

# Enhancing the Fight Against Corruption in Selected Public Institutions, Lusaka Zambia: An Education Administration Perspective.

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## ABSTRACT

The study aimed at establishing how the anti-corruption mechanisms at International, Regional and National levels enhanced the fight against corruption in selected public institutions in Lusaka, Zambia. The study was guided by one objective which was to establish how the anti-corruption mechanisms at International, Regional and National levels enhanced the fight against corruption in selected public institutions in Lusaka, Zambia. The research design that was used for the study was hermeneutic phenomenological research design. The sample size consisted of 14 participants while interview guide was used to collect data which was analysed thematically. The findings of the study showed that the mechanisms were weak to fight corruption due to Failure to sensitize courts on Anti-Corruption Laws, Constitution of Zambia does not compel the Republican President to suspend Ministers under investigations, Government Abandonment of Public Management refresher courses for all public officers, Failure to conduct a gap analysis on domesticated provisions of anti-corruption conventions and protocols., Lack of research on impact of anti-corruption mechanisms, Inconsistence capacity development of law enforcement officers, Inconsistency collaboration and cooperation in practical ways among anti-corruption agencies , Failure to source for additional funds by the Anticorruption Commission, Lack of Serious Adoption of ICT Tool to improve service delivery, Failure by some Member States to publish details of their national authorities or agencies on UNCAC and African Union Websites responsible for receiving requests, Failure to improve participation in international and regional fora against corruption, Lack of concerted efforts to fighting corruption from a multi-sectoral approach, Absence of the governance, ethics and corruption aspects in Public Management courses of the Universities in Zambia, Lack of commitment by chief executive officers to act on recommendations from the ACC on cases with insufficient evidence to prosecute, Lack of research on other elements of corruption than bribery, Lack of call for strict adherence to anti-corruption Protocols Conventions, Lack of constant monitoring and evaluation and Absence of a constitutional clause on administration of nolle prosequi.

**Key Words:** corruption, bribery, abuse of authority of office, education administration, anti-corruption mechanisms, public institutions.

## INTRODUCTION

Zambia recognizes the significance of fighting corruption in a holistic and integrated manner to improve public service delivery aimed at achieving good governance and efficient public management towards sustainable socio-economic development, (Mzumara 2022). As such over the years, the country has been a signatory to various anti-corruption conventions and protocols at International and Regional levels. Also, the country has put in place anti- corruption mechanisms at the National level to enhance the fight against corruption.

However, amidst these anticorruption mechanisms, it has been recorded by different reports on corruption that the levels of the scourge are high in the country. The Global Competitive Report for 2016 by the World

Economic Reform ranked Zambia 118<sup>th</sup> position with a score of 3.6 out of 138 Countries in terms of set of institutions, policies and factors that determine the level of productivity of an economy.

A review of the Mo Ibrahim Index of African Governance for the period 2014-2017 for Zambia in the areas of Safety and Rule of Law, Transparency and Accountability left much to be desired. The indicator for Zambia was the most declined at -25.0 out of 22 African Countries scoring the last position. The Mo Ibrahim Foundation Africa Governance Report 2019 also shows the performance of the African Continent towards achieving the goals of the Africa's Agenda 2063 and Millennium Development Goals 2030. It therefore became imperative to understand how the available anti-corruption mechanisms enhanced the fight against corruption from the anti-corruption experts with the view of proposing the way forward.

Further, evidence making the enhanced fight against corruption to be questioned are the Global Economic Crime and Fraud Survey Report of 2018, which recorded that corruption in form of bribery was the most disruptive economic crime experienced in the public sector in Zambia, the Zambia Bribe Payers Index (ZBPI) Report for 2019 which showed that out of 22 public institutions surveyed on bribery as a form of corruption, 18 institutions solicited for bribes from members of the public namely Zambia Police Service – Traffic Section, Road Traffic and Safety Agency (RATSA), Local Authorities (Councils), Ministries of Higher and General Education, Zambia Electricity Supply Company (ZESCO), Health Services, National Registration Office, Judiciary (Courts), Zambia Revenue Office (Customs), Ministry of Lands, Passport Office, Ministry of Agriculture and Livestock, Road Development Agency, Zambia Police Service (Excluding Traffic Section), Immigration Department, Patent and Companies Registration Agency, Zambia Revenue Office (Tax) and Ministry of Works and Supply. The concern was that these public institutions on behalf of government were the major service providers to members of the public in the country. Out of twenty-two (22) institutions surveyed only four (4) institutions never solicited for bribes from members of the public, a situation that was worrying because it showed that the levels of corruption were high indeed amidst the anti-corruption mechanisms that Zambia had put in place to curb and prevent it. Such a situation necessitated an inquiry of this nature to understand how the available anti-corruption mechanisms at national, regional and international levels enhanced the fight against corruption using the hermeneutic phenomenological approach.

