

# The employee's value standard is a legitimate and legal mechanism for combating corruption in all its forms.

المعيار القيمي للموظف كآلية شرعية وقانونية

في محاربة الفساد بجميع صوره.

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## الملخص:

أمام عجز السياسات الجنائية الجزائرية في الحد من استفحال ممارسات الاختلالات في السلوك المهني، وأن تدابير الحماية التي جاء بها القانون المتعلق بمكافحة الفساد المتعلق بالوقاية من الفساد ومكافحته غير ناجعة . تهدف هذه الدراسة إلى تسليط الضوء على فكرة القيم الأخلاقية كمرجعية كآلية أخلاقية هامة في القضاء على ممارسات الاختلالات في السلوك المهني بكل صوره.

ارتكزت الورقة البحثية على المنهج الوصفي في سرد القيم الأخلاقية والمبادئ الإنسانية التي ينبغي على الموظف التحلي بها والكشف عنها قبل تعيينه بالمرافق العامة أو بالمؤسسات الخاصة.

توصلت هذه الدراسة إلى أن عدم إبلاغ الهيئة الوطنية للوقاية من الفساد عن الجرائم المدرجة بقانون 01/06 المتعلق بمكافحة الفساد المتعلق بالفساد دليل على عدم استقلاليتها في أدائها لمهامها المنوط بها وعلى تبعيتها للسلطة التنفيذية.

**الكلمات المفتاحية :** الموظف، قيم السلوك الوظيفي، الأمانة، الشفافية،

## Abstract:

**The employee's value standard is a legitimate and legal mechanism for combating corruption in all its forms.**

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Faced with the inability of Algerian criminal policies to limit the exacerbation of the phenomenon of corruption, the protection measures brought in by Law 06/01 are ineffective. This study aims to shed light on the idea of the value criterion as an important mechanism to eliminating corruption in all its forms.

This paper was based on the descriptive approach in listing ethical values that the employee must demonstrate before appointing him to public or private institutions.

This study found that the failure to report the crimes committed by Law;06/1 related to corruption to the National Authority for Prevention of Corruption is evidence of its lack of independence in the performance of its tasks.

**Key words:** Employee ; Management Ethics ; Trust ; Transparency;

## **Introduction:**

The current global discussion is about the fever of corruption and ways to get rid of it, the assault on public and private funds and properties, the acceptance of bribes and workers' gifts, and the exploitation of public positions for personal motives. Also, manipulation of regulations and laws and the search for loopholes to escape the application of laws and regulations or staying at home without working in the institution in exchange for taking a monthly bonus without any effort, through presenting medical certificates.

Corruption has become an obsession that concerns both officials and citizens alike. Therefore, confronting it should not be considered purely a legal matter, as much as it is a moral issue, related to the person of the offender or the corrupt person, in accordance with the statement: (And Allah does not like corruption). <sup>1</sup>

The traits of vice, betrayal, and lack of conscience in the corrupt employee waste public money and risk lives and wealth and expose the country to ruin and humiliation unless we act by calling every employee to dedicate ethical values and awaken the religious motive in him before issuing a decision to appoint him to public or private institutions.

This study examines the following question:

To what extent do employee ethics and ethical standards contribute to combating corruption in all its forms?

To answer this question, this study relied on a descriptive approach to outline the ethical values and human principles that a bank teller or manager of a public or private

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company should possess, such as honesty, trustworthiness, and integrity.

This study was based on the descriptive approach in listing the ethical values and human principles that a bank teller or a manager in public or private companies should possess, including honesty, integrity, and fairness.

To study the topic of the value dimension of the employee as an ethical mechanism to reduce professional misconduct in all its forms, we adopted the following plan:

- The role of work behavior is valued in reducing opportunities for corruption in all its forms
- The role of the value system in forming the ethics of the employee
- Causes of corruption from a value-based perspective.

**1.The Role of Work Behavior Values in Reducing Opportunities for Corruption in All Its Forms.**

Although the study of ethical topics in organizations today has not reached the scope and complexity that other behavioral sciences have attained, the subject of work behavior values has become widely discussed in recent decades. This has been accompanied by an increase in ethical scandals as a result of business visions being built on the profitability of the project and the neglect of social responsibility, which is no less important than the criterion of profit and efficiency.<sup>2</sup>

The circle of responsibility must be expanded to include the interests of the parties concerned and the interest of society, and to look at the long term instead of the short term that focuses on maximizing profits while neglecting social return.

