human race, both past, present and future and, I believe, we have an obligation to live up to that sacred duty.

### **Biographical Note**

*Alan Rainer, FCA, MA* is finishing a Doctoral Study in Religious Care at Derby University on 'The Unity of World Faiths Through Scripture as lived out by communities' – an Orthodox Synagogue, a Sufi group and the Bede Griffiths Sangha and a Hindu community.

### **ROBINSON, MARY**

#### **Biographical Note**

*Mary Robinson* is the Executive Director of the Ethical Globalization Initiative. She served as United Nations High Commissioner for Human Rights from 1997-2002 and as President of Ireland from 1990-1997. Before her election as President in 1990, Mrs. Robinson served as Senator for 20 years. In 1969 she became the youngest Reid Professor of Constitutional Law at Trinity College, Dublin. She was called to the bar in 1967, becoming a Senior Counsel in 1980, and a member of the English Bar in 1973. Educated at Trinity College, Mrs. Robinson also holds law degrees from the King's Inns in Dublin and from Harvard University. She has spent most of her life as a human rights advocate.

### **RWECHUNGURA, ROMUALD ZAKARIA**

#### **Globalization of Ethics**

Rapid advancement in communication and transportation technologies has enormously triggered the potential coming together of humanity that demands for well-established ways for people to mutually benefit from their interactions. Unfortunately, humanity is internationally coming together in situations of national divide. Accordingly, lack of standard standards in ways people act and interact has resulted into what we now witness as crisis of integrity in world affairs today.

Integrity is a 'natural' resource enhanced by human beings through committed participation in governance, a God-given role. Human beings are naturally moral agencies. Thus, it is everybody's socio-political responsibility to contribute in building an ethical world. Every person is entitled to a free and fair chance to demonstrate his/her governance capabilities to be able to contribute to national as well as international integrity infrastructure to realize one's dignity, a public service role.

The main underlying mission of public service is to model the integrity of society and to protect it. This public role is specific to time and space. Reference is made to noble works of Late Julius Nyerere and Nelson Mandela as Founding Fathers of Tanzania and South Africa respectively as Nations on the African continent.

However, by omission or commission, we witness serious integrity violations mostly emerging democracies. Most politicians take the opportunity of politicizing their demonstrated integrity as personal to themselves, an aristocratic behaviour. Subsequently, some leaders bank on the generated national integrity infrastructures as their moral authority to justify their perpetual rule.

The intelligentsia always challenges this type of plutocratic tendencies based on accrued national integrity/ethics infrastructure. While intelligentsia considers integrity to be a common good, the incumbent leaders consider the move as opposition to be resisted. And when the intelligentsia pushes further to show

that national integrity/ethic is everybody's cup of tea, incumbent leaders capitalize on common people's belief in plutocracy to dramatically win political posts.

What needs doing is for us, the intelligentsia, to grab opportunity of inspiration from sharing new ideals and ideologies worldwide. This conference is such window of opportunity for intelligentsia to combat corruption. Importantly, international support should be made readily available for us to continually and confidently challenge colonially inherited as well as aristocratically established structures and culture of governance.

Given globalization, envisaged ideological transformation from our involvement as intelligentsia, should extend to the whole population through compulsory global ethics education. Subsequently, governance in all nations shall adopt the values promoted through compulsory global ethics education and will undergo major structural changes. Values acquired through compulsory global ethics education shall fine-tune the culture of governance, legislation, the economy and the media in all nations.

The UN System is strategically placed to consultatively facilitating the task of designing and implementing a Programme to capture available integrity infrastructures worldwide and integrate them to standardized Global Governance. This value base so created will promote moderation, personal restraint and common good at all levels of governance. In turn corruption shall be combated.

### **Biographical Note**

*Romuald Zakaria Rwechungura* is the Founder Trustee (Settlor) and Chief Executive Officer of FAITA-TRUST, Educational National NGO. He is a Fellow of Marquette University, Wisconsin USA, and Les Aspin Center of Government, Washington D.C. USA 2003 Alumnus. He was a participant at the first Forum on a Global Integrity Alliance (FGIA) in March 2004, Istanbul Turkey. He presented a paper to the "Ethics and Integrity of Governance: a Transatlantic Dialogue: (June 2005 in Leuven, Belgium), and was a participant at the Third United Nations Conference on the Least Developed Countries in May 2001 in Brussels, Belgium.

### **SAMPFORD, CHARLES**

#### **Biographical Note**

*Charles Sampford* graduated from Melbourne University at the top of his class in each of politics, philosophy and law and completed his Oxford DPhil in 1984. He is currently Director of UNU-IEGL (the Institute for Ethics, Governance and Law – a joint initiative of UNU and Griffith) and Convenor of the Australian Research Council's Governance Research Network. Earlier positions include Foundation Dean of Law at Griffith, Senior Visiting Research Fellow at St John's College Oxford and a Senior Fulbright Award to Harvard.

Professor Sampford has written eighty articles and chapters in Australian and foreign journals and collections ranging through constitutional law, legal philosophy, legal education, politics and applied ethics and has completed twenty books and edited collections for international publishers including Oxford University Press, Blackwell, Routledge, Cavendish and Ashgate. He is the general editor of three book series and his most recent monograph, 'Retrospectivity and the Rule of Law' has just been released by Oxford University Press. He has also won over fifteen million dollars in grants, consultancies and awards for research work he has led. Professor Sampford has been consulted by international agencies (including the World Bank and Council on Foreign Affairs) business, government and various Parliaments. At the same time he has pursued a successful career as a part time company director and company chairman, gaining insights into the operation of Australian and international business that are valuable in work as an applied ethicist.

### **SCHWENKE, STEPHEN**

#### **Biographical Note**

*Steve Schwenke* currently serves as Technical Director for Management Systems International. He has comprehensive project experience - often as project manager - in arbitration, human rights, conflict, municipal governance, decentralization, government integrity, microenterprise, local economic

development, training, and community participation in local governance. Dr. Schwenke pursued undergraduate studies at Syracuse University and completed his Masters in International Affairs at Georgetown University. He received his Ph.D. in International Public Policy Studies from the University of Maryland, with a particular focus on innovative methods of applying human rights approaches to improve local governance. He is also an Adjunct Professor at the School of Advanced International Studies of the Johns Hopkins University, and at Georgetown University.