Additionally, Lifuka (2019) asserted that Zambia's performance on the Millennium Challenge Corporate Scorecard for the "Control of corruption" had been dropping. In 2016 the scorecard for Zambia was 87%, it dropped to 85% in 2017 which dropped further to 84% in 2018 and 82% in 2019.

With this record, it was not known how the existing anti-corruption mechanisms enhanced the fight against corruption in selected public institutions in Zambia. As such, using the educational perspective, this research was carried out to understand lived experiences of those involved in the fight against corruption in terms of how the anti-corruption mechanisms at the International, Regional and National levels enhanced the fight against corruption in selected public institutions in Zambia.

## **Research Objective**

The objective of the study was to establish how the anti-corruption mechanisms at international, regional and National levels enhanced the fight against corruption in selected public institutions in Lusaka, Zambia.

## **RESEARCH METHODOLOGY**

The research design that the study adopted was hermeneutic phenomenology. Hirsch (2015) explains that in hermeneutic phenomenology, a researcher is concerned with the participants' descriptions of the phenomenon as well as the interpretation or meanings of their experiences. This study attempted to make interpretations from the description of different experiences the participants had about enhancing the fight against corruption.

The study population comprised all the Heads of the institutions that were considered to be in the multi-sector category of fighting and prevention of corruption in Zambia. These were senior officers who had experiences about anti-corruption mechanisms thereby making them experts in the fight against corruption.

Guided by several studies on sample size in qualitative studies, the study sample comprised fourteen (14) participants. Mason (2010) states that generally the sample size in qualitative research should neither be too small that it is difficult to achieve saturation nor too big that it is difficult to make deep case-oriented analysis. Similarly, Creswell (2003) recommends between 5-25 respondents as sample size in qualitative research. The choice of the sample size was further supported by Schreiber and Asner (2011) who state that the size of the sample is not an important issue and overbearingly focused on as in quantitative research because the depth and quality of data obtained, its richness in unearthing clearer views of a particular situation and process is considered more prominent than the numbers.

As regard to sampling procedure, a non-probability expert purposive sampling procedure was used for the study. Creswell (2008) states that interpretivist use expert purposive sampling to select individuals that can provide expert information or experiences. Expert purposive sampling according to Frey (2018) involves identifying key informants who can inform an inquiry through their expert knowledge and experiences. As such, participants who had experiences in fighting corruption were chosen to provide expert knowledge on how anti-corruption mechanisms enhanced the fight against corruption in Zambia.

A semi structured interview guide was used to collect data from the study sample. The choice of a semi structured interview guide was based on the fact that it allowed for new questions to be brought up during interviews as a result of what the respondents said.

Data collected was analysed using thematic analysis. The six steps in thematic analysis suggested by Braun & Clarke (2008) guide the thematic analysis. The first step being familiarization with the data which involved transcription, re-reading of the data and noting down initial codes. In step two the generated initial codes were systematically assigned to interesting features of the data set. The third step was to search for themes. This was done by gathering all data relevant to each potential theme. Step four of data analysis involved reviewing the themes. This was done by checking if the themes related with the coded data extracts and the entire data set. This was followed by the fifth step which involved defining and naming themes. This was done by an ongoing data analysis to refine each theme. The sixth step was report writing. This stage provided a final opportunity for data analysis by selecting appropriate extracts, relating them to the research question and reviewed literature.

The researcher went further to ensure that the data of this study is trustworthy. The four strategies to establish trustworthiness (credibility, transferability, dependability, and confirmability) proposed by Lincoln and Guba (1985) were utilized. Consistent with Lincoln and Guba (1985), this study argues that the strategies are intertwined, interdependent and serve as alternatives to the conventional, quantitative measures for quality such as internal validity, external validity, reliability, and objectivity. Credibility is the replacement for internal validity and is rooted in the truth value, which asks whether the researcher has developed and articulated a certain level of confidence in the findings based on the phenomenon under investigation. The truth value derives from an in-depth exploration of the human experience as it is performed by the participants (Krefting, 1990). In other words, truth derives from the participant's lived experiences, which does not necessarily lead to universal truths, but rather an in-depth understanding of that person's unique reality. Transferability replaces the concept of external validity and generalizability, and thus, is concerned with the extent to which the findings from the study could apply to other contexts and settings. Dependability substitutes reliability and asserts that findings are distinctive to a specific time and place, and the consistency of explanations are present across the data. Credibility cannot exist without the presence of dependability, and credibility is truly the root of quality (Lincoln & Guba, 1985). Last, confirmability gets to the objectivity of the phenomenon under investigation and addresses whether the

interpretations and findings are from the participants lived experiences and do not include the researcher's biases. Indeed, the findings of this study are from the expert participants and therefore adds to new knowledge on this topic of corruption mechanisms.

