

PARLIAMENTARIANS AND CORRUPTION IN AFRICA:

The Challenge of Leadership and the Practice of Politics

**A REPORT BY
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ON BEHALF OF

**THE AFRICAN PARLIAMENTARIANS
NETWORK AGAINST CORRUPTION
(APNAC)**



AND

THE PARLIAMENTARY CENTRE OF CANADA



Foreword

The connection between good governance and development has become an article of faith. But like other articles of faith it demands critical examination to determine if it is well founded in practice. The present study, looking at the real life linkages between parliamentarians and corruption in Africa, is welcome for that very reason.

The conventional wisdom runs as follows. Oversight and accountability are key attributes of good governance. Without effective oversight there can be no accountability and without accountability the quality of governance deteriorates. Where the quality of governance is poor, corruption flourishes with results that are hugely damaging for development. Finally, in a democracy, parliament is the central institution of oversight and accountability and so it follows that a strong parliament is absolutely essential in the fight against corruption.

The problem with this series of self-evident propositions is that they accord poorly with a number of well known facts. In Africa, many parliaments are terribly weak in performing their oversight functions. Moreover, many parliamentarians are seen by their constituents as being part of the problem of corruption rather than part of the solution. The object of this study is not to document these well known facts but rather to explore the connections between parliamentary failure in tackling corruption and the practices of African politics.

With that purpose in mind, it was decided to engage African parliamentarians themselves in the inquiry. After all, who better to help us understand the connection between African politics and the fight against corruption? Specifically, the study engaged parliamentarians who were part of APNAC, the African Parliamentary Network against Corruption. Since its founding in Kampala in 1999, APNAC has built a network of parliamentarians across Africa who are committed to fighting corruption while being active practitioners in the politics of their countries.

Like politicians everywhere, those in Africa strike a balance between playing the game of competitive politics on the one hand and their desire to clean up the game on the other. Some of the pressures to practice corruption while condemning it in principle come from the demands of the African people themselves who look to their politicians to help supply some of the basic necessities of life. This linkage between poverty and political corruption in no way sanctions the corruption which so often undercuts the long term interests of the poor. However, it does help us to better understand the political environment in which corruption arises, the central aim of the study.

Robert Miller
Past President & CEO, Parliamentary Centre (Ottawa)

Introduction

For the past 15 years I have worked as a commentator, activist, student, civil servant and some would argue, general trouble-maker in the area of governance and anti-corruption in Kenya. I am deeply indebted to the International Development Research Centre (IDRC) which went out of its way to support me with a fellowship once I left Kenya in 2005 to study corruption. In particular IDRC made it possible to collaborate with the African Parliamentarians Network Against Corruption (APNAC), with which I had worked when at Transparency International; the Parliamentary Centre in Canada which had long had a deep collaborative relationship with APNAC; and the African Studies Centre of Oxford University which was instrumental in conducting the ultimate study and my host while a Senior Associate Member of St Antony's College, Oxford. The partnership is important at several levels – first APNAC is a key partner of the Parliamentary Centre that is supported by the IDRC and secondly the IDRC was instrumental in my fellowship one of whose outputs was the study that follows.

For a long time it was argued that corruption could not actually be empirically measured. Transparency International under the leadership of Dr. Peter Eigen had not only put graft at the heart of the global development agenda, it had started to undo many of the myths of what could be measured, and how, with regard to corruption. The research of Transparency International-Kenya with their Kenya Bribery Index and researchers such Dani Kaufmann, then at the World Bank Institute, among many others, proved that it was actually possible to measure corruption. But having measured corruption and its effect on the efficiency of a state's capacity to deliver development, then what? What does one do? What are the implications of the research for other pillars of a national integrity system? With the reintroduction of political pluralism across Africa from 1989 onwards, importantly, what was the role of parliaments across the continent with their oversight committees and a host of other instruments and processes aimed at entrenching transparency and accountability in the conduct of public affairs?

Recent history means that the study of governance in Africa has been dominated by examination of issues surrounding accountability of the executive. For over three decades the role of parliament was almost as an adjunct to the will of heads of state. At the start of the 1990s as the wind of political change blew across the continent this started a transformation with the reintroduction of political pluralism enabling parliaments to start clawing back their representational and oversight roles – especially via fiduciary oversight committees.

Political competition, in environments where patrimonial relationships dominated politics, created direct contradictions for parliaments attempting to play their oversight role and fight graft. On the one hand MPs had the authority to systematically dismantle corruption networks of politicians, businessmen, security sector figures and bureaucrats that had ossified since independence from colonial rule in many countries. These networks of corruption are perhaps the single most important reason for the persistence of grand corruption that causes macroeconomic dislocations on the African continent. But MPs found themselves forced to rely on these very same networks for the finance needed to compete in elections where personality trumped ideology; where the capacity to deliver 'development' directly at the local level trumped institutional reforms at the national level to inculcate the rule of law, equity in the distribution of national resources and good governance generally. Secondly, the wind of change combined with other factors of globalisation to create a situation where the development of capacity in the media and civil society far outpaced that of parliament. Development of the media in particular was exponential because of deregulation, politicisation, fragmentation and the huge effect of developments in information technology. This created a crisis of expectations where an increasingly well-informed populace made demands on MPs that they simply did not have the tools and time to respond to institutionally.

The past decade has seen dramatic economic growth in Africa. At the same time in a range of countries some of the political achievements of the 1990s have been rolled back. In particular besides a number of countries that have removed presidential term limits, there have been failed elections in Kenya, Nigeria and Zimbabwe, a series of botched transitions, a number of coups in an era when we thought we had put these behind us and the closing of democratic space in a number of important hub countries.

Africans expect democracy to deliver equity in access to justice and economic opportunity. Even in high economic growth contexts a failure to deliver in this regard results in instability as the 2007 elections in Kenya demonstrated. Systemic corruption is the primary reason for this failure to deliver. Since the late 1990s, the fight against corruption was bureaucratized via the creation of anti-corruption agencies or shunted into weak judiciaries where corruption networks were dominant in the shadows. The past few years have seen the reinvigoration of parliament as a primary vehicle in the fight against corruption in African society. This is a most worthy development. Its consolidation will be

dependent on some of the solutions identified in this report: the introduction of public party finance; devolved funding for development; proportional representation, party lists and other hybrid systems; affirmative action to guarantee equity in development; and more robust use of ethics-related as opposed to prosecution-related legislation in the fight against corruption. These are prescient and urgent. Interestingly, these all comprise some of the most significant findings of the report that follows.

First is that ethics-related legislation is highly effective against corruption. This affirms the experience of the past two decades that prosecution is the bluntest instrument available in the fight against graft. Indeed, as observed earlier, the corrupt prefer to be prosecuted so they can end up in court where their better paid lawyers can keep the state's underfunded prosecutors running round in circles for decades. It is also an acknowledgment that conflict of interest is actually the source of the most insidious and persistent corruption on the continent of Africa. The fact the public officials and their relatives are also the primary beneficiaries of government contracts in contexts where government is the biggest buyer of goods and services in an economy means the creation of a class that would like to call itself the domestic private sector but is actually part of the state elite and inherently opposed in principle to the primary objective of any developmental state to equitably reduce poverty.

A second significant finding of the report is that MPs consider the devolution of development finance from the centre to the constituency level to be an important measure that can reduce corruption. This must be considered within the context of the wider constitutional debate in many countries that revolves significantly around greater executive accountability. Kenya is a good on-going case study about the devolution of development funds to the constituency level via its Constituency Development Fund. The truth of the matter is that when you devolve resources you also devolve power and the implications of that would need to be reviewed and examined in greater detail. Third, is political party financing. While it emerged as an important measure that could be implemented to reduce corruption it would be interesting to see if it was considered as important if ethics related legislation actually worked. This remains an open question for further research.

The building of capacity of parliament to effectively execute its oversight mandate and battle corruption has not moved as quickly as development in the media and civil society in particular. It has also been subject to the vagaries of election cycles of between four and five years. This is what makes the work of groups like APNAC, the Parliamentary Centre and the critical support of organisations like the IDRC so strategic for the development of democracy in Africa.

In closing, I would like to thank all those individuals involved in bringing this report to fruition – Charity Wakaba, Tom Mboya, Augustine Ruzidana, Joanne Davies, David Anderson and Nic Cheesman, who participated in the research and analysis, and Dani Kaufmann, who contributed to the design of the survey questionnaire. None of this would have been possible without the active engagement of many parliamentarians from twelve countries. I look forward to continuing to work with you in the struggle against corruption in the years ahead.

John Githongo
Nairobi

CONTENTS

EXECUTIVE SUMMARY	- 6 -
1. INTRODUCTION	- 10 -
THE PROJECT	- 10 -
Project Goals	- 10 -
Methodology	- 11 -
WHAT DO WE KNOW?	- 12 -
A BRIEF LITERATURE REVIEW	- 12 -
DEFINING AND MEASURING CORRUPTION.....	- 17 -
2. PERCEPTIONS OF CORRUPTION	- 19 -
3. PARLIAMENTARIANS AND CORRUPTION.....	- 25 -
(i) - POOR REMUNERATION.....	- 26 -
(ii) – ELECTIONS AND CORRUPTION.....	- 26 -
(iii) – FINANCIAL DEMANDS FROM CONSTITUENTS	- 27 -
Parliamentary Democracy and Informal Government.....	- 27 -
Demands from Constituents and the Role of an MP.....	- 29 -
The Challenge of ‘Ethical Standards’	- 31 -
4. PARLIAMENTARIANS AND THE FIGHT AGAINST CORRUPTION – STRUCTURAL IMPEDIMENTS	- 33 -
High Levels of Corruption in Society.....	- 33 -
Most severe impediments to MPs’ fight against corruption	- 36 -
(i) - BUDGET REFORM AND EXECUTIVE POWER.....	- 36 -
(ii) – WEAKNESS OF PARLIAMENTARY OVERSIGHT COMMITTEES	- 37 -
(iii) – A WEAK AND/OR PARTISAN MEDIA.....	- 39 -
(iv) – A WEAK AND/OR PARTISAN NGO SECTOR	- 40 -
(v) – LACK OF AN ADEQUATE LEGISLATIVE FRAMEWORK.....	- 41 -
(vii) – ANTI-CORRUPTION AGENCIES	- 44 -
Definition	- 44 -
Political Will.....	- 46 -
The example of Zambia	- 47 -
ACCs and Petty Corruption	- 49 -
5. IS ETHNICITY IMPORTANT?.....	- 50 -
6. POSSIBLE SOLUTIONS.....	- 51 -
(i) – LOCAL LEVEL FUNDS.....	- 52 -
(ii) – PUBLIC PARTY FINANCING	- 53 -
(iii) – PR/PARTY LIST SYSTEM	- 55 -
7. THE ROLE OF INTERNATIONAL DONORS	- 57 -
8. EVALUATION OF APNAC MEMBERSHIP	- 61 -
9. CONCLUSIONS & RECOMMENDATIONS.....	- 65 -
SELECT BIBLIOGRAPHY	- 69 -
ANNEX 1.....	- 73 -

EXECUTIVE SUMMARY

This report, compiled on behalf of the African Parliamentary Network Against Corruption (APNAC), surveys the attitudes of African parliamentarians toward corruption. It is the first study of its kind to investigate the manner in which corruption impacts directly upon the political behaviour, practices and attitudes of those elected members sitting in parliaments across the continent. If the problems of corruption are to be tackled in the African continent, then the role of elected members of legislative assemblies will surely be a crucial factor.

The African parliamentarians surveyed in this report, all of them members of the country chapters of APNAC, clearly perceive corruption to be a significant threat to the development of their countries. Yet it is also apparent that behavioural norms in the practice of politics in their countries are a powerful factor in the widespread acceptance of corruption – regardless of its obvious harm to broader developmental goals. Parliamentarians are very well aware of the vortex of malpractice that corruption creates in many countries of Africa – once corruption reaches a critical level in any political system, it provokes all actors to behave in a similar manner in order to avoid being disadvantaged while their rivals gain at their expense. This predicament, and its implicit contradictions, is very well understood by many of Africa's parliamentarians. The question remains, what can be done to change the behavioural norms that embed corrupt practices in political life?

PARLIAMENTARY PROBITY

The MPs in this study were asked to list the factors that might challenge their own probity in their parliamentary roles. Three main factors came clearly to the fore.