Moreover, human resources are an important investment among the investments of organizations and have placed management before a new image that adopts ethical standards through which it maintains the privacy of individuals, develops their commitment, and calls for replacing values instead of regulations and procedures.

The standards for ethical or socially responsible behavior have been embodied within each employee and within the organization itself, and there are forces that affect ethical decisions and contribute to their making.

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The practices of work behavior values through these contributing forces are an integral part of management, and the theory of ethics assumes that managers must focus on things beyond just profits. This new idea regarding management emphasizes the need to make administrative decisions related to the ethical nature and prevailing habits within the institution.<sup>3</sup>

Today's organizations are under pressure due to rapid changes that put them in an ethical dilemma and cause them to exceed their social responsibilities and ethical obligations. These factors are represented by intense competition between business organizations, the increasing trend towards globalization, the development of professional misconduct in the public sector, and wrongful professional practices that harm the profession by relying on benefit while harming clients.<sup>4</sup>

These and other factors have led to an increased interest in work behavior values and the policies and programs associated with them for advancement and training.

Although statistics are not available regarding the size of this phenomenon, it has become clear that practices related to professional misconduct currently hold special importance in developing countries due to their severe negative effects on the political and economic stability that most developing societies lack.<sup>5</sup>

From one side, they are seen as personal beliefs that an individual holds regarding proper or deviant behaviors and are an indication of personal motives and intentions in viewing what is right or wrong behavior.

This interpretation and explanation of the concept of work behavior values indicates that values are changeable and can adapt to the state that matches the needs of societies and individuals in a way that serves their activities. Indeed, the ethics of any society are nothing but the product of a long-term historical development, and thus they are necessary for the stability of social neutrality.<sup>6</sup>

The ethics of administrative work are formed from two elements: the individual's morals and the cultural fabric and its importance.

### **1.1.The Morals of the Employee:**

There is no doubt that values and traditions play a significant role in guiding behavior. Values are the foundation from which individual behavior is formed, and therefore the relationship between values and ethics is deep and close. This includes what results from behavior, whether ethical or unethical.

### **1.2.The Cultural Fabric and Its Importance:**

Organizational culture is one of the most important forces in forming the work behavior values in the organization. The heritage of the organization helps in formulating the overall work framework of values within the organization. Personal values and the ethical interpretation that translates these values into behaviors are important phenomena in the process of ethical decision-making in institutions.<sup>7</sup>

The emergence of organizational culture in management dates back to the late 1930s and gained increased interest in the 1950s. Rice (1985) noted that it occupied a prominent place in American society through what is known as the concept of symbolism, and one of the reasons for its emergence was the presence of successful large companies led by their founders, who carried cultural values that were clearly reflected in their depths or in their products.<sup>8</sup>

## **2. The Role of the Value System in Forming Employee Ethics:**

These values take a high social status and impose a sense of obligation on individuals and groups. Their strength stems from custom, law, and ideal values that are impossible to achieve completely but still influence the guidance of individual behavior.

The value system is defined as an organized model of values in a society or group, where individual values are interrelated in a way that supports one another and forms an integrated whole. It is, therefore, a key component of the cultural structure of society, which maintains and reinforces its existence. The importance of the value system lies in the fact that the interconnection of its elements links the parts of culture to each other so that they appear coherent. The value system is also defined as types of values that differ in depth and significance depending on the individual's characteristics and environmental conditions. It gives meaning to the individual and the group to which he belongs and is characterized by relative stability.<sup>9</sup>

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The value system also provides a mental foundation that settles in the minds of community members who belong to this or that culture. The value system provides society members with a sense of life and a unifying goal to survive, reinforcing human virtues within the group instead of seeking the satisfaction of individual desires and impulses. The individual's moral values are formed from multiple components that are internalized and influence each other, forming a mix of values and beliefs that give the individual the ability to judge what is right or wrong in a given situation.<sup>10</sup>

The structure, policies, systems, principles of ethics, reward systems, testing, and training all form one of the contributing forces in shaping work behavior values. These forces guide behavior in a specific direction. Each system in the organization has a particular influence on the nature of employee behavior, and the sum of these effects produces a force that directs behavior toward reinforcing or weakening the implementation of work behavior values.<sup>11</sup>

### **2.1- Means of Confronting and Treating Corruption:**

The greatest aid in combating corruption is deepening the meaning and position of trustworthiness in people's hearts. This is a matter that Islamic Sharia has given great attention to, as Allah Almighty said: "**Indeed, Allah commands you to render trusts to whom they are due...**" .