In practice, to ensure credibility, an audit trail throughout the data analysis process exists. In addition, the data collection was done by the doctoral student researcher/lead author of this article. To ensure transferability, we used verbatim transcripts and thick descriptions in data analysis. To ensure dependability, coherent themes were reported across transcripts. To ensure confirmability, we completed several peer and participants' debriefing sessions. To ensure integrity, we remained committed to confidentiality and anonymity with the secondary data set. Ethical considerations were also made to allow respondents have free will to take part in the study and keep their names anonymous.

## FINDINGS AND DISCUSSIONS

The question that the study sought to answer was: How did the anti-corruption mechanisms at International, Regional and National levels enhance the fight against corruption in selected public institutions? As such expert knowledge was sought from the participants in the following public institutions: Anti-Corruption Commission, Drug Enforcement Commission, African Parliamentarians Network against Corruption-Zambia Chapter, Transparency International- Zambia, Ministry of Justice, National Prosecutions Authority, Human Rights Commission, Zambia Police Service, Zambia Institute of Purchasing and Supply, Media Institute of Southern Africa-Zambia, the Cabinet Office, Financial Intelligence Centre, Zambia Public Procurement Authority and The Auditor General's Office. Results revealed that the anticorruption mechanisms in selected public institutions of Zambia did not enhance the fight against the scourge **thus were weak** because of the following factors:

**The constitution of Zambia does not compel the president to suspend or send on leave serving ministers facing corruption charges to pave way for investigations and prosecutions.**

Most participants echoed that the anticorruption mechanisms at national level did not enhance the fight against corruption because the constitution of Zambia did not compel the president to suspend or send on leave serving ministers facing corruption charges to pave way for investigations and prosecutions consequently weakening the fight against the scourge. For instance, participant # 4 shared her experience that; *"there could be political will to fight corruption in the country but the constitution is silent on whether the president should not or suspend ministers facing corruption charges."* The researcher asserted that failure by the president to discipline serving Ministers being investigated or prosecuted promoted corruption at the highest level of government. This also allowed suspected corrupt ministers to intimidate law enforcement officers. Thus, members of the public ignorant of this law accused the president of giving directives to the Anticorruption Commission on how they should investigate and prosecute ministers resulting in losing confidence in the law enforcement agencies to further report suspected cases of corrupt practices or even to cooperate with them. Contrary to the finding a number of studies in Europe showed that emerging technologies helped enhance the fight against corruption. For example, the study by Adam and Fazekas (2021) revealed that Information and Communication Technology supported anti-corruption fight in Austria and Hungary by impacting public scrutiny in numerous ways, enabling reporting on corruption, promoting transparency and accountability, facilitating citizen participation and government-citizen interaction. However, the researcher pointed out that once the constitution compelled the republican president to discipline erring Ministers with regard to corrupt practices levels of corruption would reduce in the public institutions because Ministers would be watchful to uphold principles of good governance such as integrity and accountability in their exercise of public duties. Therefore, there was need of inclusion of such a clause in the Constitution.

### **Absence of a constitutional clause on administration of nolle prosequi.**

The majority of the participants indicated that although the nolle prosequi was a vital governance tool in the administration of justice in Zambia as it helped in resolving court cases for instance, where prosecution had already commenced and new facts found warranting change of a charge, it could easily be abused by the custodian because it could not be challenged, as such making the fight against corruption weak. For example, participant #7 said, *'The Constitution of Zambia empowers the Director of Public Prosecution to enter a nolle prosequi in any matter before court and at any time before judgement is delivered without being questioned by the court or defense subjecting the nolle to abuse'*. The fact that the Director of Public Prosecution could not be questioned or asked to explain his/her action contributed towards the high levels of corruption. Research in East Africa has proved that nolle prosequi interfered with the core function of the court before whom the matter was taken after expending judicial time in proceedings. It robbed the court power to check arbitrariness of possible abuse thus it did not enhance the fight against corruption. Mkami and Longopa (2012) asserted that Nolle prosequi was uncontrolled hence the power was prone to abuse. In view of the nature of the powers of nolle prosequi, which was absolute, unchecked and not subject to judicial review there existed possibilities of abuse of the power by the occupant of the office, its administration needed to be regulated by rules or legislation to avoid abuse to pave way to an enhanced fight against corruption in Zambia. Therefore, there was need for such a clause to be included in the Constitution of Zambia.