## **SELVANATHAN, PUVAN**

### **E-Government, Corruption & I**

A case study of the challenges faced in designing and delivering an innovative Urban Management System for Local Government in Malaysia. The fully self-funding Public Private Partnership (PPP), lauded as a ‘world-first’, for processing development project plans at Local Government directly addresses the issue of transparency, accountability and corruption in the approval and legality of development projects at all levels of Government; and collusion or tacit acceptance by the Professional and Private sectors; the most irresponsible instances of which have culminated in structural collapse, flooding, environmental devastation, and other serious consequences.

Using the case-study as a narrative, this presentation describes the broad efforts of the Malaysian Government in its drive against corruption – highlighting the issues of cronyism and authoritarianism arising from the transition between the Mahathir era and the current administration. The story charts the championing of the project from the Prime Ministers’s Office, through relevant Ministries, State Governments and finally Local Councils. The economic consequence of bringing transparency to land and construction-related matters, in which the bulk (by value and volume) of political fears and favours are exacted, ensured detailed scrutiny by vested interests at every gateway.

In solidarity with the system proposed, the innovator and implementer of the E-Government solution also launched a grass-roots campaign urging individuals in Malaysia to make a statutory declaration against corruption, beginning with their own employees and any sub-contractors to the design and implementation of the system. Using the Internet and Media, the campaign was conceived of and executed as a single seminal event – with ongoing advocacy conferred to the citizenry-at-large. ‘Citizens Against Corruption’ provided communication tools and a starting-point. This inspired schools, businesses and faith groups (‘Christians Against Corruption’) to evolve their own positions against corruption in Malaysia.

In conclusion, the presentation will cite the migration of these ideas into the Public Sector Reform agenda of Mozambique, where similar PPP and citizen-based action programmes were recommended in the course of developing an E-Government Strategy.

## **SENGUTTUVAN, ANNAMALAI**

### **Corporate ethics as a core part of strategic leadership**

Managing ethics in corporate organisations is not merely managing formal ethical standards. In a broader ethical sense, corporate concerns should orient themselves in creating an ethical climate or work culture that leads to maintaining established ethical standards in the working environment. This paper discusses the importance of enforcing the following ethical measures.

- Executive and supervisory leaders as ‘role models’ for their subordinates in fundamental issues.
- Fair treatment of employees in ensuring their fundamental rights.
- Maintenance of transparency in discussions and decisions
- Providing ‘equal opportunities’ for potential employees belonging to different cultures / geographical regions
- Ensuring a proper balance of opportunities for both the genders
- Importance of rewards to support excellence in implementing ethical standards.
- Avoidance of ‘unquestioning obedience to authoritative higher-ups’.
- Ensuring a balanced organisational focus in maintaining the welfare of corporate community, customers and the public at large.

- Exhibiting professionalism in rendering service or products and thus making ‘efficiency’ and ‘customer delight’ as watch words’
- Ensuring that ‘educational qualifications’ invariably ensure associating ethical standards and serve as ‘quality flagships’ for the individuals concerned.

This paper also points out the ‘colossal wreckage’ of the multinational giant corporations like WorldCom, Enron, Daewoo, Adelphia and Tyco etc., that serve as the standing testimonies to vouch the significance of maintaining ‘corporate ethics’ as a core part of ‘strategic corporate leadership’.

### **Biographical Note**

*Annamalai Senguttuvan* earned his B.E., from the University of Madras; M.E. from Anna University and currently he has submitted his Ph.D. thesis with the University of Madras. He played a key role in establishing the new discipline of Engineering B.Tech., (Information Technology). He has served as the member in board of studies of computer science and engineering, information technology of many Universities in Tamil Nadu, India. He is also a member of many professional bodies. He has published around 50 research papers in various national / international journals / conferences.

### **SHACKLOCK, ARTHUR**

#### **Leading with Integrity: ethical leadership — a fundamental principle of integrity and good governance (Co-Author Lewis, Melea)**

The assessment of ‘Integrity Systems’, sometimes referred to as ‘Ethics Regimes’, has generally focused on national perspectives, whether the right institutions, policies and procedures exist to achieve an effective national integrity system. The recently released Australian National Integrity System Assessment report highlighted the importance of mapping integrity systems and analysing whether the various elements have the resources to do their job (capacity), how they interact (coherence) and whether they are yielding the desired results (consequences). However, no matter how sound an integrity system may be, without the right human capital operating within it, such a system can achieve very little. In practice, it is people, primarily leaders at all levels, who drive organisational direction, create and sustain an ethical climate and provide major incentives or disincentives for organisational and employee ethical behaviour.

This paper attempts to extend this framework beyond a systems and national focus to more fully recognise the interplay of complex human relationships within individual organisations. In this context the quality of the leadership is a critical dynamic as it deeply influences the predictability of the behaviour of people in organisations. Therefore, the development of ethical leadership skills, underpinned by sound ethical decision making, is fundamental to creating organisations in which people ‘Lead with Integrity’.

This paper examines some of the relevant and recent literature on ethical leadership, focusing on the key issues surrounding ethical leadership roles and how these might be better understood, assessed and enhanced, not just as valuable qualities in their own right, but as a key to organisational integrity. The paper then presents some recommendations for actions within organisations to ensure and sustain ethical leadership. Finally, the paper recommends further research to assess the current standing of ethical leadership and ways in which it can be measured for improvements over time.

#### **Developing policy assessment measures for integrity and corruption prevention activities: the Australian experience**

The Assessment Framework provides policy makers and managers with a pioneering roadmap to design and organise sound assessments in specific public organisations and sectors. It includes practical checklists, decision-making tools and options for methodologies based on good practices.

At a time when governments are increasingly required to assess pro-integrity and corruption prevention measures, this report provides a unique inventory of methods and solutions used world wide for crafting well-designed assessments. Dr Shacklock will discuss the development of this Framework within the Australian context.