The Prophet (peace be upon him) explained that the loss of trust is a sign of weak faith, and that its fulfillment in the best manner is a sign of strong faith. He said: "**He who has no trust has no faith.**" He also stated that the loss of trust is a sign of the nearing of the Hour. He said: "**When trust is lost, then await the Hour.**" .. It was said, "How will it be lost, O Messenger of Allah?" He said: "**When authority is given to those who do not deserve it, then await the Hour.**". And since the causes of corruption are many and varied, the means of confronting and treating it must also be many and varied. They must be realized through the following:

### **2.2-Establishing Social Agreement on a Value Standard;**

Establishing social consensus on a value standard requires the development of a general understanding of a unified criterion of values at the national level. This includes placing trustworthiness among the noble virtues worthy of appreciation and praise, while

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simultaneously creating widespread disgust and repulsion among citizens toward corruption, so that they view it as one of the greatest vices.

### **3.Honesty, Integrity, and Transparency of Senior Leadership.**

Integrity means distancing oneself from wrongdoing, avoiding suspicions, and abstaining from all that is reprehensible.

Terminologically, integrity is a moral virtue and ethical commitment. It includes honesty, trust, respect, fairness, and ethical responsibility. It is one of the most important and effective virtues. Integrity is characterized by five fundamental values:<sup>12</sup>

- **Honesty** - the quality of communication and listening to others and telling the truth.
- **Trust** – believing what is said or written without suspicion.
- **Respect** – taking into account the opinions of others and appreciating their qualities.
- **Fairness** – treating others justly without bias.
- **Transparency** – openness and clarity, meaning transparency in actions or conduct, and the necessity of clear relationships with the public regarding the procedures for delivering services, disclosing public policies—especially financial—and public sector accounts.<sup>13</sup>

Transparency is the opposite of secrecy. Secrecy means deliberately hiding actions, while transparency means disclosing those actions and providing information, working in an open manner that allows stakeholders to access the necessary information to protect their interests and detect mistakes.

Islam is a divine religion, free from any deficiency or flaw because its source is Allah—the Creator of humankind and the One who knows best what is good for them in this life and the Hereafter. Faith was revealed to achieve virtues and prevent vices. It commands people to act with integrity and avoid areas of corruption.

Islam emphasized values and ethics by adopting several means, of which we mention the most important:

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### **3.1. Honesty**

Honesty is a great virtue, and a person is obliged to adhere to standards of truthfulness with himself first, then with his work, and with society, because honesty affects the quality of job performance.

The Sunnah of the Prophet (peace be upon him) aimed at combating corruption. For example, he appointed a man called Ibn Al-Lutaybah to collect alms. When he returned, he said: «This is for you and this was given to me as a gift." The Messenger of Allah ascended the pulpit, praised Allah, and said;"What is the matter with an agent I send who says: 'This is for you and this is a gift that was given to me'? . Why doesn 't he sits in the house of his father or mother and see whether he will be given gifts or not? By the One in whose hand is Muhammad's soul, none of you takes anything unlawfully but he will come with it on the Day of Resurrection, carrying it on his neck—a groaning camel, a mooing cow, or a bleating sheep." Then he said:"**O Allah, have I conveyed (the message)?**" He repeated it twice.

He also said:"There are men who misappropriate Allah's money unlawfully—for them is Hell on the Day of Resurrection."

Religious conscience, values, and ethics are not only key to eradicating corruption, but they are also the foundation for preventing all causes of corrupt acts. When faith departs from a person's heart, his will weakens, and he surrenders to his desires and is led by his whims.

### **3.2. Trustworthiness.**

It is one of the noble virtues that Islam has called for, along with fulfilling covenants. It urges every person to preserve it and not betray it. The Prophet (peace be upon him) said:"**Each of you is a shepherd, and each of you is responsible for his flock.**"

Trustworthiness involves fulfilling rights and performing duties properly. Public work and public funds are a trust upon the shoulders of employees. Exploiting the job for personal interest is considered betrayal, such as financially benefiting from the position, or using influence to offer advantages to some people based on certain considerations—whether due to kinship, friendship, or acquaintance—whether in return for material compensation or not.