1. The **poor remuneration of MPs** in many African countries was identified as the most significant issue, but this was not always presented as a straightforward case of low-paid parliamentarians being forced into corruption to 'make ends meet'. Kenyan MPs are very well paid, for example, yet corruption remains a serious problem regardless of their levels of remuneration. In the minds of African parliamentarians, remuneration is linked very closely to *public expectations* of their role, and the difficulty of carrying out constituency political work when resources are lacking or absent is evident in many countries. The expectation of constituents, and the desire of MPs to realise those expectations, thus emerges as a key driver of corruption.
2. The need to **raise resources for electoral campaigns** also emerged as a highly significant driver of corruption. Elections are expensive, and with little or no financial resources within African political parties to sustain constituency campaigning, the burden of the costs inevitably falls upon individual politicians. The electoral cycle dictates the need to garner resources, so that the temptations of corruption become more prevalent as election campaigns approach. The lack of accountable party funding and the absence of legislative controls on electoral spending are factors that contribute to corrupt practices around election campaigns.

3. The simple **financial demands of constituents** – their insistence that MPs will deliver money and resources – is the third, and perhaps most pervasive driver of corruption for parliamentarians. The notion that a primary function of an MP is to harness and distribute government resources to their constituents represents a fundamental misunderstanding of the basic role of an MP, yet it is a view that is widespread across the continent. Our survey reveals that far from challenging such views, many MPs share these attitudes, arguing that they should be given access to and control of resources so as to facilitate redistribution of this kind. Community Development Funds, and other local-level resource distribution schemes recently instigated, have been conceived as a response to this problem. Where corruption is pervasive, then disbursement of funds through such mechanisms might make MPs more accountable to their constituents. On the other hand, funds distributed in this way are not easily scrutinised and transparency can be difficult to achieve. The challenge then remains to nurture a wider understanding of the role of MPs in representative democratic politics, moving away from a simple association with the redistribution of state resources.

PARLIAMENTARY STRUCTURES AND INSTITUTIONS

When asked about **structural impediments** that face MPs in tackling corruption, the respondents in this survey identified three principal areas of concern:

1. Strong **executive control** over the budget and the distribution of state services is a feature of many political systems across Africa, including those in countries that have undergone significant democratisation. Parliamentarians find themselves disempowered by strong executives, and unable to enforce practices that might increase accountability, transparency and proper representation.
2. The **weakness of anti-corruption commissions** and the difficulties in enforcing anti-corruption legislation – for example, the lack of successful judicial prosecutions – present a serious obstacle to the efforts of parliamentarians in raising public support in the fight against corruption.
3. The **weakness of parliamentary committees** presents a real challenge to those MPs wishing to establish higher standards of probity within the parliamentary system, a problem that is often exacerbated when control of parliamentary business is held securely in the hands of the executive. Too few African parliaments have effective committee systems, and it is rarely possible to properly scrutinise the behaviour of ministers or the senior civil servants who work with them. The development of parliamentary institutions is therefore a critical issue in any effort to combat corruption.

DONOR SUPPORT FOR ANTI-CORRUPTION MEASURES

The **role of donors** in the anti-corruption movement is something that many African parliamentarians questioned for this study found to be highly problematical. One of the more unexpected findings of the study is that many MPs believe that, in countries where corruption is a serious national problem,

and the leadership has been shown to be unwilling to take steps to address the problem, the World Bank and other donors should refrain from lending to central government until the situation improves. While MPs see this as a potentially positive move, donors are notably reluctant to make so explicit a connection between aid and assistance to governments and measures against corruption. The implicit assumption is that donor opposition to corruption is only partial, strong on rhetoric but weak on action. The challenge here is to find mechanisms for donor response that will more consistently support anti-corruption measures.

RECOMMENDATIONS

The recommendations of the study fall into two categories – those that might be implemented in the short to medium term, and those which need to be set on a longer-term horizon:

Short to Medium Term Recommendations:

- **Educate parliamentarians** on their role vis-à-vis their constituents, i.e. establish a coordinated programme which encourages awareness of citizen-based policy development above simple resource distribution.
- **Support civil society organizations** in educating the constituents themselves regarding the role of the MP.
- **Work to strengthen anti-corruption commissions.** This should include a shift of focus to include the prevention of current and future corruption and a clear and agreed strategic plan to clarify the objectives of the organization. These objectives should be annually reviewed by parliament.
- Establish a **comprehensive strategy to assist election financing.** This might include caps on expenditure (e.g. a set amount per voter), restrictions on sources and levels of donations, time limits on campaigns, and rigorously applied disclosure regulations. The implications of implementing such controls are likely to be challenging.
- **Improve the level of locally dispersed funds** (e.g. community development funds) **only** in tandem with **improved oversight mechanisms** for these funds.

Medium to Long Term Recommendations:

- Once a society has reached a high-corruption equilibrium, there is a need to work on **reversing the behavioural norms that have been established.** Techniques can include ‘good governance zones’ and penalty systems to encourage and reward whistle-blowing and increase the risks of engaging in corrupt behaviour (Collier 2000). Making the practice of corruption **riskier** is the key to such a strategy.
- Focus on **strengthening the independence of the media.** Media exposure of corrupt practice is an important tool to increase the risks of corrupt behaviour.
- Accept that certain institutions, such as anti-corruption commissions, **cannot operate effectively** in countries that are experiencing high levels of corruption. Ensure that any resources used to strengthen these agencies are complimented by a parallel focus on changing the underlying level of corruption using increased education and the techniques referred to above.

- Donors, and perhaps especially multilateral financial institutions such as the World Bank and the IMF, **must place anti-corruption concerns higher on their agendas and be more willing to suspend funding** – as advised by the respondents of this survey – where high levels of corruption have been identified.
- Donors should work to **increase coordination of their anti-corruption goals**, and give coherent support to those in-country stakeholders most prominent in fighting corruption.
- Accept that corruption cannot be permanently reduced without **addressing the socio-economic factors that drive so much of Africa’s corruption**.
- Understand that **corruption is a world-wide phenomenon**, *not* just an African problem. All human beings will react in similar ways given the same obstacles and incentives. Plans to tackle the motivations behind corruption, whether they be power preservation or greed, are therefore unlikely to succeed. Anti-corruption strategies must focus more precisely on **reducing opportunities for and increasing the risks of corrupt behaviour**.

1. INTRODUCTION

THE PROJECT

This project was designed by John Githongo and has been conducted under the auspices of the African Parliamentarians' Network Against Corruption (APNAC). APNAC is now recognized as one of the leading parliamentary associations in the fight against corruption. Through its networking approach it has created a platform upon which members of parliament can share experiences, lessons and examples of good practice in the fight against corruption. It has grown to include 19 country chapters, all of which contribute to building the capacity of parliamentarians to fight corruption. Advocacy and training of APNAC members has resulted in genuine gains in the fight against corruption, with examples including the ratification of the African Union and United Nations anticorruption conventions in Ghana and Zimbabwe. MP advocacy has also led to the successful passing of anticorruption legislation in Kenya and Uganda, in particular, and to important amendments to parliamentary and legislative practice in Tanzania and Benin (see APNAC/Parliamentary Centre 2008).

The project has benefitted from the funding of the International Development Research Centre (IDRC), with the Canadian Parliamentary Centre (PC) acting as the facilitating organization. The research was conducted by Tom Mboya and Augustine Ruzindana of APNAC, and Charity Wakaba of the Canadian Parliamentary Centre. Analysis was undertaken by Dr. Joanne Davies, Professor David Anderson and Dr. Nic Cheesman (University of Oxford).

Project Goals

This project aims to contribute to political accountability in African countries by generating a better understanding of corruption and, in doing so, strengthening parliamentary capacity to fight the roots of corruption both within the legislature and in society as a whole. The study will focus its analysis on a number of factors:

- the realities that confront African parliamentarians – focusing on issues of finance, the use of vested authority and other transactional/relationship - based realities;
- how these realities impact on the choices they make vis-à-vis economic, social and political policy;
- what conflict of interest means in the African context;
- what political actors consider corrupt behaviour and the scenarios that would see them willingly participate in it; and,
- what constitutes social sanction vis-à-vis corruption versus the level of impunity that may be apparent.

Methodology

The survey that forms the main focus of this study was carried out in July – December 2007 in seven countries: Malawi, Ghana, Sierra Leone, Benin, Mozambique, Zambia and Liberia. This followed on from a pilot study, conducted during April – June 2007, including parliamentarians from Tanzania, Malawi, Zimbabwe, Zambia, Rwanda, Uganda and Namibia. The 12 countries featured here are thus drawn from every region of sub-Saharan Africa, and include representatives from Lusophone (Mozambique) and Francophone (Benin) countries. Two of the countries (Mozambique and Rwanda) use a Party List system of representation.

The parliamentarians surveyed are all members of APNAC chapters in their own countries. In order to encourage honest, full and forthright participation in the survey, responses were compiled on an anonymous basis, whilst follow-up interviews with parliamentarians were also held on the understanding that anonymity would be preserved. In the main survey (Annex 1), the country of origin of each respondent was noted, whilst in the pilot study country of origin was not asked for directly (though it may have been revealed indirectly in the responses). Because of anonymity, it is accordingly difficult to develop country-specific conclusions from the data. The strength of the data therefore lies in the cross-country comparisons and general patterns that can be discerned.

This survey is the first attempt to gather opinions of parliamentarians across Africa to understand *their experience* of corruption. The intention has been to help guide the anti-corruption agenda and to identify *what questions we should be asking* with regard to parliament and corruption. The initial survey instrument was designed by John Githongo, who has had extensive personal experience of the issues raised during his time as Permanent Secretary for Ethics and Governance in Kenya, and who subsequently emerged as one of the most high-profile coordinators of the fight against corruption on the African continent. The involvement of APNAC in the survey has also been highly significant. APNAC provided the essential access to a wide range of MPs from across the continent through their unique active network of African MPs, all of whom are members of APNAC's numerous country-based chapters. These MPs are well aware of the factors involved in corruption, which they face on a daily basis in their parliamentary work, and they are accordingly well placed to speak with authority on many of mechanisms discussed in this survey.

Corruption is, by its very nature of mutually beneficial dishonesty, very difficult to investigate on the ground. Indeed, Blundo et al (2006) have declared that the study of corruption at times risks being reduced to analysing only what is said about it. Any empirical or practically descriptive work is therefore valuable in developing our knowledge and understanding of the processes and practices that mark corruption within Africa's political systems. The importance of seeking to establish empirical evidence of corruption from parliamentarians themselves cannot therefore be understated. However, the present study marks only a beginning in the investigation of parliamentarians and corruption. The sample group we have been able to survey here is relatively small, and it is accordingly difficult to say much about individual countries within the study. It must also be acknowledged that the participation of all of our respondents obviously implies a close engagement with corruption issues, and especially the campaign against corruption, among these individual parliamentarians. To deepen the analysis,

we have therefore placed the survey responses within the broader context of the literature on corruption in Africa.

The ages of the respondents in the survey ranged from 33 to 67, 82 per cent of which were male.¹ The length of time that the respondents had been actively involved in politics varied widely: three MPs in the sample had only stood for parliament for the first time during the year prior to the survey, while two others had been involved in politics either as an electoral contestant or as a sitting MP for over 40 years. Respondents were asked about their current political roles, but, perhaps being aware that a precise answer to this question might too readily identify them and therefore sacrifice their anonymity, very few answered this question. Of the 33 out of 73 that stated their position, only six were ministers while three more were assistant ministers. Around half of those sampled were however prepared to declare whether they sat on the government or opposition benches - government MPs accounted for 44.4 per cent of those who declared, while opposition MPs accounted for 55.6 per cent. Constituencies could not of course be identified by name, but 82.9 per cent of respondents reported that they represented rural constituencies, with 14.3 per cent representing urban areas, while 2.9 per cent of respondents categorized their constituencies as both rural and urban.²

WHAT DO WE KNOW?

A BRIEF LITERATURE REVIEW

Though much is seemingly 'known' about corruption in Africa, relatively little has been written that either describes or explains corruption as practice. Indeed, the emergence of what might be termed a 'literature on corruption' is a recent phenomenon, dating to the period of the return to multi-party politics over much of the continent from the early 1990s. Thirty years earlier, in the decade of African decolonisation in the 1960s, the focus upon economic development and the emergence of political sovereign states hardly touched upon corruption as an issue. The zero sum politics of the Cold War, during which the affiliations of African governments to super-power sponsors determined levels of aid and international support, effectively suppressed the analysis of the more difficult political issues of development – including the issue of corruption. There were many examples of corruption being tolerated during the Cold War, particularly when wider interests were perceived to be at stake. See, for example, the attitude of the United States towards Congo under Mobutu, or Samuel Doe in Liberia, or Russian support for the Derg government of Ethiopia. It has even been suggested that corruption in the USSR or single-party African states was viewed as an act of defiance against the West (Szeftel 1998: 228).