## **Biographical Note**

*Arthur Shacklock* is Director, Integrity and Anti-Corruption Program, in the Key Centre for Ethics, Law, Justice and Governance, Griffith University, Australia. He has 35 years practitioner experience in the Australian public sector, plus extensive consulting experience (Australia, London and Hong Kong). He has a BA (Politics/History), M Com and PhD.

*Melea Lewis* is a Research Assistant with the Key Centre for Ethics, Law, Justice and Governance at Griffith University, Australia. Ms Lewis is a legal practitioner who recently completed her Master of Laws by analysing accounts of corrupt behaviour in public life. She also holds an undergraduate degree in regional studies of Asia.

## **SHAHID, NAEEM**

### **Differentiation between freedoms of expression and extremism: a new scenario and threat for collisions of civilisations and the role of ethics in multi-cultural and multi-religious society.**

In this paper Naeem Shahid asserts that every thing has its limitations and this is so with the issue of freedom of expression whether delivered through media or oral speech. He tries to bring out the differentiation between freedom of expression and extremism, and asks that if every one has the right of freedom of expression and may say, write, speak or publish what ever he or she likes, then what is the meaning of ethics, where it will stand, and what its role in multi-cultural society?

The paper investigates what could be the real intentions of the publication of blasphemous cartoons of Prophet Mohammed, in Danish News paper along with some other European Countries news papers. The paper suggests that “freedom of expression right, without limitations” will bring “fatal extremism” globally, and asks what will happen if such extremism gets started, and what kind of impact it will have on common people’s lives, (most especially in Europeans citizens lives and the world economy). It also looks at how some “other extremists” could use this whole scenario to strengthen collision between civilizations and create misunderstandings between Governments.

The paper also looks at another unusual perception - how a specific individual or a group of extremists people could use news papers and other media in order to get their specific kind of “secret benefits” in the guise of “ freedom of expression right”. In the end, the paper concludes that we can get control over such situations in the future by the means of ethics, because ethics are the only tool which provide us directions to live in this multi-cultural and multi-religious world peacefully.

## **SHAMEEM, SHAISTA**

### **Stories of Women in Leadership**

#### *Introduction*

My story is no doubt just one example of stories of women in leadership. Leadership, in the traditional sense, is not usually the woman’s domain by training, education, access or acceptance by men or women. It is still not clear to me that I am indeed a leader, or am regarded as being a leader, since this position is not usually available to women by definition or experience.

#### *Part I: Women and leadership- strange phenomenon*

‘If I am considered a leader, it is because I have done certain things that could not be done by anyone else at the time. I was there at the convenient moment when something needed to get done’.

This type of comment is exactly what most women would say if anyone asked them how they became a leader. The first reaction would be bemusement; the second, wonder that anyone could even consider them as being a leader, or of having leadership qualities, and the third reaction would be withdrawal, in case of being thought to be aggressive.

#### *Part II Women and leadership: seizing the moment*

However, if women are thrust into the position of exercising leadership (rather than being a leader), they do it differently from men.

1. Notion of authority (origins and practice)
2. Notion of legitimacy (process)
3. Notion of authenticity (speaking the language)
4. Issues of substantiation (verification)
5. Issues of femininity

*Part III Strategies for exercising leadership by women*

1. Male leadership: is it worth replicating?
2. Crisis of governance
3. Crisis of integrity
4. Power and legitimacy issues: do women see these differently from men?
5. Exercising authority
6. Equal opportunity issues
7. Negotiating outcomes
8. Conflict resolution
9. Considering shared values
10. Mainstreaming human rights in public policy.

**Biographical Note**

*Shasista Shameem* is currently the Director of the Fiji Human Rights Commission in Suva – the first such commission in the Pacific islands and has worked as a lawyer, university lecturer and human rights activist. In 1999 she served on the UN Commission of Experts to review the judicial processes in Indonesia and Timor-Leste in connection to violations of human rights in East Timor. Dr. Shameem holds a Ph.D. in Sociology and Social Anthropology and LLM from the University of Waikato and an LLB from the University of Auckland.

**SHORT, EMILE**

**Biographical Note**

*Emile Short* was the Chairperson of the Commission on Human Rights and Administrative Justice in Ghana from 1993-2004. Before that, he was head of a law firm in Ghana and served as a judge for the United Nations Tribunal on Rwandan. He has consulted for the UNDP, the Commonwealth Secretariat in London, and the Carter Center (USA). He has been a member of many legal committees and associations in Ghana. Judge Short was called to the Bar in England in 1966 and is a member of the Ghana and Sierra Leone Bar. He obtained his LLM degree from the London School of Economics and Political Science in 1967. He has lectured at the University of Cape Coast (Ghana) and at the Middlesex Polytechnic (London), and has been a resource person in several international conferences on international law, human rights and administrative justice.

**SIČÁKOVÁ-BEBLAVÁ, EMÍLIA**

**Slovakian Strategies to Fight corruption**

The fight against corruption is the political agenda already for the second government in Slovakia. The Corruption Perceptions Index 2005 compiled by Transparency International 2005, research on transition conducted by World Bank and EBRD, as well as several public polls done between the Slovak business, signalize the decreasing trend of corruption in the Slovak public sector.

Slovakia was included in the CPI 2005 for the eighth time. The CPI 2005 for Slovakia was 4.3. Comparison with previous CPIs shows that it is so far the highest score (CPI 1998 was 3.9, CPI 1999 was 3.7, CPI 2000 was 3.5, in 2001 CPI was 3.7, in 2002 and 2003 again score 3.7 and the change in perceptions was recorded in 2004 with score 4.0). CPI 2005 is the first CPI that reflects perceptions of corruption of the second Mikulas Dzurinda government.

World Bank and EBRD Transition report is even more optimistic and shows that Slovakia has made the highest relative improvement in corruption when compared to the other 26 transition countries. The improvement trend is thus proved also by this research.