According to the anti-corruption law, the Algerian legislator has stipulated rules of transparency and standards of integrity, merit, and competence, along with selecting appropriate procedures to find the best ways to select and train individuals nominated for

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public positions that are more exposed to corruption. To distance employees from corruption, they must be given adequate and suitable salaries and allowances. Employees must inform their administrative authority if their private interest conflict with the public interest or if such a conflict could affect their normal job performance.<sup>14</sup>

### **3.3. Fair Treatment of Workers;**

All employees of companies and institutions must be treated equally, fairly, and justly, without bribery or corruption. Employees, managers, officials, and board members—or their equivalents—must not, directly or indirectly, offer or pay money, or attempt to obtain or accept any gift or service. Likewise, they must not accept any gifts, either directly or indirectly, from any company or individual in the private sector or any other body, which could influence the decision or judgment of an employee or manager in the private sector.

Since the corruption of leaders is among the most dangerous forms of corruption, the absence of honesty and integrity among political leaders and senior officials will inevitably embolden lower-level employees to engage in disgraceful paths of corruption and bribery, exploiting citizens. Therefore, strict oversight over the conduct of senior officials is necessary, and they must be required to submit periodic reports on their fixed and movable assets. Additionally, codes of conduct must be established for state employees from time to time, so that citizens may access them and be able to judge for themselves whether any employee has deviated from these rules and expected behaviors.

### **3.4 Spreading Education and Raising Public Awareness.**

Undoubtedly, the ignorance of citizens and their lack of knowledge of their rights make them easy prey for bribed employees. They pay bribes to have their transactions processed, which leads to the spread of professional misconduct and imposes unbearable burdens on the citizens.

To address this situation, it is necessary to spread education, training programs, or social awareness among citizens and to inform them of their rights. This will lead them to refrain from paying bribes to employees, reduce the rate of corruption in administration, and diminish corrupt systems within the administrative apparatus—ultimately dismantling and eliminating them.<sup>15</sup>

### **3.5. Holding State Employees Accountable.**

The absence of control and accountability over state employees leads to the spread and expansion of corruption among them, the abuse of discretionary authority, and the violation of their legal powers, as well as the misappropriation of public funds and exploitation of citizens.

Here, it is necessary to identify and detect corrupt individuals and uncover corrupt systems within the administrative apparatus through the establishment of effective and capable oversight bodies. These bodies must be able to detect misconduct and unethical practices within the concerned administrative system, investigate corrupt employees, and impose appropriate penalties on them so they become a lesson to others.

### **4. Simplifying Work Procedures and Removing Administrative Obstacles.**

The excessive number of administrative hurdles and the length of procedures are among the main causes of administrative corruption in government agencies. Long and complex procedures lead to corruption by forcing citizens to pay bribes to employees handling their transactions, because citizens are convinced that if they do not pay, their transactions will be delayed or even lost within the office.

To address such situations, laws, regulations, and instructions must be studied and appropriately amended, and procedures must be designed to be simple and quick in order to complete citizen transactions without exposing them to bribery.

#### **4.1. Evaluating and Rewarding Honest Employees Amid Widespread Corruption in Government Agencies.**

We find that the honest and upright employee does not receive appreciation, respect, or support. Rather, they may find themselves in a difficult situation and face insults and mockery

from the corrupt majority and deviant systems because of their honesty, dedication, and

diligence. The matter may even reach the point of being punished simply because they are honest and fair.<sup>16</sup>

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There is no solution except to support and stand by the honest employee, offer them appropriate incentives, evaluate them positively, and consider them as role models that others may follow to correct their deviant behaviors and corrupt administrative conduct.<sup>17</sup>

#### **4.2. Reviewing Salary and Wage Levels from Time to Time.**

The low level of salaries and wages paid to state employees is another key reason for the spread of professional misconduct within government agencies, especially when the employee's salary is insufficient to provide a decent living for himself and his family. This pushes the employee to seek other sources of income to meet life's demands, which leads him to resort to bribery and corruption.

The best remedy for such a situation is to review salaries and wages and make necessary adjustments to the salary scale from time to time in accordance with the cost of living and market conditions. This would allow government employees to cope with the continuous rise in prices of goods and services and ensure a decent, dignified life for them and their families.