### **lack of commitment by some Chief Executive Officers to act on recommendations from the Anti-Corruption Commission (ACC) on corruption cases with insufficient evidence. To prosecute.**

According to several participants, lack of commitment by some Chief Executive Officers to act on recommendations from the Anti-Corruption Commission (ACC) on corruption cases with insufficient evidence to prosecute but required administrative action made the anticorruption mechanisms at the national level weak. For instance, participant # 2 echoed that: *"Some Chief Executive Officers are not keen to embrace recommendations from the ACC to discipline their officers who face corruption charges but are not taken to court because of insufficient evidence to prosecute."* Executive Officers had the authority to reinforce an organizational culture of integrity and accountability the tenets of good governance that promote an anti-corruption environment in the work places but their lack of improved commitment to implement such recommendations was an impediment to an enhanced fight against corruption making management of the public services a complex undertaking of the government, no wonder the country experienced escalating levels of corruption such as bribery and abuse of authority of office. As such, Gbadamosi (2016) asserted that commitment at the top aided Botswana's qualified successes in the fight against corruption. Therefore, it was desirable for Zambia to emulate Botswana. Thus, there was need for legal instruction for all Chief Executive Officers to implement such recommendations by the Anti-Corruption Commission.

### **Failure to sensitize the courts on all Anti-Corruption laws.**

Most participants stated that failure to sensitize the courts on all Anti-Corruption laws hampered the fight against corruption at the national level because inadequate knowledge of such Laws by the courts resulted in some accused persons being acquitted not that they were innocent. Such acquittals encouraged would be offenders to commit similar offences. Sensitization of courts on the anticorruption laws as a good governance factor would contribute positively to enhancing the fight against corruption in turn play a vital role in reduction of corrupt practices in public institutions. Studies in Northern Europe had shown that sensitization of anticorruption legislation was powerful to curb corruption. For instance, Ari-Veikko (2018) agreed with the argument by particularly pointing out that one of the good governance factors that Finland intended to combat corruption was improvement of education of anticorruption laws to the courts.

However, one of the reasons that Zambia was recording high levels of corruption was that the courts were not knowledgeable of some anticorruption laws as a result the fight against corruption was not enhanced. Therefore, there was need for courts to be sensitized on all the laws that pertain to curbing corruption in the public institutions if high levels of corruption were to reduce.

### **Abandoned Public Management refresher courses for all public officers.**

Some participants asserted that the government had abandoned Public Management refresher courses for all public officers which emphasized on ethical behavior to prevent activities such as corruption, inefficiency and ineffectiveness in offering public services and goods to the citizenry. For instance, Participant # 8 asserted that *‘the anticorruption mechanisms at the national level are weak because some public officers tend to take advantage of lope holes in the procedures, processes, rules and regulations to engage themselves in corrupt practices at least if refresher courses would be reintroduced by government the fight can be strong,’* Studies in East Europe have demonstrated that refresher courses in public administration offered by government promoted the fight against corruption in public institutions. For example, Verasha (2018) noted that taking control over activities performed by public officials in public administration through refresher courses was a way of enhancing the fight against corruption in Ukraine. A situation that was not obtaining in Zambia. Refreshing public officers’ minds on emphasized ethical behavior promoted good governance practices such as accountability and integrity that prevented occurrences of corrupt practices in turn improved service delivery, therefore there was need to reintroduce such courses even at an advanced or higher level of education.

### **Failure to conduct a gap analysis on the implementation of all the domesticated provisions of conventions and protocols on corruption**

Several participants revealed that failure to conduct a gap analysis on the implementation of all the domesticated provisions of the international and regional conventions and protocols on corruption constrained the international and regional mechanisms to enhance the fight against corruption in Zambia. For instance, participant # 3 had this to say: *“It is because we are not implementing these domesticated provisions effectively we have to analyze the implementation process and practices through gap analysis for instances, how does police conduct its operations which makes it to be still vulnerable to corruption.”* Conducting a gap analysis on implementation of provisions of international and regional anticorruption conventions and protocols domesticated by Zambia was imperative to enhancing the fight against corruption because the revelations of such an analysis would help to fill the gap between what was and what was not being implemented, what would enhance and what would not enhance the fight against corruption. Such an analysis would also help Zambia to address the changing needs of the fight against corruption. Absence of such an analysis created an environment in which corruption flourished in the country thus did not enhance the fight against the scourge. However, studies had shown that Asian countries that implemented all key structures and processes of International Conventions and protocols against corruption were successful in the fight against corruption. For example, Scot (2017) asserted that Hong Kong’s institutionalization of the key structures and processes of International Convention against Corruption was an indicator for a successful fight against corruption. Therefore, there was need to conducting periodic gap analyses on the implementation of all the domesticated provisions of the international and regional conventions and protocols on corruption by Zambia.