The ending of the Cold War brought about a new consensus on the need to tackle corruption, and during the 1990s a growing body of studies emerged identifying corruption as a critical factor in

¹ 39 out of a total 73 respondents did not answer this question. The percentages discussed refer to the valid percentage figure i.e. that which discounts any missing values and is calculated as a percentage of the responses actually given. Attention is drawn to any instances where the missing values figure is particularly significant.

² 52 per cent of respondents did not answer this question.

political as well as economic development in Africa. The research initially undertaken by Burnside and Dollar for the World Bank in the late 1990s was seminal, highlighting the real costs of corruption in developing countries and illustrating the extent to which corruption largely negated the effects of often vast sums of aid (Burnside and Dollar 1997; 1998). Key works on African politics from the 1990s also described the extent to which the state in Africa had become embedded in corrupt practices as part of the 'daily life' of political transaction (Bayart 1993; Berman 1998; Bayart, Ellis & Hibou, 1999). By this stage, whole sectors of African states were described as having been 'captured' by corrupt interests.

Much research on corruption from the 1990s focused on its causes, and how these were rooted in the historical development of the new states. The conclusions reached pointed to the fundamental role colonialism played in the development of corruption in Africa. Blundo et al (2006), for example, argued that the colonial legacy was instrumental in creating a climate of corruption in a number of ways. Under colonial rule, according to Blundo et al, the idea of authority being derived from the people was undermined as colonial powers imposed rule from above, often displacing or replacing indigenous authorities. A colonial bureaucracy deriving from a foreign land had little commitment to the common good, they thought, which meant that the rules about common good were seen to no longer apply. Blundo et al also point to the fact that the local African officialdom were exposed to the living standards and western luxuries of the colonial bureaucracy – luxuries it would be impossible for them to afford on local salaries alone (Blundo 2006: 45-7). While all of these factors may be relevant in understanding the causes of corruption, they do not amount to an explanation. Moreover, it is crucially important to note that colonial government was itself often corrupt, its very processes, practices and institutions inculcating malpractice and bribery as a means to gaining access to public resources (Anderson, 2002).

Looking more closely at the legacy of colonial institutions, Allen (1995) makes the point that many of the constitutions established to bring African colonies to independence concentrated power in the hands of the Executive, giving little scope for representative government in its fuller sense or for any devolution of powers. This was done for blatantly political reasons, as the departing colonial powers of Britain and France sought to ensure that political control remained in the hands of conservative and essentially 'compliant' interests. This tendency was welcomed and exploited by some of the elites in these countries, albeit often covertly and sometimes behind a smokescreen of anti-imperial rhetoric. Allen also maintains that some elections in the newly independent states were hastily organized, thus encouraging candidates to seek support from the readily available ethnic and regional networks. In the case of Kenya, for example, Anderson (2005) has argued that the combination of constitutional conservatism and electoral manipulation ensured that the political legacy of colonial rule meant that the democratic process that took the country to independence was, from the start, deeply flawed and undermined by corrupt practices.

More recently those writing on corruption in Africa have shifted from colonial legacies to focus upon development and the state. In earlier decades, some commentators viewed corruption as a redistributive tool – particularly in the light of the very low salaries prevalent in African countries (Szeftel, 1998). Others saw it as helping to drive the market – by adjusting prices that had been

artificially fixed – even suggesting that corruption was a necessary stage of development. Increased focus on corruption, particularly after the Cold War, has belied many of these arguments and has shown that, above all, corruption is a crime against the poor. The poor suffer from the lowered quality and increased cost of access to public services – the *direct impact* of corruption. They are also the primary victims of its *indirect impact* – for example, through diverting resources away from poverty reduction programmes and limiting development by discouraging foreign investment.

Recognising these issues, in 2000 the World Bank undertook an unprecedented project called ‘*Voices of the Poor*’ in which they collected the voices of more than 60,000 poor women and men from 60 countries. The initiative detailed the hundreds of ways in which the poor suffer every day from petty corruption – with its negative impact on their attempts to seek education, healthcare and social assistance:

‘We keep hearing about monies that the government allocates for projects, and nothing happens on the ground.’— South Africa; ‘Teachers do not go to school except when it is time to receive salaries.’ – Nigeria (World Bank 2000)

These experiences are not unusual. In Transparency International's 2003 *Global Corruption Barometer* (TI 2003), 41 per cent of respondents on low incomes felt their lives were "very significantly" affected by corruption, as opposed to 27.5 per cent of those on a medium income and 25.4 per cent of those on a high income. In another excellent report, Human Rights Watch detailed the impact of rampant corruption on one state in Nigeria. In *Chop Fine: The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria*, it was reported that one local government dedicated only 2.4 per cent of its revenues to maintaining its crumbling primary school infrastructure while spending 30 per cent of its budget on salaries and expenses for the offices of its chairman and legislative councillors. Some local government chairmen here set aside more money for their own travel and "miscellaneous expenses" than they allocated to the schools and health clinics for which they were responsible. The office of the state governor had a travel budget of roughly US\$65,000 per day in 2006, along with budgets for unspecified "grants," "contributions" and "donations" that totalled an additional US\$92,000 per day. Meanwhile, one in five Nigerian children died before the age of five, often from illnesses that could be easily prevented by access to basic healthcare.

Revelations of this kind focused attention on the damage being done by corruption. But the response of the international community has resulted in something of a dichotomy. On one hand, some significant, wide-ranging conventions have been established, while on the other, it remains impossible to find a single developed country whose companies have not been implicated in the bribing of officials in developing countries (see Transparency International's *Bribe Payers Index*).

The close connections between development goals and corruption have led to a general focus in the corruption literature upon ‘good governance’. The interest in governance related issues has included evaluations of the effectiveness of institutions, primarily the Executive, Judiciary and Legislature, as well as assessments of security services, civil society development initiatives and the independence and freedom of the media. But in any functioning democracy, parliament forms the bedrock for ‘government of the people, by the people, for the people’. It is the one instrument which is designed

to be the mouthpiece of the people, and to provide the forum in which the chosen representatives of the people can debate how their country should be run. The three pillars of government – Executive, Legislative and Judicial – should all be interdependent, with each pillar assisting the other pillars in performing its role effectively. Although parliament is characterized as one of the main pillars of scrutiny of government, and therefore a vital tool in the fight against corruption, it faces many obstacles when attempting to fulfil this role. One of the most serious of these obstacles, as identified in the literature, is the concentration of power in the hands of the Executive. When power is overly concentrated in the hands of the Executive, the safeguards of the interests of the people – the Legislature and the Judiciary – are undermined. The example of Uganda demonstrates the way in which a President can maintain control over the budget, retain the right to the majority of appointments throughout government and develop a web of power patronage networks to ensure that leaders in business, in government and in the military and security services are all dependent on his influence (Tangri and Mwenda 2001).

Burnell (2003) points out that parliaments can be weakened further still by the fact that MPs do not always possess a full understanding of their own role – a conclusion which will be examined in more detail in the body of this report. Studies by Transparency International – and their country-specific National Integrity Systems reports in particular – identify many failings within African parliaments. The capacity of individual MPs is sometimes too weak – either intellectually or academically – to perform their legislative duties adequately. The resources allocated to parliament are often insufficient – and this is exacerbated by the fact that parliament often does not control the budget and is not directly responsible for raising taxes. Also, where there is political competition, political parties often lack sufficient organization and policy focus – concentrating instead on opposing each other (TI 2004a).

A report prepared by the Parliamentary Centre (Parliamentary Centre/World Bank: undated) warns that the many examples of a gap between principle and practice in the functioning of parliamentary accountability have meant an increased interest in the growth of ‘arms length’ institutions, such as ombudsmen and auditors general. The report goes on to stress, however, that ‘specialized accountability bodies are only a supplement, not a substitute for parliamentary accountability.’ (Parliamentary Centre: 6.) Barkan (2004) argues that legislatures are emerging as institutions to be reckoned with. The power of the legislature varies from country to country, and the majority remain weak in relation to the Executive. Even those who do remain weak, however, have begun to aspire to a more significant role, and initiatives such as APNAC are a good demonstration of this recognition.

Parliament needs to be placed within the whole network of anti-corruption legal instruments and policies, but a report on Malawi (TI 2004b) explains that these instruments and policies are insufficiently coordinated and have not been based on comprehensive in-country research. The result is that corruption remains at best, pervasive and, at worst, rampant, in many of the countries throughout Africa (TI 2004a, 2004b and 2007/8). The separate anti-corruption commissions (ACCs), which have been established in many African countries in order to focus on the fight against corruption, have been greeted with a good deal of optimism. However, it is frequently argued that these agencies have under-performed badly, and have achieved little overall impact (Nongogo 2006;

Doig et al 2007). This report will look in greater detail at their failings and the prognosis for such institutions.

There have certainly been some attempts by African governments to tackle corruption directly, and these are often cited as examples of an 'improving' legislative situation. The government of Mozambique has attempted to improve the transparency of its procurement programme, for example, and in April 2004 it abolished a 1996 law that allowed bidders to make payments to procurement officials. It also launched an anti-corruption strategic plan in March 2005, focusing on corruption in the sectors of Health, Education, Finance, Police and Justice. In Zambia, President Levy Mwanawasa asked Parliament to remove immunity from his predecessor (Chiluba) so that he could face criminal charges for plundering the national resources. He also created a Task Force on Corruption (TFC), to investigate and prosecute all those associated with the plunder of national resources during the Chiluba era (although see below for a further discussion of these measures). And, in Tanzania, the resignation of a cabinet minister accused of involvement in corrupt procurement practices in his department marks a rare African example of full accountability in regards to corruption within government.

Encouraging though these signs of movement against corruption may be, much of the literature identifies an underlying acceptance of corruption in many of African countries (Ayittey 1992; Radithokwa 1999). It is argued that this is not due to some inherent dishonesty within these societies as a whole, but rather it is rooted in a lack of ethical leadership, allowing corruption to become so commonplace that it is accepted as a moral norm (Hope 1999). Collier (2000) argues that, as Africa was not always corrupt, and indeed there are societies in Africa that are not corrupt, it is important to understand what has caused the shift towards corruption, so that the causal factors can be reversed. In addition to this, however, Collier makes the important point that once corruption has become 'normal behaviour', reversing the policies that have caused it will not be sufficient in itself to remove its detrimental effects from public life. 'Society needs a "big push" to shock it out of a high-corruption equilibrium', writes Collier (2000: 191).

This characterization of the situation indicates why initiatives such as those promoted through APNAC are so useful in the fight against corruption. They provide a way of coordinating strategies and – vitally – a way of supporting and strengthening attitudes and norms which are opposed to corrupt behaviour. The current survey on which this report is based identifies what behaviour and attitudes parliamentarians are confronted with in the everyday pursuit of their roles. It also demonstrates the attitudes and behaviour of the MPs themselves. A growing literature examining anti-corruption initiatives provides suggestions and guidelines as to how these instruments and programmes could be strengthened (see in particular the World Bank and Transparency International country studies), but this legislative and institutional focus has to date paid little attention to the perspectives of those politicians who must seek to implement and enforce the key instruments to combat corruption.

DEFINING AND MEASURING CORRUPTION

How do we define corruption, and what do we know about its extent in the African countries featured in this study? Corruption takes many different forms, and can be said to have several differing types. Understanding these different types of corruption matters because each has specific causes and different impacts. Although *petty corruption* is seen as less dramatic due to the smaller sums of money involved, it is also this type of corruption which is most visible to ordinary citizens – the corruption that means they must pay a fee before their child can receive the education they should be entitled to free of charge, pay bribes to administrators to receive benefits to which they are already entitled, or offer small fees to police or bureaucrats to facilitate a whole range of transactions. Although seen as petty corruption due to the size of fees and bribes involved, the pervasiveness of this type of corruption does a great deal of harm in undermining the efficient functioning of a society. It is also instrumental in teaching a whole new generation that corruption can become a way of life. If a child goes to school knowing that it will have to pay its teacher in order to have its papers marked, that child will learn to bribe and ask for bribes in turn as it gets older.

Accumulative corruption occurs when government officials abuse their position of power for purposes of personal enrichment. It takes place mainly in the form of soliciting bribes when overseeing government projects and procurement, in privatisation processes and in taxation. These processes fall under the headings of embezzlement, extraction and rent-seeking.