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**Conclusion:**

Law No. 06/01 introduced several measures to confront the phenomenon of corruption, mainly focusing on accountability, transparency, asset declaration, respect for public procurement regulations, and the protection of the judiciary. However, these standards have not borne fruit for over 20 years since the law's enactment, as this scourge cannot always be addressed through legal treatment of the crime's reality as much as it urgently requires attention to the personality of the corrupt offender and the deepening of the meaning, position, and importance of trustworthiness in people's souls.

**Findings**

Through this study, we reach the following findings:

- We conclude that the causes of professional misconduct vary depending on the nature of the individual, the organization, and society. Therefore, its impact also varies from one society to another and from one country to another, due to environmental variables. Accordingly, any strategy to eliminate corruption must adopt a comprehensive vision that focuses efforts on containing this phenomenon, limiting its scope, identifying its main causes and motivators, and finding appropriate solutions to all contributing factors and causes behind corruption in all its forms.
- The values of work behavior are linked to the distinctive internal characteristics of both the individual and the group. These characteristics express a unique historical response to the conditions of that individual or group and to the original components of each.
  - Work behavior values have not received sufficient attention in most Arab organizations, as evidenced by the weakness of ethical training programs and the reluctance of these organizations to accept studies and research that explore the field of work behavior values.
- The anti-corruption law did not provide alternative solutions to the issue of immunity, which may prevent the prosecution of those who commit corruption crimes. (Lifting immunity rarely occurs.)
- Law No. 06/01 did not emphasize the penalties in Article 48 for employees who have direct contact with public money, such as directors of banks and financial institutions. It only focused on judicial police officers, court clerks, and judges who do not have direct links to public funds.

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- The National Authority for the Prevention of Corruption has legal standing to litigate, yet it refers the file to the Minister of Justice instead of referring it directly to the judiciary. This is known as a restriction on initiating public prosecution.
- The establishment of the National Authority for the Prevention of Corruption came as a reaction coinciding with the exposure of major corruption scandals, the political system's desire to fight corruption, and in line with international developments and the demands of international and regional organizations to which Algeria belongs.
- The legislator considered the National Authority an independent administrative body to grant it the necessary independence to perform its role in preventing and combating corruption in the best possible way. However, the tasks assigned to the Authority and its role in combating corruption do not rise to the seriousness of these crimes and their suppression. The legislator gave the Authority several powers characterized by their purely preventive nature, despite its name including both prevention and combating, and thus it does not possess sufficient powers to deter and suppress the corrupt.
- The mechanisms and powers granted to the Authority to perform its role effectively are merely investigative and informational in nature. Its authority is limited to receiving asset declarations, despite the importance of this in uncovering corruption crimes. Furthermore, the Authority's subordination to the executive branch affects its independence.
- Although the Authority has legal personality and the right to litigate, upon discovering criminal offenses, it transfers the file to the Minister of Justice, who in turn informs the public prosecutor. Thus, the Authority may transfer the file and refer the perpetrators of corruption crimes to the judiciary through the Minister of Justice, which constitutes a clear restriction on its authority to initiate public prosecution.
- The Authority cannot pursue the properties of the employee's spouse or adult children, nor the increases in their financial assets. According to Article 5 of Law 06-01 on the prevention and fight against corruption, the declaration only includes the assets of the declarant and their minor children. This does not ensure effective anti-corruption measures, as any citizen or official may register their assets—acquired during their service—in the name of their spouse or adult children, thereby enabling illicit enrichment.

**Recommendations:**

Based on our conclusions, we recommend the following:

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- To promote and strengthen cooperation between the relevant anti-corruption agencies in Algeria and countries around the world, especially developed countries, in order to exchange experiences and bring visions closer within the framework of domestic laws and international agreements concluded in this context.
- Strengthening international and regional cooperation between security and judicial bodies to combat corruption crimes and punish perpetrators.
- Granting oversight and anti-corruption institutions legal guarantees to enable them to perform their duties transparently and effectively.
- Continuous review, evaluation, and assessment of anti-corruption policies, plans, and programs in a manner consistent with developments.
- Public administrations must pay attention to the concept of multidimensional competence (profit + ethics) and not rely solely on the concept of material efficiency. While the latter brings profit, work behavior values bring reputation, which in itself is a social gain that no organization can function without.
- . Review and evaluate anti-corruption policies, plans, and programs in a manner consistent with developments in the contemporary world.

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