### **Lack of research on the impact of international, regional and national anti-corruption mechanisms that Zambia has put in place**

Most participants stated that lack of research on the impact of international, regional and national anti-corruption mechanisms that Zambia had put in place constrained the effort of the mechanisms to enhance

the fight against corruption. The impact assessments of anti-corruption activities would play an important role in the socio-economic development of the country in that best possible ways to reduce the levels of the scourge in the county would be identified. Such impact assessments would also help policy makers and planners improve the quality of decision making by providing them on-hand information on the outcome of the anticorruption programs particularly of the benefits and other outcomes attributed to corruption interventions. Such assessments would put implementers in a stronger position for making strategic and operational decisions to also pass judgment on the relevance, achievements, non-achievements and extent to which results conformed to the anticorruption intended goals. The author noted that despite huge sums of money spent on anticorruption programs especially in the area of educating the citizenry, the impact whether positive or not of such undertakings were not recorded through research especially that the corruption levels were not reducing in the country. In this case, it could be argued that anticorruption activities as a measure to curb corruption needed re-strategizing to also include research so that the impact of such activities whether positive or negative would be known to help enhance the fight against corruption. To this effect, Manyaka and Nkuna (2014) argued out that there was a need for investment into corruption research to resolve the scourge of corruption. Lack of research on impact of anti- corruption programs contributed to failure by Zambia to reduce the high levels of corruption. Therefore, there was need for research on impact of anti- corruption programs.

### **Inconsistency capacity development of law enforcement officers**

The majority of the participants echoed that continued capacity development of law enforcement officers was an important variable in enhancing the fight against corruption at the three mentioned levels, however it was not the case for Zambia. As such, it hampered the efforts of the anti-corruption mechanisms that the country had put in place to effectively fight corruption. Law enforcement officers needed to be proactive and well skilled through continuous training in the fight against corruption a scourge that was dynamic in nature. The author argued that once continuous and robust capacity development was put in place improved performance of law enforcement officers would be attained because they would step up to the challenge of cyber-crime which usually involved corruption, also attain sophisticated ways of combatting the scourge in the long run promote efficient and effective service delivery in a corrupt free environment. Arguably, Dartey (2016) asserted that organizational culture where human capital in terms of career advancement was integrated into organizations to enhance effectiveness and where intrinsic factors such as continuous capacity development opportunities for law enforcement officials existed corruption reduced. The limited knowledge and skills of law enforcement officers did not guarantee effectiveness and efficiency to reduce the high levels of corruption in the country therefore, serious continued capacity building in areas of combating corruption for instance cyber-crime would help a lot towards enhancing the fight against corruption in Zambia.

### **Inconsistency collaboration and cooperation in practical ways among anti-corruption agencies**

Several participants indicated that inconsistency collaboration and cooperation in practical ways among anti-corruption agencies at national, regional and international levels through Memoranda of Understanding weakened the anti-corruption mechanisms at the three levels making it difficult to achieve intended goals of the fight against corruption. As such the mechanisms could not enhance the fight against corruption. Progressive signing of memoranda of understanding on corruption at International, Regional and National levels by the country could support the anticorruption mechanisms in terms of consistency of exchange and sharing anti-corruption ideas, intelligence, expertise and participation in interagency programs in turn enhance the fight against corruption. Accordingly, collaboration and cooperation among anti-corruption agencies at national, regional and international levels through signing Memoranda of Understanding (MOU) was fundamental to an enhanced fight against corruption. Therefore, there was need for Zambia to continuously collaborate and cooperate with anti-corruption bodies at international, regional and national levels both on policy and operational stages because fighting corruption in one way or another was costly so

involving sophisticated techniques with multiple actors would help. With regard to the foregoing, Igiebor (2019) suggested that corruption control needed to be strengthened so that the people around could make use of the strength to ensure they made positive contribution to the national, regional and international accord. Sometimes it could call for involved multi jurisdiction assistance or concerted efforts to achieve efficient investigations and prosecutions. Further, the author argued that fighting corruption from the MOU perspective could allow better identifying of the “win-win” factors that could help create and broaden collaboration and cooperation hence enhancing the fight against corruption. MOUs may play a vital role in facilitating and promoting comprehensive approaches to combating corruption. Lack of continuous collaboration and cooperation led to high levels of corruption in the country so there was need for continuous collaboration and cooperation with anticorruption agencies at national, regional and international levels.