Power preservation occurs when extracted resources and public money are used to shore up the position of those in power. It involves patronage politics, favouritism and politically motivated distribution of financial and material benefits. It also often involves *procurement corruption*, which targets large scale projects which can involve huge sums of government money and can divert resources on a vast scale. This type of corruption is usually on a large enough scale to cover motives of both *power preservation* and *accumulation*.

Measuring corruption is necessarily an imprecise art, yet it is important in giving us a sense of the relative significance of corruption in each of its many contexts. Transparency International has been instrumental in raising the profile of the study of corruption, one of their most significant tools being the Corruption Perceptions Index. This ranks countries (180 countries in 2007) by the degree to which corruption is perceived to exist among politicians and public officials. It uses corruption data from fourteen different expert and business surveys carried out by twelve independent institutions. It reflects a range of views from around the world, including those of experts living in the country in question. This composite index (or poll of polls) draws on the experiences and perceptions of those who are most directly confronted with the realities of corruption. Assessments are not based on hard empirical data, as this can be misleading. This type of data can demonstrate the effectiveness of the courts or media in exposing corruption, but that is not the same as reflecting the incidence of corruption itself.

The work of the World Bank has also focused increasingly on the study and measurement of corruption. The study of corruption cannot be an exact science, and the World Bank also advocates a composite approach. It recognizes the imperfections of any individual approach and instead focuses

on a wide variety of indicators – subjective and objective, aggregate and individual, cross-country and country-specific. The three broad ways of measuring corruption as defined by the Bank are:

- By gathering the informed views of relevant stakeholders
- By tracking countries' institutional features (although these studies currently have limited country coverage and, as yet, almost no time dimension)
- By careful audits of specific projects.

The Bank also questions the idea that subjective measures of corruption are inappropriate tools to guide policy makers in the fight against corruption. Although such measures cannot necessarily point to what specific detailed reforms are needed, they are vital in identifying priority areas for action. The key for most of the high-profile institutions working on the anti-corruption agenda is to use a *range* of methods and instruments to achieve an aggregate measurement of corruption. Surveys such as the one undertaken by this project are a vital component in such measurements.

WHICH WAY NOW?

What can this study of the attitudes of parliamentarians in Africa contribute to our understanding of corruption as practice, and how might it help to shape instruments to tackle the problem? In both mature and maturing democratic societies, political actors – both formal and informal – determine the tenor, pace and character of democratic development and thus the nature of the benefits – economic and otherwise – that accrue from society's progress. These same actors determine when progress may not suit their interests at a particular time given a particular set of circumstances. Implicit in this study is the reality that parliamentary (representative) democracy of one form or the other represents the highest form of democratic governance currently being practiced globally. That being the case, the realities as they confront parliamentarians inform development in the most direct way in this democratic age.

One of the most difficult areas in the study of corruption – and the various anti-corruption initiatives – is the self-perpetuating nature of the problem. The aim of this study has been to investigate just what it is that prevents so many of these anti-corruption programmes taking root – and what role parliament can play in this fight against corruption. In his report for the African Development Bank, Collier (2000) provides an example to illustrate the difficulties associated with tackling corruption. He uses the example of a man who breaks his leg. While his leg is setting he cannot take exercise and so he puts on weight. By the time his leg is mended he is so unfit that he cannot walk properly. The broken leg was temporary and heals naturally, but unless the man makes a conscious effort to recover his fitness, he becomes permanently immobile. If Africa at the moment could be said to have a broken leg, to combat corruption one will need to mend the leg, but real recovery will also necessitate a 'fitness programme'. Collier argues that probably the main factor behind the slide into corruption was a massive rise in the opportunities for corruption. This can be attributed to four factors: over-regulation of private activity; expanded public sector employment; expanded public procurement; and weakened scrutiny. Unfortunately, many African countries have achieved a high-corruption 'equilibrium', which means that they will need to do more than just reverse the factors which caused the problem – hence the 'fitness programme'. As Klitgaard (1988) has concluded:

‘discretion plus monopoly minus accountability equals corruption.’

This study will address some of the means of discretion and monopoly, although its main contribution will be evaluating the instruments of accountability – and, most particularly, the role of parliamentarians. MPs throughout the globe are subject to the same temptations regarding the possibilities of corruption. In the United States, Britain and France there is evidence of bribery by private firms (see Transparency International’s *Bribe Payers Index 2007*). But corruption in the west is a riskier enterprise. It is well hidden, and therefore perceived to be less pervasive throughout society, because it is not seen as the norm. It is near to impossible to tackle the motivation behind corruption – there are people in all societies who will engage in corruption if the opportunity arises. As it is not possible to change the motivation that guides individual actors, it is therefore important to focus on the opportunities – and this includes the strengthening of parliamentary scrutiny.

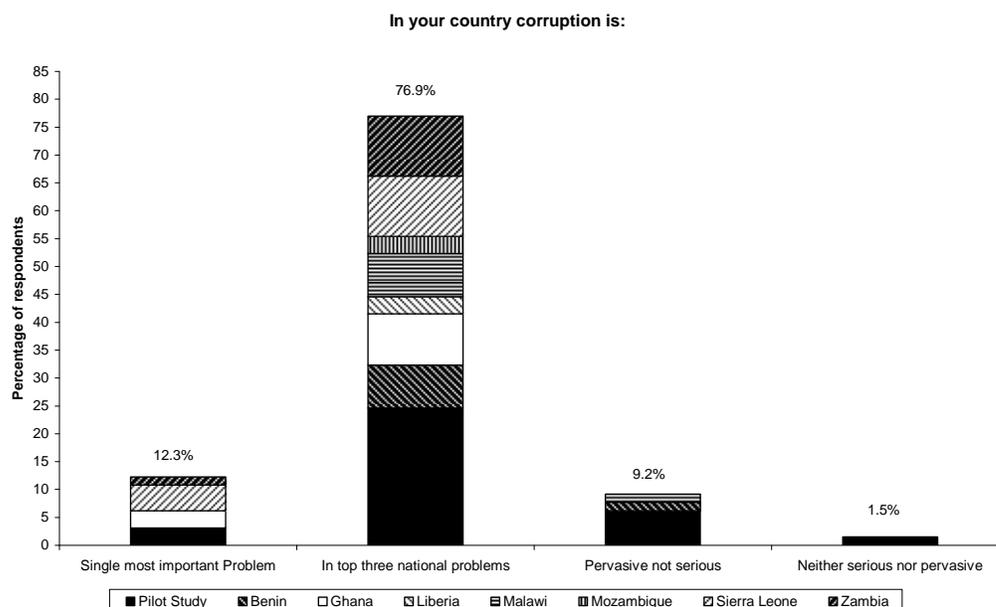
2. PERCEPTIONS OF CORRUPTION

SIERRA LEONEAN MP:

‘Constituents believe that politicians only cater for themselves.’

Blundo (2006: 9) argues that: ‘it is one of the characteristics of corruption that it is constantly condemned without major proof.’ This point is an important one, and makes the current study all the more valuable, because it demonstrates the need to investigate the experiences of political actors themselves, and understand the level of corruption in greater depth. MPs responding to the APNAC survey see corruption as a major problem (see FIGURE 1). 76.9 per cent saw corruption as among the top three national problems in their country. A further 12.3 per cent saw it as being the single most important national problem.

FIGURE 1:



The positive replies show a great deal of concern regarding the levels of corruption both in the public, and public to private sectors, with MPs from Ghana and Sierra Leone showing particular concern at the ‘extremely common’ nature of corruption within their public sectors (see FIGURE 2 and FIGURE 3). Ghanaians were also the most likely to perceive domestic business to public bribery as extremely common, although an overwhelming 92.8 per cent of those who responded to this question believed this to be common practice at the least.

GHANAIAN MP:

‘Corruption mostly takes place at civil service level. The political leadership does not control resources, so obviously it is the controlling officers, those who pass vouchers and those who allocate and award contracts.’

ZAMBIAN MP:

‘The threat to civil servants by the ministers of state promotes corruption because of a civil servant’s fear of being sacked from work.’

FIGURE 2:

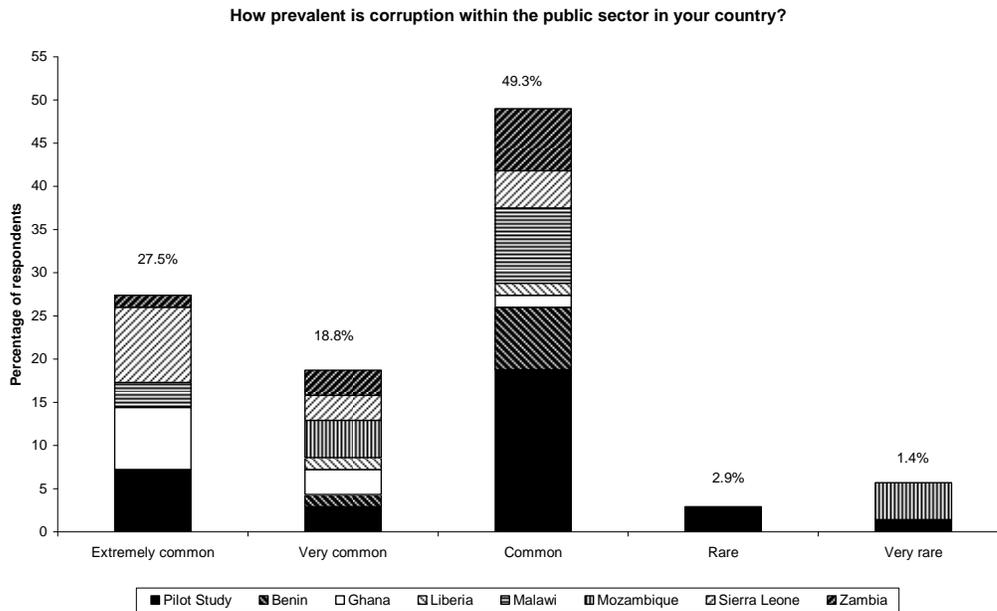
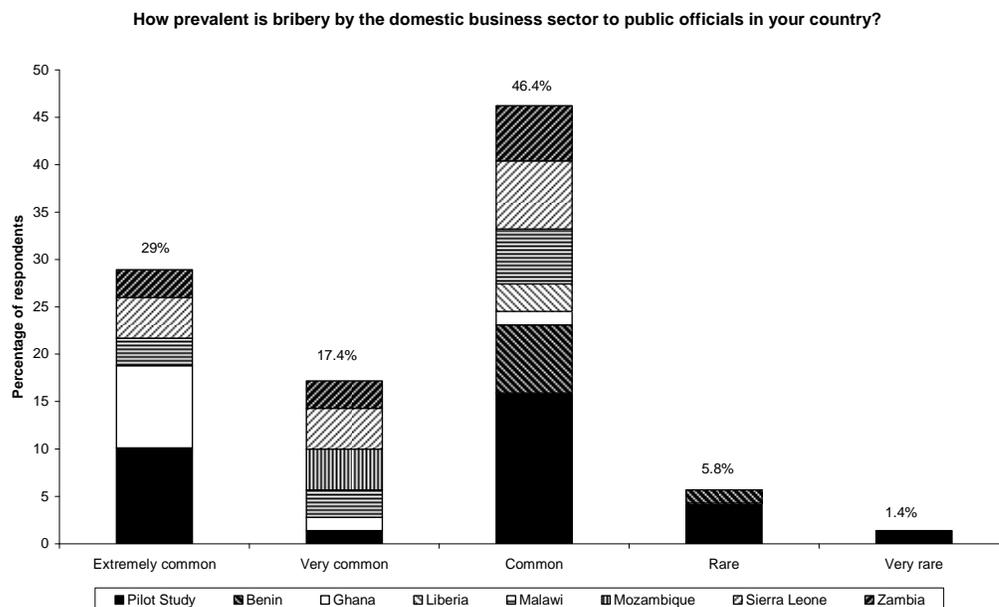


FIGURE 3:



One of the more worrying conclusions to be drawn from the study is the degree to which respondents believed that corruption in the public sector was increasing (see FIGURE 4). Almost half of the respondents (49.3 per cent) believe that corruption in the public sector has increased – 28 per cent of those saying that it has increased substantially. Less than 20 per cent in total believe that it has decreased.

MALAWIAN MP:

‘Emphasis must be given to civil servants, as they are the permanent half of government.’