The paper therefore will look at the two strategies used to fight against corruption in Slovakia during two Mikulas Dzurinda governments (1998 – 2002 and 2002 – 2005). The paper will concentrate from 3 to 6 pillars of national integrity system and show what reforms and with what effect have been introduced with particular focus on their anti-corruption aspects. The aim will be to provide the overview of what works and what does not in pursuing the anti-corruption agenda in Slovakia and what reform agenda proved to be effective in decreasing corruption.

### **Biographical Note**

*Emília Sičáková-Beblavá* was with the Center for Economic Development in Bratislava, Slovakia, as a researcher since 1997 and she has been running the local chapter of Transparency International in Slovakia since 1998. She was a 2003 Yale University World Fellow. She was a member of the global Board of Directors of Transparency International. She teaches courses on transparency and multi-level governance at the Department of Public Policy of the Comenius University in Bratislava. In her research, she focuses on the following issues in the public-sector context: transparency, ethics, corruption and its control.

### **SMITH, LINDELL**

#### **Head, heart and guts: teaching values through structured affective learning experiences**

Westerners "put their heads together" while problem solving. We also focus on relationships at an emotional level (heart to heart). Some ancient cultures saw the seat of knowledge in the bowel. Their paradigm, "to rub bellies", offers insight into corporate behaviour.

Elements of affective learning are basic to animal to animal, animal to human, and human to human corporate structures. Examples of "affective ignorance" support a position that creative forms of teaching can be developed to address deficits in forms of knowledge that are essential to corporate health. Thoughtful structure offers the safety needed for people to discuss values on an affective level. Such structure can increase the willingness of people to learn at this level, and equip non-professionals for teaching. This means of learning was developed initially by the U.S. Army Academy of Health Sciences for meaningful exploration of issues of death, dying and grief. Its structures can be used as a means to develop empathy and to provide safety in exploring dynamic issues and taboo subjects. The method allowed for exploration of values at levels beyond means provided by Kirchenbaum, et. al., in the classic, *Values Clarification*.

### **Biographical Note**

*Lindell Smith*, M.Div. (Concordia, St. Louis), M.P.P. (Master of Pastoral Psychology) (Baylor), MTh (oxon) is a *Doktorand* in the International PhD Program at the University of Frankfurt.

### **SPENCE, EDWARD**

#### **Corruption: Characteristics, Causes and Possible Remedies**

Corruption like cancer is pervasive, diverse and present in almost all areas of society. From the "greed is good" hey-day of the 1980's right through to the 2000's and the spectacular collapses of Enron and WorldCom in the USA and HIH in Australia, corruption seems to continue unabated. The financial and human costs of corruption have been enormous. Billions of dollars lost to both the corporations themselves and the shareholders (in the case of Enron, employees who had invested most of their life-savings in that company, lost everything) reputations destroyed, and people's lives turned upside-down with the imprisonment of the heads of the corrupt corporations.

Although corporate corruption has been widely reported and is easily recognized, often unfortunately after the event, its nature and causes are usually not well understood and remain for the most part conceptually unclear. This conceptual lack of clarity concerning the nature of corruption helps perpetuate its reign. In order to provide a better conceptual and ethical understanding of corruption, I have developed a philosophical model that seeks to conceptually identify, explain and ethically evaluate corruption through first identifying and defining its characterizing features. The model can, in turn, be applied to generate relevant strategies to combat corruption not merely retrospectively but more importantly, prospectively (for more information please refer to my co-authored book, *Corruption and Anti-Corruption: An Applied Philosophical Approach*, Pearson Prentice Hall, 2005).



Although the paper will address corporate corruption in some detail, the conceptual examination of corruption will demonstrate that corruption is not merely restricted to the political and corporate spheres. It permeates all aspects of society including religion, the academe, sport, the media, science and the professions generally. As such, the proposed model can be applied specifically but widely to all these other types of corruption.

### **Biographical Note**

*Edward Spence*, BA (Hons), PhD (University of Sydney), is a senior lecturer in moral philosophy and professional ethics in the School of Communication, Charles Sturt University. He is a Senior Research Fellow at the Centre for Applied Philosophy and Public Ethics (CAPPE) in Canberra. CAPPE is a Special Research Centre funded by the Australian Research Council (ARC). He is the lead author of *Advertising Ethics* 2004, Prentice Hall, USA, and co-author of *Corruption and Anti-Corruption: A Philosophical Approach*, 2004, Prentice Hall, USA; He is the author of *Ethics Within Reason: A Neo-Gewirthian Approach*, Lexington Books, USA, forthcoming 2006. He is also the author of several refereed papers in national and international journals on professional ethics, including media ethics and corruption. He is the founder and producer of the *Philosophy Plays* project (since 1997) whose aim is the introduction of philosophy to the general public through drama.

### **STOBBS, NIGEL**

#### **Conflicts of Interest in the Ethical and Legal Regulation of Human Embryo Research**

This paper argues that knowledge and technology developed as the result of research involving human embryos is of such universal public interest, and the processes involved in this research are assessed from such polarised ethical perspectives, that regulation and oversight of this field, needs to be managed by public sector agencies with strict governance protocols. It also argues that peak bodies and stakeholders engaged in the ethical and regulatory debate need to focus on education rather than persuasion in their engagement with the lay public - and that much more needs to be done to eradicate actual, potential or perceived conflicts of interest in this area. A number of legislative and policy models for the regulation of human embryo research are examined and recommendations for improving accountability, transparency and communication in a trans-jurisdictional context are considered.

Most jurisdictions have comprehensive legislative codes prescribing the conditions under which human embryos can be created and/or used for medical and biotechnological research. The content of these codes is quite diverse, from those which will allow the creation of a human embryo for the purposes of pure research, with no intention of implantation, to those where the creation of embryos for anything other than reproductive purposes constitutes a serious criminal offence.

The paper explores the perception that this diversity is reflective not so much of different political ideologies, cultural values or moral perspectives, but of the extent to which commercial biotechnology interests are involved in the policy making process in the respective jurisdictions. A close analysis of various legislative instruments and the records of parliamentary debates, and public inquiries informing them, discloses the strong influence that commercial and technology interests have on the formulation of policy and the impact which this has on public and political debate in relation to embryo research.