### **Failure to source for additional funds by the Anticorruption Commission.**

Almost all the participants indicated that like other agencies such as the Human Rights Commission, the Anti-Corruption Commission (ACC) needed to create working relations with United Nations Agencies that financially supported anti-corruption programs to source for additional funding for their activities because inadequate government funding that the Commission kept on reporting in their Annual Reports as a hindrance to achieve the intended objectives of their mandate undermined the capacity of the institution to enhance the fight against corruption. The ACC needed to emulate the Human Rights Commission that had liaison persons that constantly engaged donors or corporating partners for extra funding for their activities also to ensure that they remained compliant to bilateral agreements e.g. if there was a new approach to the way the donors wanted to provide finances, then the institution would also be able to adjust through the advice of liaison persons. The ACC needed that kind of structural adjustment so that they could move away from totally depending on government for funding, that would be the only way to solve the problem of inadequate funding which made the anticorruption mechanisms inadequate resulting into failure to meet all the objectives of their mandate. In agreement with the foregoing, Doig, Watt and Williams (2015) revealed that in many cases Governments of Zambia, Malawi, Tanzania, Ghana and Uganda provided funds only for salaries and not for operations thereby incapacitating these institutions. Therefore, enhancement of the fight against corruption could be attained through the proactivity of the Anti-Corruption Commission to source for funds from UN agencies that support anticorruption programs to supplement the institution’s government funding.

### **Lack of serious adoption of ICT to improve service delivery.**

Some participants asserted that lack of Zambia’s seriousness in adoption of Information, Communication Technology (ICT) to improve service delivery made the anti-corruption mechanisms at the national level weak hence the failure to enhance the fight against corruption. For example, Participant # 5 echoed that, “*one way that the fight against corruption could be enhanced would have been to seriously adopt ICT initiatives relating to electronic delivery of services that could curtail human-to-human interaction.*” Suggesting that this would then result into speeding up of decision-making and reducing human error as supported by the Zambia national governance survey (2004) that suggested that corruption was so rampant at the points of service delivery due to interaction between public officers and clients. The ICT initiative was envisaged to reduce bureaucratic processes and slowness to deliver services in turn reducing the levels of corruption and promote good governance but lack of seriousness in the implementation of such technology proved a hindrance to the fight against corruption. The ICT would be another enabler to enhance the fight against corruption at international, regional and national levels. A number of studies in Europe showed that emerging technologies helped enhance the fight against corruption, for instance Adam and Fazekas (2021), asserted that ICT could support anti-corruption in Austria and Hungary by getting rid of human-to-human interactions, impacting public scrutiny, enabling reporting corruption, promoting transparency, accountability, facilitate citizen participation, government-citizen interaction, reduce



bureaucratic processes and human-to-human interaction.

### **Failure by some Member States to publish details of their national authorities or agencies on UNCAC and African Union Websites responsible for receiving requests**

Almost all the participants stated that some Member States failed to publish names and addresses of their national authorities or agencies on UNCAC and African Union Websites responsible for receiving requests thus weakening the anticorruption mechanisms that Zambia put in place at the international and regional levels to fight corruption. As such, it posed a serious challenge to the country to easily access required information from member states. Zambia faced long processes in receiving responses to requests for required information and in some cases non-responsiveness. However researches have shown that some African, European and Asian countries that had come up with international anticorruption working groups benefited fully from such cooperation or agreements to enhance the fight against corruption in their countries, for instance, Kurakin and Sukhamenko (2021) asserted that International Cooperation against corruption through the BRICS Countries (Brazil, India, China and South Africa), anticorruption working group as well as on matters related to asset recovery and persons sought for corruption contributed to enhancement of the fight against corruption. It was noted that one of the requirements of the United Nations Convention against Corruption was that all State Parties should publish full details of the responsible agencies to receive and deal with requests on corruption issues from other jurisdictions for instance on the UNCAC website. This entailed that lack or limited information on national authorities or agencies mandated to receive requests bordering on corruption issues from member states, long bureaucratic process in responding to such requests for information and in some cases non-responsiveness weakened cooperation thus, negatively affect international and regional efforts to deal speedily with cases of corruption. Such challenged escalated the levels of corruption in Zambia. So, there was need for Zambia to come up with anti-corruption working groups at international and regional levels for mutual understanding, cooperation and coordination purposes as practised by BRICS Countries.