Although half of the respondents believed that prevalence of domestic business to public sector bribery remained at the same levels, 36.2 per cent believed that this, too, had increased (see FIGURE 5). This would seem to indicate that the focus on corruption, and on the variety of newly initiated anti-corruption measures, has failed to reverse the tide. It is difficult to determine, however, whether this represents the failure of the anti-corruption measures, or whether some of these perceptions are in fact due to increased reporting and awareness of corruption among civil society and the media, and an increased understanding of what practices might constitute it.

Measures to control corruption in these sectors will always prove problematic, not least due to the huge variety of instruments and procedures that corrupt officials and businessmen have at their disposal. Transparency International – Kenya has produced a report (TI 2002) which identifies and explains the mechanisms and systems used to transfer public resources into private hands. It provides a wide-ranging survey of the way in which tax and import duty exemptions, diversion of transit goods and disposal of impounded goods are all used as opportunities for corruption. The processes behind government tenders and procurement for large projects are also highlighted as useful instruments when stealing from the state: ‘...irregular government tenders and procurements provide probably the biggest loophole for transferring money from public coffers to private hands.’ (TI-Kenya 2002: v). A further example of large scale corruption is identified as the role played by state

corporations, many of which have lost millions of dollars in deposits in collapsed financial institutions, often in questionable circumstances.

A further report commissioned by DFID in 2004 (Kiiza 2004) analysed the links between business and politics in Uganda, and concluded that patronage and personal interest were key factors in the relationship between business and politics in Uganda. Civilian business associates and, in particular, military officers have profited under the crony capitalism which rewards people with links to those holding political office, including the President. This is compounded by the lack of effective institutions to scrutinize the activities which fuel corruption. These issues will be dealt with in more detail later in the report.

FIGURE 4:

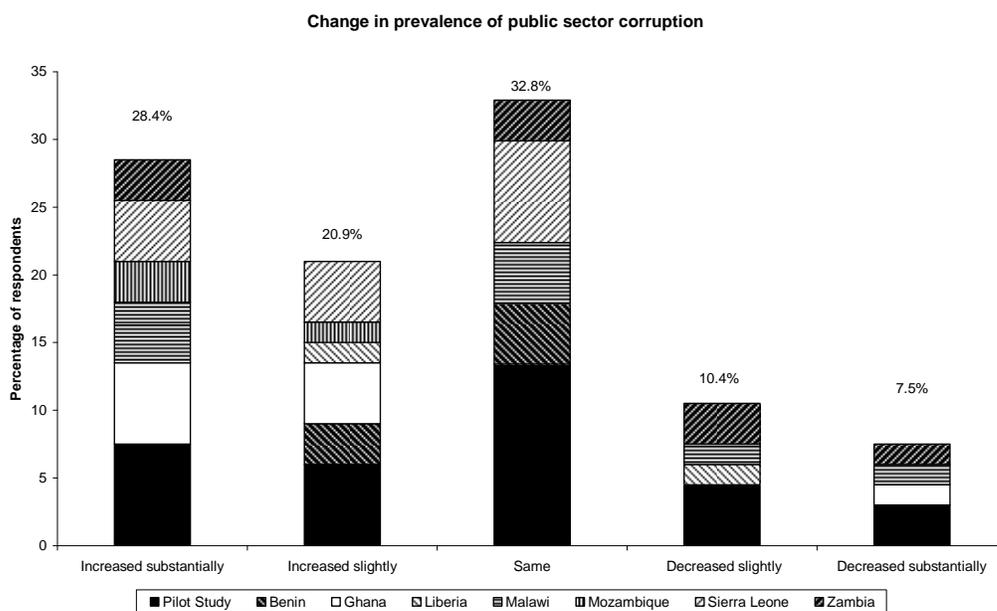
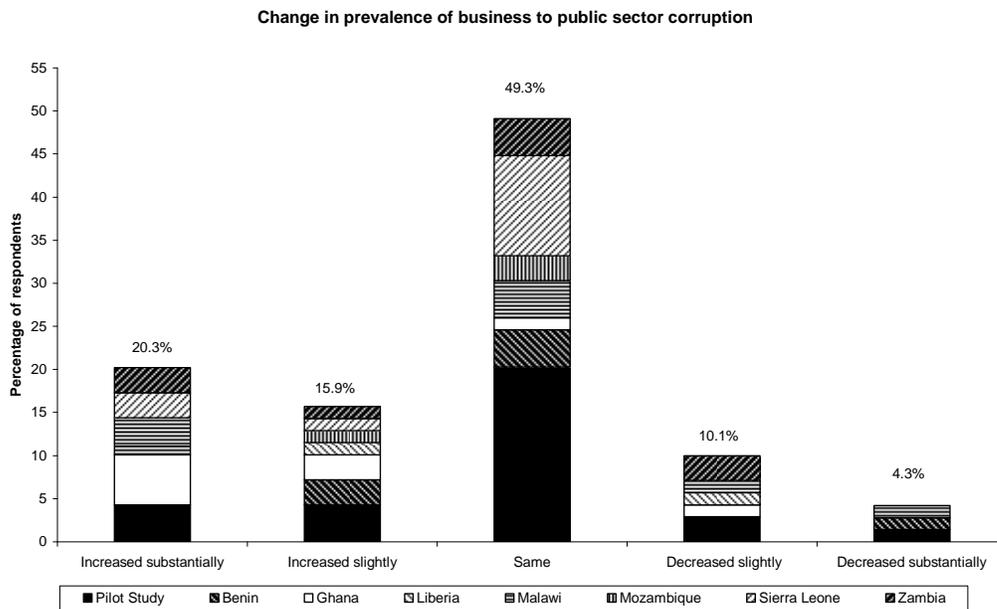


FIGURE 5:



With regard to attempts to control corruption, over 80 per cent of MPs believe their government does not do enough, or not nearly enough, in its attempts to enforce regulations against corruption. Furthermore, just over 70 per cent believe that not enough or not nearly enough is being done to promote anti-corruption education.

FIGURE 6:

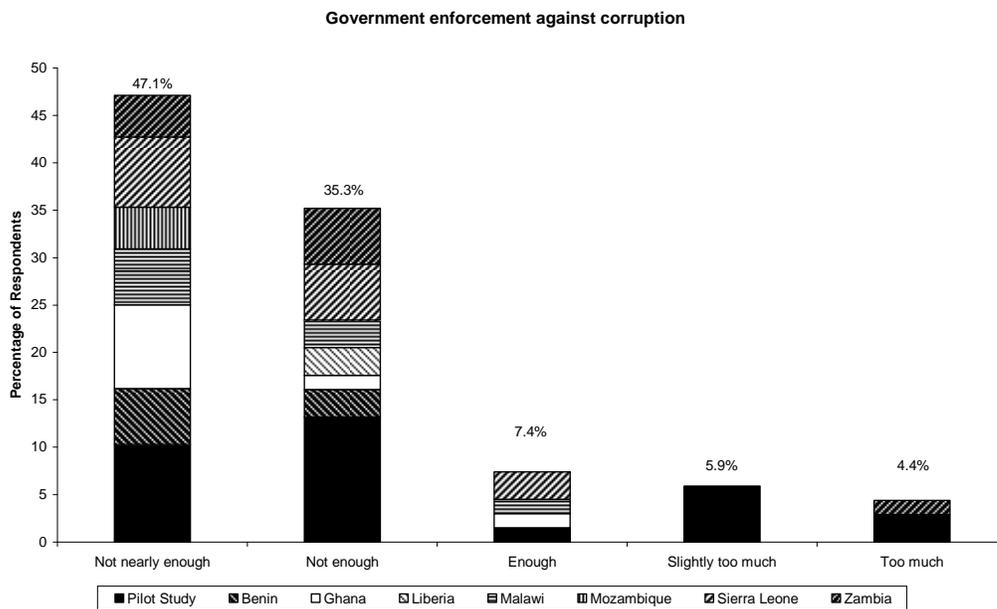
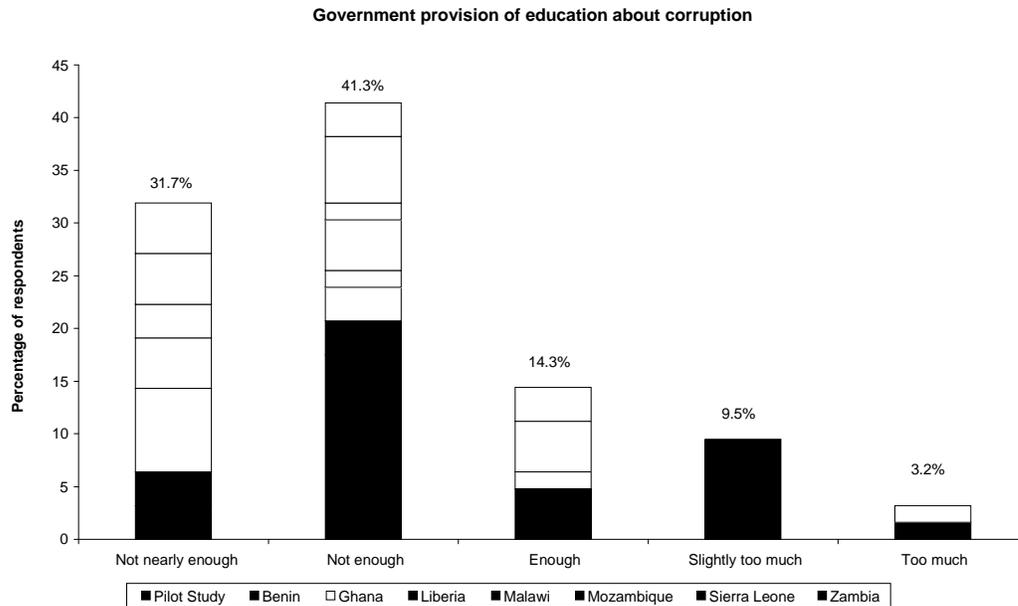
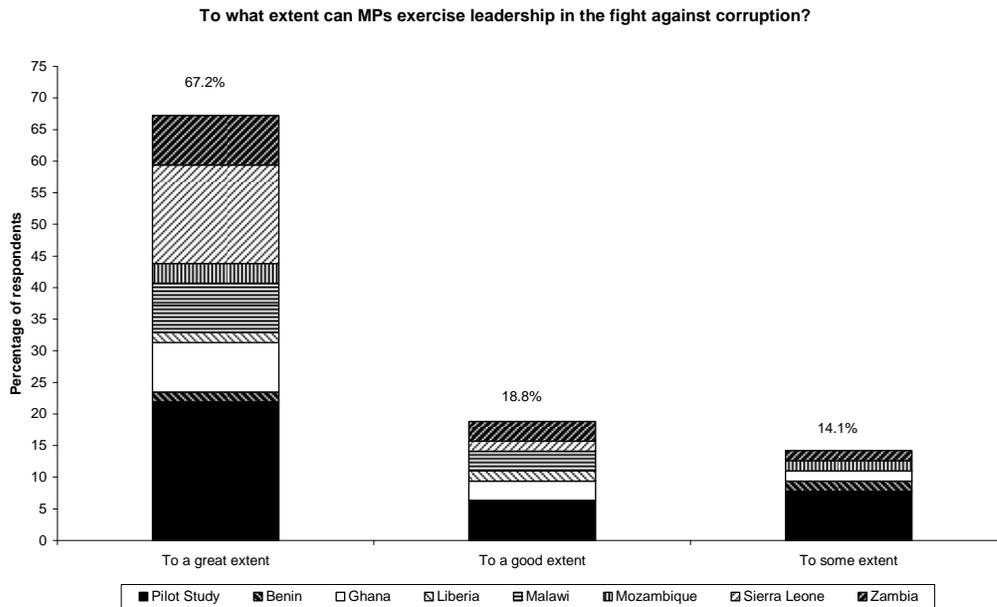


FIGURE 7:



One of the more encouraging results from the survey was the optimism expressed by the MPs who responded to the question – ‘To what extent can MPs exercise leadership in fighting corruption?’ (see FIGURE 8) All respondents believed that this was possible to some extent, with over two thirds (67.2 per cent) stating that MPs could exercise leadership on this issue to a great extent. Clearly, the fact that respondents are members of APNAC means that we would expect a positive response, but the high number of parliamentarians keen to act against corruption can only be seen as a positive sign.