#### **Discordant Ethical Modalities - Does the Left Hand Know What Music the Right Hand is Playing? – Inter-Professional Perceptions of the Ethical Values Underpinning Legal Codes of Conduct (Joint Paper with Thomas, Mark)**

The law industry comprises a range of professions which operate from different assumptions and limitations of conduct, deriving from their respective professional ethical codes and perhaps, different subcultures. At a deeper level these codes emanate from divergent assumptions about the nature and function of law. This paper maps perceptions which legal industry professionals display in relation to the ethical judgements of their 'companion' professionals. Far from evincing a harmonious and morally homogenous landscape, anecdotal evidence suggests that there is fundamental distrust between different justice professions and unfavourable perceptions of the ethical conduct of members of other professions.

The authors of this paper examine the nature of the ethical duties informing the codes which regulate the work of lawyers, police officers and correctional officers and suggest that although there is some

convergence in the regulatory principles and procedures used to manage the ethical climate of each profession, there is a growing erosion of confidence between the professions. Exactly what is the source of the distrust which characterises the relationship between lawyers and police? Do their respective codes of conduct act to assuage or encourage such distrust? The authors have conducted a survey of undergraduate law students to determine at whether there are pre-vocational misconceptions about the ethical duties of various justice professions and, if so, when and why these misconceptions arise. They also explore some possible reasons for the reluctance of some public sector bodies to engage in intra-professional ethics research in the light of the above discussion.

### **Biographical Note**

*Nigal Stobbs BA Dip Ed MA(Phil) LLB(Hons)*. Nigel is an academic within the Health Law research program at the Queensland University of Technology. He has research interests in the areas of ethics, biology and the law - and comparative laws of therapeutic and reproductive cloning. Prior to taking up a fulltime academic position he worked as a criminal defence and human rights lawyer in private practice.

### **TAYLOR, MEG**

#### **Biographical Note**

*Meg Taylor*, a national of Papua New Guinea, received her LL.B from Melbourne University, Australia and her LL.M from Harvard University, USA. She practiced law in Papua New Guinea and serves as a member of the Law Reform Commission. She was Ambassador of Papua New Guinea to the United States, Mexico and Canada in Washington DC, from 1989-94. She is co-founder of Conservation Melanesia and has served on the Boards of the World Wildlife Fund-USA and the World Resources Institute. She was a member of the World Commission on Forests and Sustainable Development. In addition, Ms. Taylor has served as a board member of a number of companies in Papua New Guinea in the natural resources, financial and agricultural sectors.

### **THOENNES, KARL**

#### **Judicial ethics codes and canons: a comparative international perspective (joint paper with Timothy Baland)**

In the absence of perfectly virtuous human behaviour, ethical standards and conduct for public officials must necessarily be reinforced and adjudicated by some court, tribunal, or other judicial body. In fulfilling that function, what ethical standards do courts typically impose upon themselves? This presentation would survey court ethics codes and judicial canons adopted by an array of court systems around world, and explore how those codes vary according to local culture, foundational law, and court structure. How do current national political environments, history, and social conflicts influence the operation and structure of various courts around the world, and how is judicial corruption dealt with in various locations? Can a Sharia court in Nigeria, a municipal court in New York, a provincial court in China, and a war crimes tribunal in Kosovo identify some common ethical principles and standards for court employees and judges, or do those court systems vary so drastically in structure and roles that common judicial canons would be so general and vague as to be practically meaningless?

#### **Biographical Note**

*Karl Thoennes III* began his career in the courts in Alaska in 1988, ultimately working as a division supervisor at the state's largest trial court in Anchorage. He was appointed Court Administrator in Todd County, Minnesota in 1998, and then Stearns County, St. Cloud, two years later. In 2004 he was appointed Administrator for the Second Judicial Circuit in South Dakota, the state's largest circuit by population. For the past five years, together with Peter Kiefer, Karl has been the regular columnist on ethics in *The Court Manager*, a national publication for court leaders. Karl has served as speaker or panelist on a number of state, regional, national, and international programs including conferences for the National Association for Court Management, the Mid-Atlantic Association for Court Management, and various other universities and professional associations in Minnesota and South Dakota. Karl has guest lectured at St. Cloud State University on court structure and management, spoken on international public ethics in Minneapolis, and completed two graduate seminars in public policy in Sapporo, Japan, first as a student and then guest speaker. He was most recently invited to speak on ethics for court employees at the 2005 Pacific Judicial

Council Conference in Guam for a group of Pacific Island nations and territories. He holds a Masters degree in public administration from the University of Alaska.

### **THOMAS, ADÈLE (CO-AUTHOR DA PIEDADE, LUCY)**

#### **The case for corporate responsibility: a South African exploratory study**

Heightened scrutiny of organisations, following local and international corporate scandals and ever increasing stakeholder demands for organisations to respond to issues within broader society has put the issue of corporate responsibility firmly on the South African governance agenda. In addition, the introduction of ‘triple bottom line’ factors (economic, social and environmental) in South Africa, when reporting on corporate performance, makes it imperative that South African companies assess why and how they should undertake corporate responsibility initiatives. A literature review investigates the issues that should be addressed by companies under the banner of corporate responsibility, including the definition of corporate responsibility, its extent and boundaries, corporate responsibility strategy and the business case for corporate responsibility. This background provides a basis for the presentation of the findings of an exploratory study that utilised the Delphi technique with a panel of experts (academics, consultants and practitioners) who are involved in the study or practice in the fields of governance, business ethics and corporate responsibility in South Africa. The study investigated corporate responsibility issues that are being or should be addressed by South African companies. The findings indicate the need for action in the areas of ecology, the environment, health and well-being, building human capital and in the encouragement of economic development. Cost benefit and defensive arguments dominate the case for corporate responsibility. Recommendations are made and guidelines provided with regard to how organisations in South Africa should frame the case for corporate responsibility and how investment in this area can be assessed and evaluated.