### **Failure to Improve Participation in International and Regional fora against Corruption**

Improved participation in international and regional fora against corruption was cardinal to enhancing the fight against corruption at the international and regional levels as echoed by some participants. Such participation where interaction and learning of best practices on corruption were championed would help Zambia enhance the fight against corruption. To this effect, Kamitho (2020) argued that corruption was a global challenge that needed cooperation, exchange of experiences and best practices at international and regional scenes. It was observed that one of the objectives of the United Nations Convention against Corruption and that of the African Union on Preventing and Combating Corruption was promoting cooperation against corruption which could be attained by Zambia through improved participation at international and regional fora against the vice.

### **Lack of concerted efforts to fighting corruption from a multi-sectoral approach**

Several participants said that fighting corruption was never an easy task that should not be left to the Anti-Corruption Commission alone thus required comprehensive and coordinated efforts from all institutions and individuals alike. To this effect participant #2 said that, *"It required collective responsibility of the public sector, civil society organizations, the private sector, the media, and the general public to stand up and take action against the scourge,"* for instance, the media needed to actively unearth corrupt deals through investigative journalism, as well as educating the public about the dangers of corruption, civil societies needed to actively provide checks and balances, speak against corruption, advocate for stronger anti-corruption laws, and members of the public needed to seriously report and attack corruption. The foregoing was cemented by results of many researches carried out in West Africa, for instance, Okpala and Enwefa (2018) of Nigeria recommended that corruption could be eradicated through the combined efforts of all stakeholders. To the contrary, Zambia lacked serious concerted efforts from a multi-sectoral approach to

enhance the fight against corruption. So, there was need to ensure that all the departments, ministries, the church, civil society, private institutions, the media etc. had the same approach to dealing with corruption just like they dealt with Covid 19 where everyone even children talked about hand sanitizing, masking up etc. This would contribute to scaling down of the levels of corruption in the country.

Some participants asserted that education on corruption, governance and ethics in public management should have been included at all levels of tertiary education if the anticorruption mechanisms at the national level were to enhance the fight against corruption. Just like Universities in Western Countries, those in Zambia did not have components of corruption, governance and ethics in public administration courses to foster good character development that supported integrity and accountability. For instance, Ifeoma (2015) recommended that education for good character development would be one of the measures for combating corruption in Nigeria. Such education would equip graduates to fight corruption when they joined society or public service without difficulties. Without the inclusion of governance, ethics and corruption topics in the course of Public Management for character development posed a challenge of acquiring knowledge and skills on good governance principles e.g. integrity and accountability imperative for public administration or management of the services and goods offered to the citizenry. Thus, there was need for inclusion of such topics or courses at the university level.

### **Lack of Research on Other Elements of Corruption Other Than Bribery**

Almost all the participants revealed that lack of research on other elements of corruption other than bribery to provide information on all forms of corruption weakened the fight against corruption at a national level. Concentration of research was on bribery alone which never enhanced the fight against corruption, for instance the Anti-corruption Commission and the Transparency International Zambia jointly carried out surveys on Bribery, notably in 2009, 2012, 2014, 2017 and 2019 leaving out other elements of corruption. Manyaka and Nkuna (2014) in South Africa recommended that there was need for investment into corruption research to resolve the scourge of corruption. The concentration of research on bribery by the institution mandated to spearhead the fight against corruption left a gap in knowledge on other forms of corruption that could help members of the public easily define or identify all forms of corruption consequently report all types of corrupt practices at all levels of society as such the fight against corruption could never be enhanced. Therefore, there was need to carryout research on all forms of corruption.

### **lack of a call for strict adherence to anti-corruption International and Regional Protocols Conventions.**

Most participants indicated that lack of a call for strict adherence to International and Regional Conventions on corruption was one of the hindrances to a successful fight against corruption in Zambia. Zambia faced a lot of challenges in getting support from other countries when it came to combatting corruption at international and regional levels especially that there was no call to all member states for strict adherence to international and regional protocols. Mutual legal assistance in criminal matters such as corruption at international and regional levels required a call for strict adherence to anticorruption conventions and protocols by member states to easily give each other required anticorruption information to enhance the fight against corruption. Lack of such a call caused member states such as Zambia to face a lot of challenges in getting support from some member states that exhibited reluctance to help, such as extradition of criminals who had runaway to their countries. Such an experience where some countries failed to surrender their nationals who had committed crimes in Zambia encouraged corruption to sink deep in the public institutions especially that accomplices knew that they stood a chance of not being prosecuted once they ran away to their countries. However, the United Nations Convention against Corruption report (2012) observed that parties or Member States were obliged to cooperate with one another in terms of legal assistance on criminal matters under International Law provided that the request was within the terms of the treaty. Therefore, there was need for a call for member states to strictly adhere to International and Regional Conventions on corruption.