FIGURE 8:



3. PARLIAMENTARIANS AND CORRUPTION

ZAMBIAN MP:

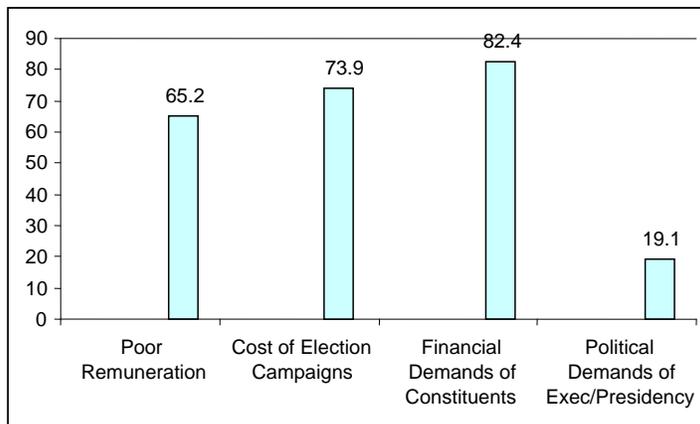
'To hold a successful rally people expect you to provide food...they don't expect relish or vegetables, they want meat. The voters think that this is the sort of MP we want; the one who has something to give, not a pauper.'

This section of the study explores the challenges that MPs face on a day to day basis whilst executing their duty as parliamentary representatives. It is a useful analysis of how MPs relate to their constituents and it looks at the limitations and resources in place. The low salaries that MPs receive are seen to be a big problem (see discussion below), as are the costs of the election campaigns that the MPs have to run. Apart from the political demands placed on MPs by the Executive three aspects were all seen as extremely significant obstacles to probity:

- Low remuneration;
- The need to raise resources for election campaigns; and,
- The financial demands placed on MPs by constituents.

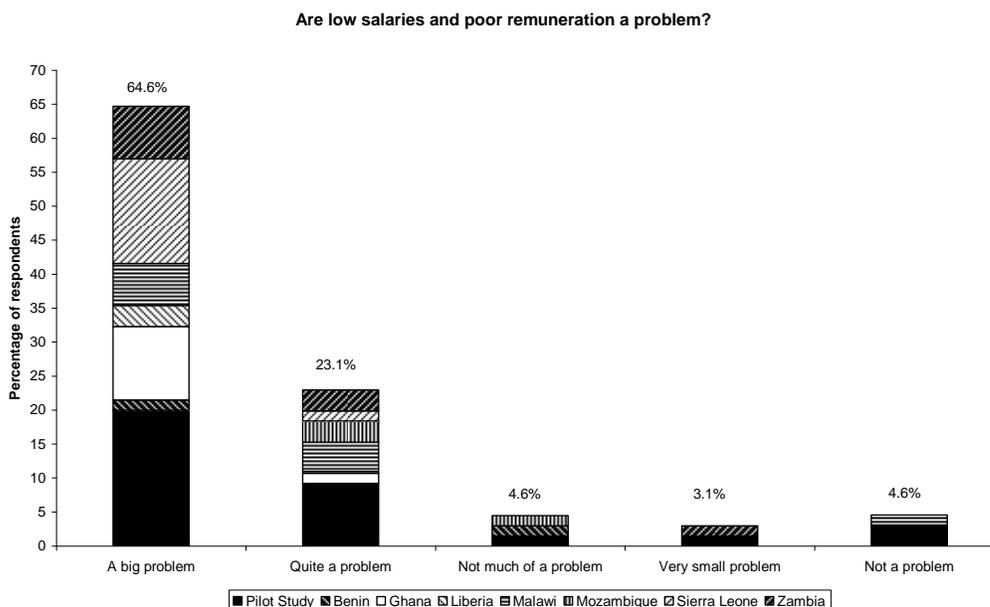
FIGURE 9:

Which factors pose a 'big problem' when maintaining MP's Standards of Probity?



(i) - POOR REMUNERATION

FIGURE 10:



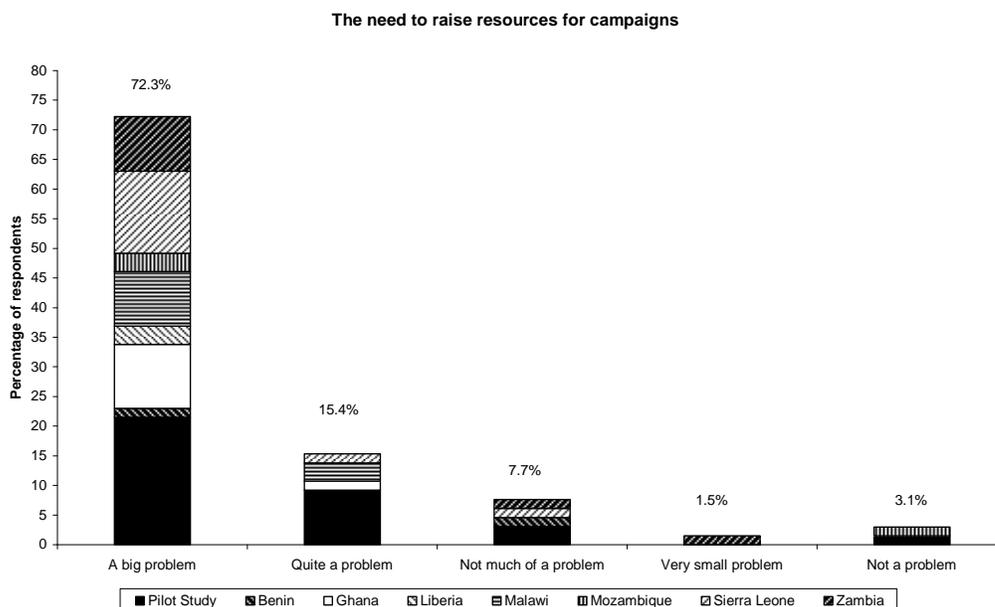
Finding reliable data on MP salary scales is problematic, but the responses here demonstrate that poor remuneration is viewed as an obstacle to the fight against corruption in all the countries of the survey. Although some individuals have viewed remuneration as not a problem, or as only a small problem, there is no obvious country bias. Of those that do not see it as a problem, some of their compatriots do. This indicates that some members might rely on private sources of income in addition to their salaries.

(ii) – ELECTIONS AND CORRUPTION

The cost of election campaigns was identified in the survey as an important obstacle to probity for MPs. A significant finding was that the presence of a 'party list' system of election, which should centralize spending and remove direct responsibility from the parliamentarians on an individual level did not appear to represent a useful solution. The sample is admittedly very small, but of the three MPs representing Mozambique (which uses a party list system), one identified the raising of funds for election campaigns as 'not a problem' while the two remaining respondents identified it as a 'big problem'. Mozambique does provide limited public party funding under the auspices of the 2004 Electoral Law Act. Benin and Malawi also provide public party funding, while Zambia, Ghana and Sierra Leone do not. Surprisingly, of only five respondents who replied that raising funds for election campaigns was not a problem or not much of a problem, one was from Mozambique and one was from Benin. The remaining three comprised of two from Zambia and one from Sierra Leone. This would indicate that campaign finance differs on an individual basis as the responses do not form a pattern with regard to whether or not there is party funding. It could be argued that the scale of the sums being spent on (re)election can dwarf the amounts available from public party funding. This could explain why a number of respondents from countries without public funding could categorize

election expenses as less of a problem. This could also indicate the fact that some MPs finance their election campaign themselves. If they are wealthy enough, they do not categorise this as a problem.

FIGURE 11:



The cost of the election campaigns does indeed appear to present a real challenge to the probity of parliamentarians, particularly when they have to finance the campaign themselves. It is also important to note that the vast amounts of money involved in the pursuit of power prove an important source of corruption. The siphoning of resources from state coffers can be an on-going activity. However: 'there are tendencies to scoop vast amounts of resources shortly before, during and immediately after the election year' (TI-Kenya 2002: vii).

(iii) – FINANCIAL DEMANDS FROM CONSTITUENTS

This factor is identified by parliamentarians as posing the biggest challenge to their probity, and a more detailed analysis of this issue demonstrates why this is the case. From issues of informal government, the misunderstandings surrounding the role of MPs and the challenge of ethical behaviour in a society exhibiting high levels of corruption, the debate about an MP's relationship with his or her constituents has been identified by this survey as a crucial factor in the debate surrounding corruption.

Parliamentary Democracy and Informal Government

Parliament is recognized in this study as a vital tool in the scrutiny of government, and therefore also in the fight against corruption. There are promising signs that parliament is increasingly aware of this

role, and that parliamentarians themselves are moving away from beliefs, previously held by some MPs, that their role was simply to act as an instrument of the Executive (Burnell 2003). Barkan (2004) argues that legislatures in Africa are increasingly emerging as significant institutions. Although many are still weak, particularly in relation to the Executive (see below) more and more are aspiring to a more significant scrutiny role.

One of the most crucial obstacles facing African MPs in particular, and one that can often be overlooked, is the difficult symbiotic relationship between the two processes of horizontal and vertical accountability – the way in which institutions of horizontal accountability *have to be* embedded in the processes of vertical accountability. To be effective, laws and institutions should reflect the moral beliefs of the society that they serve. Africa finds itself at an immediate disadvantage in that many of its institutions were imported from the west by colonial masters – institutions that had been developed and honed in a very different context. During this time, of course, Africans had developed their own modes of government. Today, in many African countries, the two systems function, sometimes quite smoothly, side by side. The problem for parliamentarians, however, is that while their role as an MP means that they must subscribe fully to the notion of a formal parliamentary democracy, their dealings with their constituents cannot always reflect this. The expectations placed on the MPs provide important examples of the way in which forms of African government and the expectations of local electorates come into conflict with anti-corruption measures..

- **Tanzania.** The Parliament of Tanzania recently amended the Election Act by including what is known as the traditional hospitality or '*takrima*' clause. This defines *takrima* as a material gift ostensibly given in good faith. There is some debate, however, regarding just how much this definition does reflect traditional customs – and to what extent it has been appropriated by the government to facilitate further corruption (TI-Kenya 2001). What it has allowed, however, is for politicians in effect to buy the votes of Tanzanians – particularly those who are poor or illiterate – by offering clothes, food and even cash in order to win votes. The voters suffer due to the calibre of the representative they end up with.
- **Kenya.** *Harambee* works in a similar way in Kenya. The difficulty is that these traditional notions of *Takrima* or *Harambee* **can be accepted** in society (TI-Kenya 2001), and this can blur the line of corruption – at least for those constituents on the ground who may be perfectly unaware that democracy is supposed to operate in any other way – namely for the common good.
- **Ghana.** Even for those who are more aware and educated, the role of traditional organization is often very apparent. A study of gun control in Ghana argued that a pronounced dualism exists there (Aning 2007). The official system, with its parliament, judiciary and all other accoutrements exists on the surface, but underneath an unofficial system, which is informal and cultural, operates. Ghanaians are used to shifting between one and the other whenever it is deemed appropriate. The official system is increasingly perceived by the populace as alien and corrupt, but it barely acknowledges the unofficial system. The second system is embedded in the values and ethical concerns of the society. Although one may be forced to

observe the first system – one is morally obliged to observe the second. Aning (2007) concluded that when it comes to harnessing the active involvement of and law enforcement within the community, we are definitely in the realm of the second, informal, form of government.

Demands from Constituents and the Role of an MP

SIERRA LEONEAN MP:

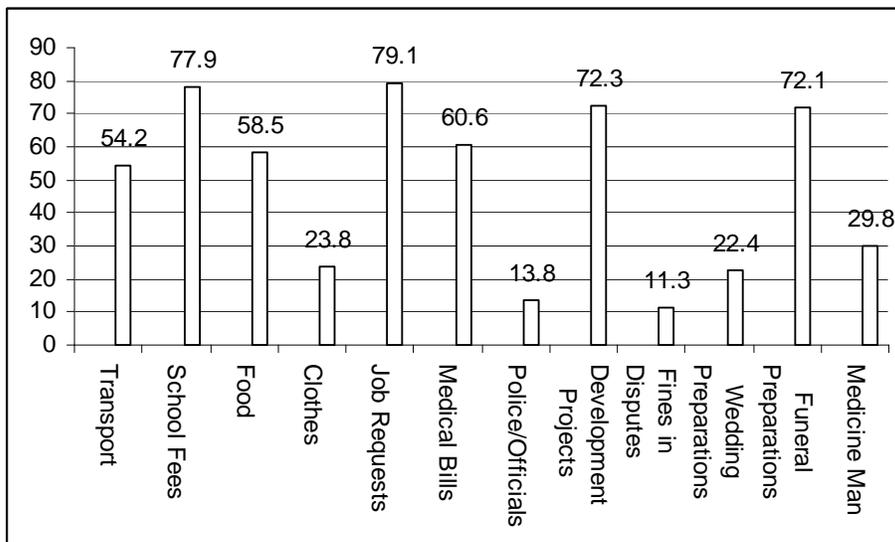
'Most people tended to vote for those who gave them more funds – I suppose because of the poverty situations – most people only think about today not the future.'