#### **Biographical Note**

*Adèle Thomas* is Professor of Human Resources in the Faculty of Management at the University of Johannesburg. She holds B.A. (Social Work) (*cum laude*), M.A. (*cum laude*), MBA and D. Litt et Phil degrees. Adèle has presented papers and published academic articles both locally and internationally and has also presented seminars at the University of Texas at Austin, at Boston University in the United States and at the Free University in Amsterdam. Her areas of research and teaching interest are: employment equity, managing diversity, organisational culture, organisational change, corporate governance and business ethics. Adèle consults to a number of blue chip companies in South Africa.

### **THOMAS, MARK**

#### **It’s too late, baby, now, it’s too late: re-siting lawyers’ ethical education**

At the core of legal ethical education lies a paradox. Traditionally, the underlying cast of legal professional ethics is deontological (framed explicitly in terms of duties which override self-interest, to the point of recognizing the fiduciary nature of legal professionals’ relationships or the role played by lawyers as “the bulwark of liberty”). Conversely, the siting and mode of teaching legal ethics re-inforces a consequentialist and pragmatic (to the point of an individual-hedonistic, “keeping hold of your livelihood”) view of “professional ethics” – decoupled even from any justification in utilitarian ideals of maximised social benefit. This primary paradox is then played out in a changing environment characterised by the commercialisation/corporatisation of legal practice, in which legal ethics fades into business ethics, and the legislative reconstruction of ethical obligations is conditioned by consumer protection.

Schooled in the manipulation of rules through doctrinal education grounded in positivist assumptions, incipient lawyers are educationally predisposed to see ethical rules/codes as no more than (yet) another body of law to be strategically interpreted – ironically enough, in the pervasive positivist moral vacuum.

Yet, an analysis of disciplinary action by the regulating body in Queensland over the past decade shows that lawyers’ ethical transgressions rarely, if at all, derive from novel, complex or unresolved ethical conundrums for which the lawyer’s resolution just happened to be deemed, *ex post facto*, wrong, but from simple and unequivocal delicts, precipitated (perhaps) by extraneous financial or personal pressures. Rather than simply imparting another suite of rules, then, legal (ethical) educators must struggle with the

imaginary future engagement of their students with the Pauline dilemma: “The good that I would, I do not: The evil which I would not, that I do.”

While we ensure (with greater or lesser confidence or accuracy) that the cognitive development of law students adequately equips them to complete the doctrinal aspects of legal education, we generally have no idea what stage of moral development they might (or might not!) have achieved prior to enrolment. All of which points to the need to recalculate the siting of legal ethics teaching (as opposed to imparting the rules of professional conduct), emphasising the affective over the (merely) cognitive and re-asserting lawyers’ values over lawyers’ skills.

**Discordant Ethical Modalities - Does the Left Hand Know What Music the Right Hand is Playing? – Inter-Professional Perceptions of the Ethical Values Underpinning Legal Codes of Conduct (Joint Paper with Stobbs, Nigel)**

The law industry comprises a range of professions which operate from different assumptions and limitations of conduct, deriving from their respective professional ethical codes and perhaps, different subcultures. At a deeper level these codes emanate from divergent assumptions about the nature and function of law. This paper maps perceptions which legal industry professionals display in relation to the ethical judgements of their ‘companion’ professionals. Far from evincing a harmonious and morally homogenous landscape, anecdotal evidence suggests that there is fundamental distrust between different justice professions and unfavourable perceptions of the ethical conduct of members of other professions.

The authors of this paper examine the nature of the ethical duties informing the codes which regulate the work of lawyers, police officers and correctional officers and suggest that although there is some convergence in the regulatory principles and procedures used to manage the ethical climate of each profession, there is a growing erosion of confidence between the professions. Exactly what is the source of the distrust which characterises the relationship between lawyers and police? Do their respective codes of conduct act to assuage or encourage such distrust? The authors have conducted a survey of undergraduate law students to determine at whether there are pre-vocational misconceptions about the ethical duties of various justice professions and, if so, when and why these misconceptions arise. They also explore some possible reasons for the reluctance of some public sector bodies to engage in intra-professional ethics research in the light of the above discussion.

**Biographical Note**

*Mark Thomas, BA (Hons), LLB (Hons), Barrister-at-Law.* Mark is a late-onset lawyer at Queensland University of Technology with research interests in jurisprudence and ethics, including the specific challenges these domains present for legal educators.

**THOMAS, ROSAMUND**

**Panel Title: Competence, Complacency, and Corruption: Checking Lord Acton’s Clichéd Claim**

Examples of Lord Acton’s pungent aphorism (“Power tends to corrupt and absolute power corrupts absolutely”) range from the Biblical story of King David’s seduction of Bathsheba to Bill Clinton’s recent autobiographical *mea culpa* of the Lewinsky affair.

This session examines the utility of Acton’s dictum (also reflected in the ancient proverb, “The fish rots from the head.”) for today. Is unethical behaviour the result not of failure, but rather success? Do competent leaders become complacent which, in turn, produces corruption? Theories, events, and issues that may shed light on such questions include (but are not limited to): Kohlbergian stages of moral development, virtue ethics, accountability, professionalism, codes of conduct, whistle blowing, secrecy, patronage, employment doctrines, Enron Era scandals, torture, and genocide. The objective of the session will be to develop lessons for governance and a sustainable future in public affairs.

**Paper Title: Power and Corruption in the 21<sup>st</sup> Century: How to Remedy It?**

## **TOGUATA, JOHN**

### **Biographical Note**

*John Toguata* joined the Ombudsman Commission in October of 1999. Prior to that he was Assistant Commissioner of the Royal Papua New Guinea Constabulary. He has had 27 years service with the Royal Papua New Guinea Constabulary. His last posting in the Police was Regional Police Commander of the New Guinea Islands Police Division where he was responsible for the police operations in the New Guinea Islands Region including the ten years crisis in Bougainville.

Mr Toguata holds a Police Diploma from the University of Papua New Guinea and trained in both Australia and Papua New Guinea Police Forces as a Detective and Operations Commander. He completed his highest police studies at the Australian Police College in Manly, completing the Executive Officers Command Course.