## **Inconsistency In Monitoring And Evaluation Of The Anti-Corruption Mechanisms**

Many participants stated that inconsistency in monitoring and evaluation of the anti-corruption mechanisms especially that corruption was dynamic in nature made the fight against the scourge weak. Constant monitoring and evaluation of implementation of the Anti-corruption mechanisms was a fundamental factor in enhancing the fight against corruption at the international, regional and national levels. This is so because the process would have helped in identification and addressing of issues that challenged enhancement of the anticorruption mechanisms. Periodic and regular collection of data on the implementation of the anticorruption mechanisms from all the institutions that played key roles in the fight against corruption was equally critical to enhancing the fight against corruption by identifying the extent to which results and impacts conformed to intended goals. Consequently, collected data would inform where problematic and success areas were to ensure better performance in fighting corruption. Also, taking note of what had and not been domesticated and acting on what had not been implemented even what had not enhanced the fight against corruption would help in enhancing the fight against corruption. A number of researches in western countries emphasized the need to enhance the fight against corruption through continuous monitoring and evaluation a tool that provided a platform to pass judgment on the relevance of activities that were implemented, for instance Chimezula (2015) asserted that the Nigerian's institutions of Government should have been strengthened through monitoring and evaluation of corruption activities to be able to tackle corruption and financial crime. Hence, there was need for constant monitoring and evaluation of implementation of the international, regional and national Anti-corruption mechanisms.

Insufficient provisions of the Public Interest Disclosure (Protection of the Whistle Blowers') Act No. 4 of 2010

Most participants said that the provisions of the Public Interest Disclosure (Protection of the Whistle Blowers') Act No. 4 of 2010 were not sufficient enough to protect the whistle blowers especially against harassment. The law failed to fully provide protection for whistle blowers who may have had come under serious threats from suspects that had been reported to the law enforcement agency and required protection or anonymity. As such, the fight against corruption could never be strengthened. Studies in Europe had revealed that employees that reported their bosses against malpractices such as corruption were not fully backed by law. For instance, in Germany, Marchenko (2021) recommended that signaling by an employee in the public sector of illicit behaviors or wrong conduct for example suspected corrupt practices in the work place should have been enjoying full legal protection. Protection of whistleblowers contributed to an enabling environment for decent work and sustainable growth for it reduced tolerance to corruption and increased transparency and integrity especially in financial transactions. It ensured fair and decent working environment for all workers reducing unethical conduct. Consequently, the law needed to sufficiently protect the whistleblower if the levels of corruption in the country were to reduce. Therefore, there was need for the law to be amended.

## **CONCLUSIONS**

Based on the above discussion arising from the research findings, it was concluded that the anticorruption mechanisms that Zambia had put in place to fight corruption at International, Regional and National levels were weak. In addition, the findings offered a guide to enhance the fight against corruption.

## **RECOMMENDATIONS.**

Based on the conclusions of the study the following recommendations regarded as factors that may be considered to be incorporated in the international, regional and national anti-corruption mechanisms to enhance the fight against corruption in the public institutions of Zambia among others were made;

There was need for Zambia to have a progressive and consistent system of domesticating the provisions of the UN Conventions, SADC and AU protocols against Corruption, the constitution of Zambia to empower the President to send on leave any Minister facing corruption charges to pave way for investigations and prosecutions, there is need for research on all aspects of corruption other than causes, impacts, effects and bribery and impact of international, regional and national anticorruption mechanisms, there is need for court officials to have added knowledge on Anticorruption laws, the Government through law enforcement agencies to be conducting gap analyses on the implementation of provisions of the international and regional conventions and Protocols against corruption, the Government to intensify the signing of MOUs at international and regional levels for better identifying the “win-win” factors that could help create and broaden collaboration and cooperation in the fight against corruption, there has to be a legal instruction to compel heads of public institutions to act on recommendations from the ACC on corruption cases that have insufficient evidence to prosecute but warrant administrative action, Government through the National Institute of Public Administration to restart refresher courses especially which emphasize ethical conduct, there is need for a clause in the Constitution for regulation of the administration of *nolle prosequi* to avoid abuse by the custodian, Serious continuous capacity development of the law enforcement officers., the Anti-Corruption Commission to create serious working relations with United Nations Agencies that support anti-corruption programs, Zambia to consider serious adoption of ICT for improved service delivery, Zambia to have International and Regional working groups to fully benefit from cooperation or agreements against corruption, Improved participation in international and Regional for a against corruption, Coordinated and comprehensive efforts to be manifested from all institutions and individuals alike against corruption, Components of corruption ethics, integrity and accountability to ne enshrined in Higher institutions courses in Zambia. Consistent monitoring and evaluation of the anticorruption mechanisms at international, regional and national levels and the provisions of the Public Interest Disclosure Act to be adequate.

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