In western models of democracy, a political representative is rarely expected to bear the burden of his constituents' problems *personally*. The way in which African democracy has developed in tandem with other forms of government, means that the role of an MP is viewed differently. The often paternal nature of support provided in an informal system, or through traditions such as '*Harambee*', has meant that the role of a parliamentarian can present difficult choices. The fact that the demands of constituents are rated as the biggest problem when trying to maintain standards of probity demonstrates the extent to which these expectations strain the role of a democratically elected representative. One of the most significant findings of this study is the way in which it highlights just how the role of a Member of Parliament is perceived within the countries studied.

Both constituents and supporters place many requests for 'assistance' to Members of Parliament. The respondents were asked to comment on the types of demands which they were facing. 78 per cent of respondents had been affected or deeply affected by requests for cash for school fees, and 72 per cent were affected or deeply affected by requests for cash for both development projects and funeral preparations. The most frequent request, however, was for a job. 79 per cent of the parliamentarians questioned were affected or deeply affected by the issue of constituents asking for jobs (see FIGURE 12).

FIGURE 12:

Which requests for assistance affect you most?



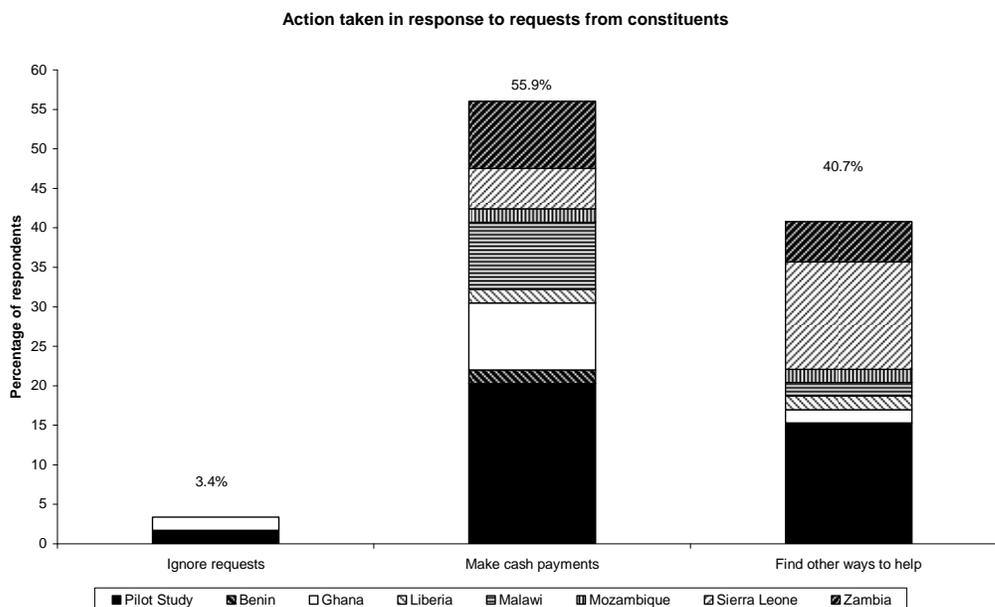
Responses from the survey demonstrate the great challenges facing African MPs. They have to deal with difficult situations – sometimes in the light of HIV/AIDS these can be seen as humanitarian crises. The expectations on African MPs create a huge obstacle to their attempts to fulfil their role as legislators and concentrate on scrutiny of the Executive. These results demonstrate the fact that some corruption research can be misleading in the way that it attempts to compare directly the role and experiences of an African MP with that of a western MP.

- Over **half** of those asked reported that they dealt with these requests by making cash payments.
- **41 per cent** said that they found other ways to help.
- Only **3.4 per cent** said that they ignored the requests.

ZAMBIAN MP:

‘Every day you wake up and there is somebody outside your gate waiting for you because they expect you to give handouts and to sort out all their many problems. And in these days of HIV/AIDS people are dying virtually every day and they expect you to contribute towards funeral expenses, the purchase of coffins, you know, expect you to contribute towards orphans of whom there are so many.’

FIGURE 13:



The Challenge of ‘Ethical Standards’

MALAWIAN MP:

‘With such huge expectations, I don’t think they care how one gets money.’

One of the most crucial aspects of these results is the impact these findings have on the notion of ‘moral norms’ and corruption. As norms simply refer to the behaviour that a given society regards as normal, moral norms are those patterns of behaviour that are accepted as ‘good’ both by society as a whole and internally within the *individual*. Where behaviour, although potentially not internally accepted as ‘good’, has become normal behaviour in any given society – it becomes far harder to combat. Sanctions within society are necessarily weaker as the behaviour becomes accepted – and the internal perception of individuals is also weakened. The general acceptance of the behaviour means that the negative feelings associated with that behaviour are also lessened.

ZAMBIAN MP:

‘Being a member of parliament doesn’t mean that you are holy...It is not only the ministers. Even members of parliament, even the governors, even the district commissioners, everybody!’

This creeping erosion of moral standards in public life, and more particularly in political leadership, has not gone unnoticed. Ayittey (1992) argues against the thesis that the pervasive corruption in Africa can simply be traced to the injustices and iniquities bred by the colonial system. Indeed, he goes as far as to accuse Africans of ‘carping’ about colonial exploitation (Ayittey 1992: 13). He argues that the ‘black neo-colonialists’ who inherited the newly liberated African states were, if anything, worse than the previous white colonialists, and states that Africans are culturally, politically and economically worse off than they were at the time of independence in the 1960s. He rails against the fact that, in their rush to renounce the West, the new governments of Africa embraced the ‘alien’

East – the result being that the curtailment of freedom was exacerbated. This argument is reflected in Radithokwa (1999) who blames the spread of corruption almost solely on a crisis of leadership, accusing African leaders of a lack of self-discipline, allegedly in contrast to those who have led Asian states to prosperity. This focus overlooks, however, the institutional factors that have enabled this crisis to occur.

A slightly more nuanced account is provided by Hope (1999), who focuses on the crisis in ethical leadership in Africa. He explains how the ethics of a society precede and lead to law: ‘The ethic that is embodied in the law is usually based on the morality of the majority of a society. When the morality of the majority operates at a level lower than the law, as in the entrenchment of corruption in Africa, it leads to a breakdown of law and endangers the society’ (Hope 1999: 289). Some of the responses in the present study reflect this notion – the most glaring example being the link between bestowing ‘your’ vote and expecting something specific in return on a personal level. This attitude is so pervasive that it is fundamental in stymieing parliament’s role as an agent of scrutiny and a force in the fight against corruption.

Hamir (1999) also argues that the primary cause of corruption is the greed and dishonesty of individuals lacking a code of ethics. He does focus, like Hope, on the lack of ethical leadership, but he also includes the general public in this concern – particularly when religious or ethical teaching is weak and leaders are not capable of inspiring and influencing people towards high moral standards. Although economic factors are said to include low salaries and poor services, the primary focus on intrinsic ethics does neglect the possibility that corruption is practised for survival rather than enrichment. Hamir concludes that the first step in fighting corruption should be the cultivation and practice of high ethical standards and personal integrity. This is easy to conclude, but unfortunately it is extremely difficult to achieve.

Chapman (2005) explains just how difficult it can be to withstand a widespread acceptance of corruption. Those who refuse to participate can be seen as naive, even by those who suffer the negative consequences (Chapman 2005: 71). It can also take courage to resist. Those in senior office can risk the retaliation of colleagues determined to protect their own interests, while subordinates can risk their jobs if they choose to take a stand against corruption. Indeed, when Obasanjo began to attempt an anti-corruption agenda as he first took office, the Speaker of the House asked: ‘Who is Olusegun Obasanjo to wake up one day and decide that corruption, which has become a way of people’s life in Nigeria, is now an evil?’

4. PARLIAMENTARIANS AND THE FIGHT AGAINST CORRUPTION – STRUCTURAL IMPEDIMENTS

Respondents to this survey have expressed great optimism regarding their role as leaders in the fight against corruption. As members of what should be the leading instrument of scrutiny in a democratic society, it is a vital role. However, the obstacles facing MPs, both in their fight against corruption – and even when they attempt to perform their day-to-day duties – are many. We have seen above how MPs themselves recognize the threats to their own probity. These motivations are not easy to dismiss, particularly as they can act as drivers, making corruption appear unavoidable and necessary. The survey has highlighted the impact these factors can have on MPs' choices and behaviour.

In addition to these threats to an MP's own probity, however, there exists a set of structural impediments which, regardless of the intentions of an MP, can act to thwart the attempts made to combat corruption. The following section looks at the various instruments that could prove to be useful tools in the fight against corruption, but all too often prove to be, at best, ineffective and at worst, counterproductive.

High Levels of Corruption in Society

We have seen that maintaining ethical standards in political leadership can prove to be a challenge, particularly when corrupt behaviour becomes a norm that is more readily accepted. Respondents were asked to describe the extent to which corruption affected the sectors in their society, with five options rated from 'deeply affected' to 'not much affected'. Figure 14 demonstrates the percentage of respondents who perceived each sector as being 'deeply affected' by corruption. This report has discussed the role of the Executive and the 'power preservation' corruption in which the presidents of many of these countries have been engaged. However, the respondents of this survey appear to have experienced a greater extent of day to day corruption through their dealings with other agencies. The civil service, revenue collection agencies and the security services are all perceived to be labouring under very high levels of corruption. An important point to note, however, is that such agencies can act as a tool of power preservation for the Executive – and the Executive can be complicit in these high levels of corruption. This is because the majority of appointments to all these agencies are often in the President's gift. By appointing supporters and loyalists to positions in these agencies, the President both buys their loyalty – and increases risks by giving supporters access to a source of income and/or power that they do not wish to lose. Corruption in these agencies, therefore, is often a function of a Presidential web of patronage politics.

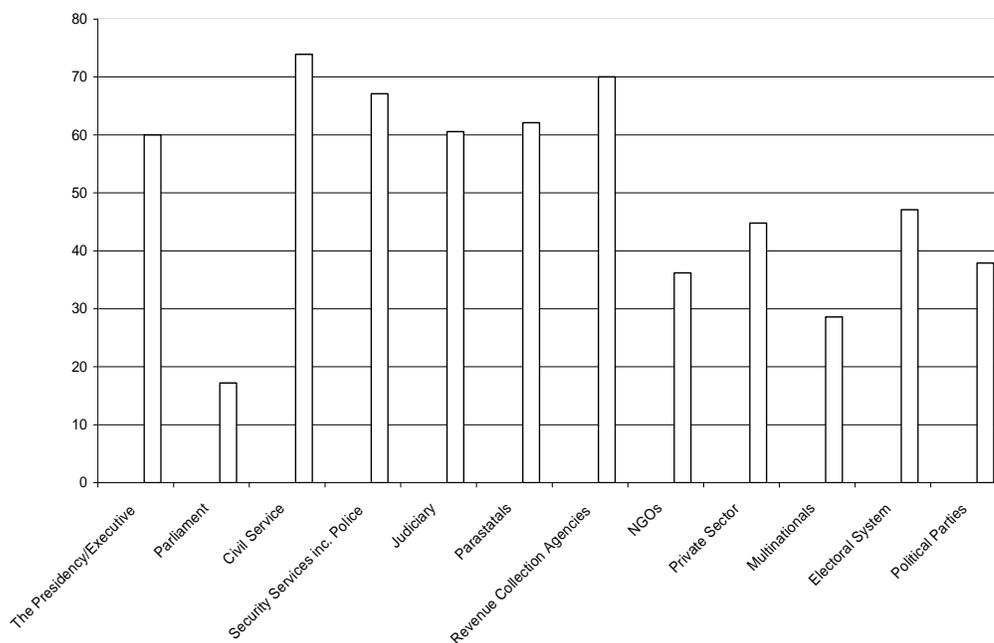
For corruption truly to flourish, a conducive environment is necessary. Once the attitudes of both politicians and citizens begin to exhibit an acceptance of corruption, the situation can spiral. Reports have noted that many appointments for high office, in both key corporations and government

ministries, are made from way down the ladder – apparently in an effort to ensure pliable personnel (who would be very dependent on the patronage that had promoted them so quickly). An added bonus would be the fact that these inexperienced members of staff would provide weak leadership and would not be versed in the proper systems and methods for enforcing rules. This would provide an ideal situation in which corruption could develop and spread. The difficulty is that many of these appointments are made by the Office of the President. Where power is so heavily concentrated, the importance of ethical leadership takes on an enhanced significance.