## **TSAHURDU, EVA**

### **Panel Title: Competence, Complacency, and Corruption: Checking Lord Acton's Clichéd Claim**

Examples of Lord Acton's pungent aphorism ("Power tends to corrupt and absolute power corrupts absolutely") range from the Biblical story of King David's seduction of Bathsheba to Bill Clinton's recent autobiographical *mea culpa* of the Lewinsky affair.

This session examines the utility of Acton's dictum (also reflected in the ancient proverb, "The fish rots from the head.") for today. Is unethical behaviour the result not of failure, but rather success? Do competent leaders become complacent which, in turn, produces corruption? Theories, events, and issues that may shed light on such questions include (but are not limited to): Kohlbergian stages of moral development, virtue ethics, accountability, professionalism, codes of conduct, whistle blowing, secrecy, patronage, employment doctrines, Enron Era scandals, torture, and genocide. The objective of the session will be to develop lessons for governance and a sustainable future in public affairs.

### **Paper Title: Knowledge is power /Power corrupts: Should we empower people at work?**

This paper examines the relationship between power, knowledge and corruption and develops implications for management of organisations. Its position is that power like knowledge cannot be removed from the moral realm, from moral agency and responsibility. Power is also distinguished into positive 'power to' and negative 'power over'. It is argued that positive power is necessary for moral autonomy, the ability of people to be self determining, while negative power disrespects people and is the power that leads to corruption. It is contended that empowerment at work; the ability of people to have positive power is not a new and optional variety of managerial control but a moral obligation.

### **Biographical Note**

*Eva E. Tsahuridu* is a senior lecturer at the University of Greenwich, UK. She researches ethics at work and teaches organisational ethics and human resource management.

## **UNGPYAKORN, JON**

### **Biographical Note**

*Jon Ungphakorn* is an elected member of the Senate in Thailand and Committee Member of the Asean Inter-Parliamentary Caucus on Democracy in Myanmar. He recently received the prestigious 2005 Ramon Magsaysay Award for Government Service for his work with communities affected by HIV/AIDS and for his work on human rights issues in Thailand.

## **UTOMI, PAT**

### **Biographical Note**

*Pat Utomi* is a Professor of Social, Political, and Economic Environment of Business and Director for the Centre for Applied Economics at the Lagos Business School. He has professional experience in Management Consulting and Government and an academic background in Economic Policy, Business Administration, Public Administration, African Politics, and Communications. Dr. Utomi served as Chief Operating Officer for Volkswagen of Nigeria and has served as Special Assistant to the President of

Nigeria. He has authored numerous books and publications, including *Managing Uncertainty: Competition and Strategy in Emerging Economics*, winner of the Abiola Book Prize of 1998. He chairs numerous corporate boards and has been a trustee of Transparency International, Nigeria, since its founding.

## **VAN TONDER, CHRIS L**

### **Organisational Change as Arena of Risk and Ethics**

Large-scale corporate and institutional change processes such as mergers, acquisitions, business process reengineering, downsizing, restructuring, strategic change and so forth, constitute necessary adaptive responses of the organisation to changing environmental and operating conditions. Major change of this nature has become one of the most frequently recurring organisational phenomena of our time and now constitutes a consistent and unavoidable feature of the organisational landscape. At the same time dismal change “success rates” with their serious social side-effects and stakeholder discontent with the poor “value add” of major change initiatives are increasingly surfacing in the literature. While this dissonance alludes to change risk, it is the more dramatic corporate failures and disasters such as the fairly recent cases of Enron, Barings Bank, Worldcom, Parmalat and several others that tangibly demonstrate the risks implicit in major corporate change initiatives. In these examples a few key executives through major policy or strategic change initiatives succeeded in benefiting themselves yet substantially exposed the organisation and through closure or bankruptcy inflicted misery on large numbers of employees and their dependents.

When confronted with the substantial impact of ill-conceived or poorly executed change initiatives on stakeholders, organisational change becomes a significant ethical issue that demands more serious attention. Judging by the adverse consequences of major change initiatives it would appear that the subject of ethics has not yet entered the consciousness of those actively engaged in designing, implementing and managing organisational change initiatives. At the same time the paucity of literature on the issue of change ethics is not particularly helpful either.

Reporting on several recent empirical studies, the paper directs attention to organisational change as arena of risk and argues that change initiatives showcase corporate commitment to ethics generally. It furthermore advances the view that an ethical approach to major change initiatives will substantially mitigate risk and improve the “success rate” of major change initiatives.

### **Biographical Note**

*Chris van Tonder* is a registered industrial/organisational psychologist and former manager, affiliated with several international professional associations and an associate professor in the Department of Human Resource Management at the University of Johannesburg, South Africa.

## **VERHEZEN, PETER**

### **Moral Capital: the relevance of integrity in organisations**

The effectiveness and efficiency of any organisation is constituted not just by its physical innovative capital investments, but is also greatly influenced by non-tangible forms of capital. My hypothesis is that *moral capital* is not only part of such non-tangible assets but that adding a moral or spiritual dimension to our organisations and institutions is vital for sustainable development and its self-organizing capacities.

*Moral Capital*, consisting of *moral intelligence* and *moral competence*, is interpreted as consistently and intentionally behaving in a manner of compassion and integrity within organisational and individual responsibility and authority.

(A) *Moral intelligence* allows us to develop moral values, virtues and beliefs – *knowing what to do* – and integrate them into coherent moral behaviour. The notion of moral intelligence is constituted by two main virtues: 1) compassion which is influenced by some form of unilateral generosity resulting in moral commitment, respect and forgiveness, and 2) moral integrity which is based on a reflective moral understanding of wholeness and the principle of reciprocity leading to moral responsibility. To a certain extent, both these virtues can be taught and be accustomed with.

(B) *Moral competence* refers to our ability to act in alignment with what we know and feel is right, i.e. *knowing how to act* with integrity and doing the right thing. Such moral behaviour requires some specific skills and endurance as in acting consistently with moral principles and beliefs, being sincere and accurate, keeping promises and embracing responsibility for serving others, admitting mistakes and failures and taking responsibility for personal choices, actively caring for others, and letting go one's and others' mistakes.

Private and public morality within organisations may sometimes clash, but usually one can assume some level of overlapping and consistency between both spheres, adding enormous value to the worth of the organisation and the individual within the organisation.

### **Biographical Note**

*Peter Verhezen* has a PhD in philosophy, a Masters in Applied Economics and an MBA. He is a scholar in the field of good governance and business ethics (Melbourne University, City University Hong Kong, KULeuven, UAntwerp, IPMI Jakarta, World Bank) He is also a Managing Partner of CIMAD, an ICT consulting company in SE Asia since 1994.

### **WAIGURU, ANNE**

#### **The circular flow of values and the role codes play in building integrity in the public service**

Integrity building is paramount in the fight against corruption. No government or organisation, be it private, public, formal or informal, can prosper without a proper ethical foundation. This foundation must be reflected in its constituents' self worth, work and personal relationships, and should flow from family, to the private and public sectors and eventually to the whole nation. It is this foundation that becomes the mirror or perception through which, a certain society or group of people, is defined, described and judged.

This paper explores the role that codes play in the building of higher standards of integrity in the public service and the role of leaders in the context of 'the circular flow of values'. It attempts to identify the extent to which ethical deficiencies can be met by leaders using codes. The paper also defines the main ethical challenges and dilemmas that are likely to be faced by leaders and institutions as they apply codes and finally it gives recommendations on how leaders can use codes more effectively so as to contribute to building integrity in the public service.

### **Biographical Note**

*Anne Waiguru* is an internationally experienced expert in economic and public policy, with a specialised interest and experience in professional ethics, integrity, governance and anti corruption issues. She has been a principal research analyst for five years for the "Kenya Bribery Index" an Annual Baseline Survey on Corruption in Kenya carried out by Transparency International – Kenya. She has also recently assisted with the preparation of a government performance audit on Kenya's Economic Recovery Strategy, as a consultant to the National Council of NGOs. She has similarly been active on a human rights-centered governance audit of specific departments of the Government of Kenya which was carried out between September 2003 and March 2004, as a consultant to the Kenya Human Rights Commission.

Ms. Waiguru also served as Governance and Ethics, staff fellow for the Kenya Leadership Institute (KLI), where she is now an Associate, and as the Regional Representative for Eastern Africa in the Parliamentary Network on the World Bank (PNoWB – E.A), where she serves in a voluntary advisory capacity to the East African Board. Initially for the World Bank, and now contracted by the United Nations Development Programme (UNDP), Ms. Waiguru is currently serving as a Technical Advisor on Transformative Leadership, Values and Ethics in the Public Sector Reform and Development Secretariat (PRSDS), in the Cabinet Office, Office of the President in Kenya, which involves her in a wide range of technical and intellectual support, program design, advocacy, donor liaison, planning coordination and implementation of reform programmes in the Public Sector.

In her own capacity, Ms Waiguru serves on voluntary basis as an associate board member of a HIV/AIDs home in Kenya. She is also actively involved in other community and development projects in the country.

## **ZAIMAN, GERRIE T.**

### **The application of a general ethics principle amongst different cultures in the public and corporate environment.**

There are cultures in Africa in whose mother tongue concepts such as "the truth" and "honesty" does not exist. An employer who uses these terms in his/her contract of employment or code of conduct would be presenting employees from such cultures a document containing incomprehensible and therefore invalid terms.

Conversely, although "the truth" and "honesty" are moral concepts well defined and understood in theory in the languages of cultures with a long written history in international commerce, industry, the arts, law, humanities, the sciences, the professions and research, they are often deliberately violated in practice.

This paper firstly presents a background on the nature of the differences between African and Western cultures and the problems associated with it. The question that this paper then attempts to answer is whether ethics could provide a common basis for contracting parties to overcome cultural differences. Lastly, the application of a general ethics principle amongst societies, governments and businesses to guide their deliberations, decisions and actions is discussed.

### **Biographical Note**

*Gerrie Zaiman* graduated with a B Sc, B Eng (Civil) in 1975 and he is a Chartered Engineer (UK). He is doing post-graduate research in Professional Ethics at the University of Johannesburg. He is a director of companies and a member of the Institute of Directors in Southern Africa. He served previously in senior positions with the Munich Reinsurance and Deloitte & Touche.

## **ZAJC, MIMI**

### **Coordination on ethical values: yes or no?**

In today's changeable world ethical values are also changing. Values are mostly formed by the media, which stresses material values instead of ethical values. Ethical values and conduct are not recognisable and even not desirable.

States in transition from totalitarian regime to democracy had to revise social values. The fact is that free elections do not indicate the enforcement of the democratic political system. Therefore, it is very important to establish independent institutions to care about the development, promotion and safeguarding of ethical behaviour in public sector.

This paper is based on research "Ethics in Public Sector in Republic of Slovenia". It presents the point of view of public institutions, employees in public sector, and citizens, in regard to organising the coordinating bodies which will have responsibility in the field of ethics in public sector. It responds to the questions about the necessity of coordination in the field of ethics in public sector, about the way of organising the proper body and its competence, and to whom such bodies should be responsible and which tasks they should be engaged in. The article also deals with comparisons between Anti-corruption Law and the proposition of new laws about conflicts of interest which hinders the Commission from preventing corruption.

In conclusion, the paper establishes that the view of public institutions is different to the view of employees in public sector and citizens in regard to establishing the coordinating bodies which would support ethical conduct in public sector. Obviously, citizens do expect ethical conduct in public sector, but there is the problem of political will or commitment, without which the establishment of coordinating body will not take place. In the future, detailed research is required. This study should show the necessity of establishing such institutions in the Slovenian public sector. It should also reveal the meaning of promotion and development of ethical conduct in public sector for the better organisational and cultural climate in public sector, as well as in private sector.



**Biographical Note**

*Mimi Zajc* is a student of postgraduate studies. The title of her thesis is *Ethics in Public Sector of Republic of Slovenia*. Ms Zajc took an active part at the Leuven conference "Ethics and Integrity of Governance: A Transatlantic Dialogue" and at the EGPA annual conference in Bern 2005.



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