It would appear that corruption is seen as being considerably worse in the public than the private sector. Most criticism was reserved for the civil service, with 73.9 per cent in total seeing it as either ‘deeply affected’ or ‘affected’. Revenue collection agencies, perhaps understandably given the opportunities for corruption provided by the nature of their work, were seen as an area with similar levels of corruption (70 per cent), with 60 per cent also perceiving the President/Executive and the Judiciary as either affected or deeply affected by corruption. Foreign influences fared much better, with 36.2 per cent of non-governmental organizations (both domestic and international) and only 28.6 per cent of multinational companies being viewed as either affected or deeply affected. The

FIGURE 14:

Which sectors are deeply affected by corruption?



fact that the Executive is perceived as having a significant problem with corruption is, however, significant in this context (see FIGURE 15). Foreign interests could maintain corruption within the private sector, or enter into corrupt dealings with the Executive whilst bypassing the legislature.

The outstanding result is that which pertains to corruption in parliament: only 16.7 per cent of MPs across the survey see it as being either affected or deeply affected (see FIGURE 16). These latter responses came from Sierra Leone, Benin and Liberia. However, although two respondents from Sierra Leone judged parliament as being deeply affected, other MPs from Sierra Leone viewed the

situation differently, with all its remaining respondents categorizing parliament as less affected or not much affected. These responses did not necessarily vary according to whether the respondent was in government or opposition. Of the three opposition MPs that replied, one saw parliament as deeply affected, whilst the other two believed it to be less or not really affected. One government MP also saw parliament as deeply affected. (See below for further discussion of 'Corruption in Parliament'.)

FIGURE 15:

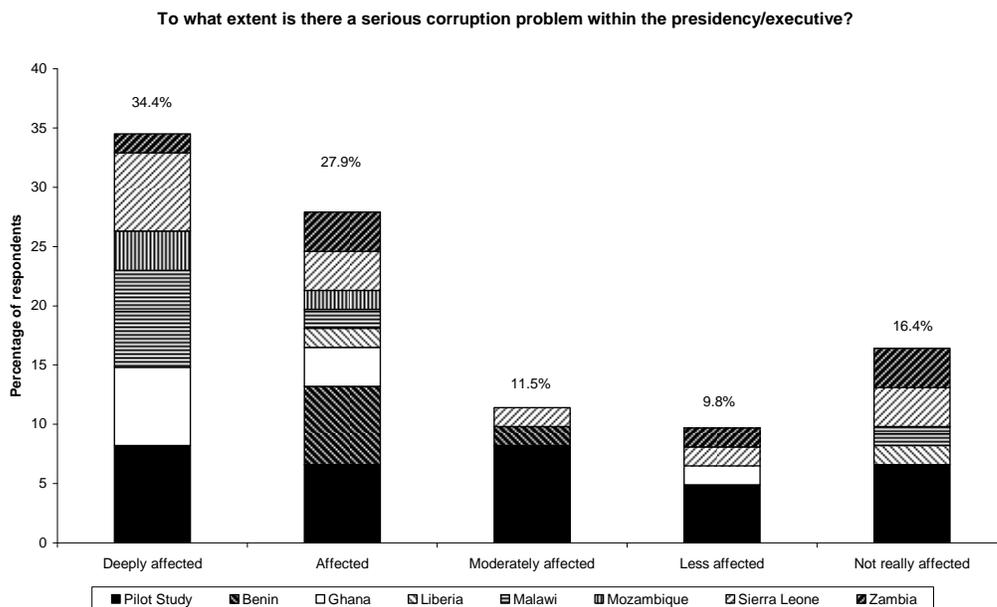
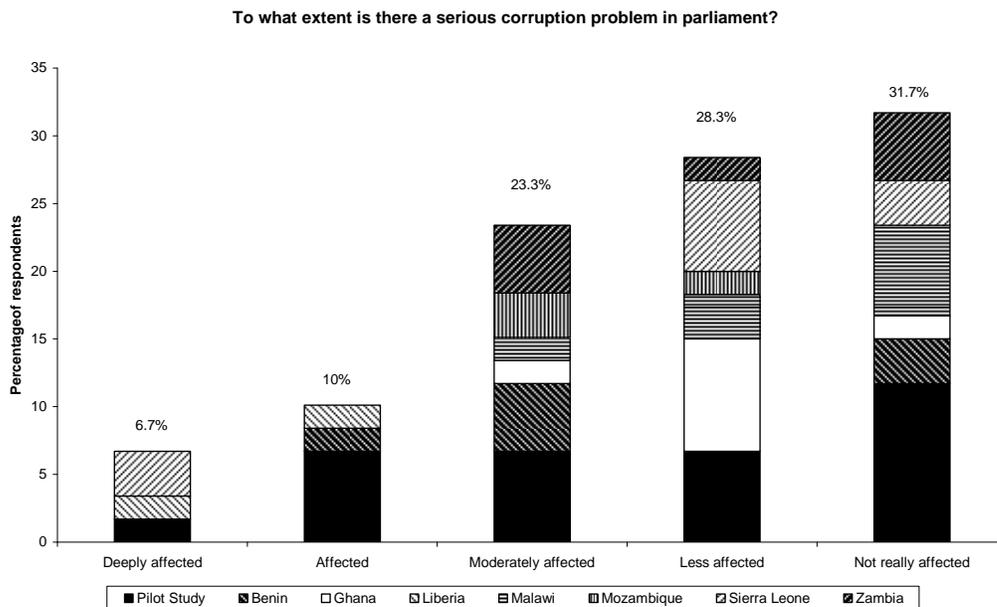


FIGURE 16:

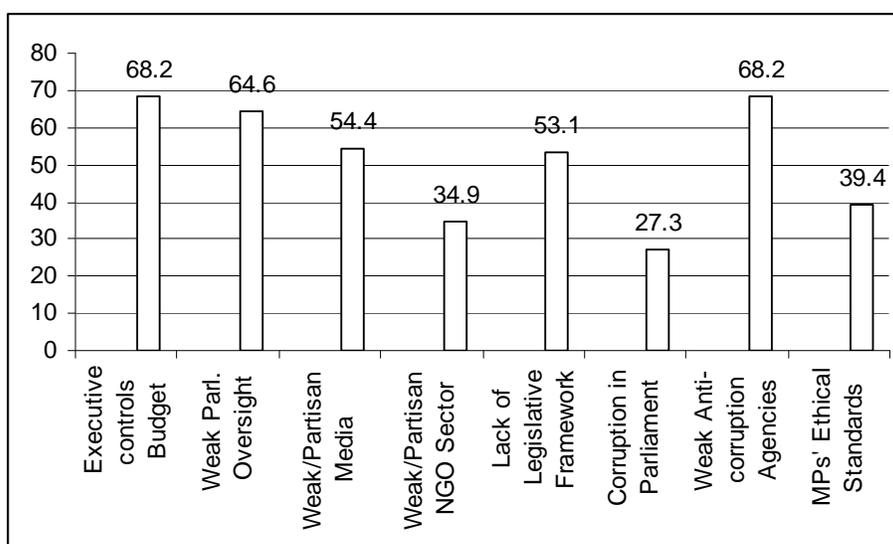


Barriers to Anti-Corruption Reforms

Question 5 in Section C asked the respondents what they considered to be the most severe impediments to being able to fight corruption effectively as an MP. A wide range of issues were identified, with structural impediments figuring very highly (see FIGURE 17). The lack of parliamentary control over the budgetary process, caused by the fact that the Executive controls this process, together with ineffectiveness of anti-corruption agencies form the most severe impediments to the ability of parliamentarians to counter corruption. The weakness of parliamentary oversight committees is also highlighted, indicating that the efforts of MPs can often be stymied by the power vested in the Executive.

FIGURE 17:

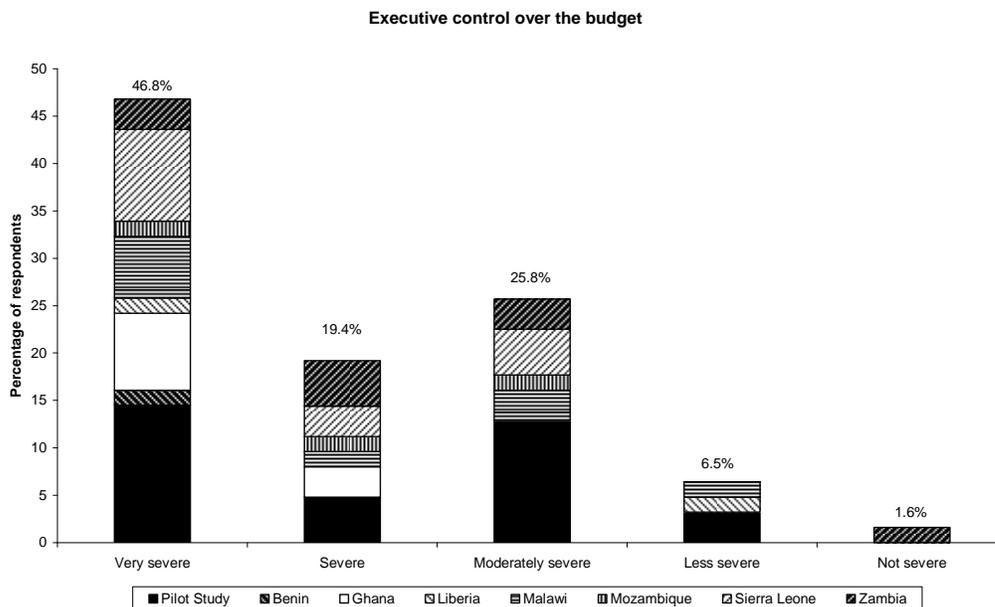
Most severe impediments to MPs' fight against corruption



(i) - BUDGET REFORM AND EXECUTIVE POWER

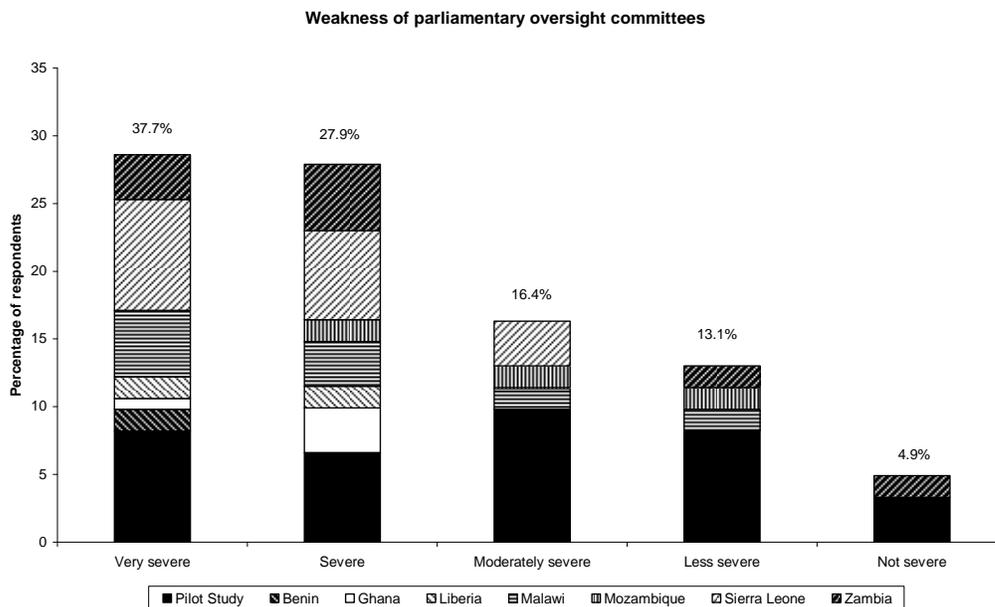
A major structural problem in African democracies is the concentration of power in the hands of the Executive. It has been noted above how this can be seen as an inheritance of the colonial system, and a result of the way in which imperialist interests shaped the newly independent countries that they were in the process of leaving. Yet there seems to be an insufficient focus on this in some of the anti-corruption literature. It is true that any person who wants to take a stand against corruption in the executive would find themselves up against a significant web of vested interests and, in some examples, almost unassailable power. Worrying signals have come from Kenya, for example, where a decision taken by the High Court in 2002 has meant that public officials would be exempt from any charges of corruption after 9 years had elapsed (TI-Kenya 2002). This impunity for the Executive is very important in the development of a corrupt culture. The strength of the Executive also relates directly to the weaknesses of parliamentary oversight.

FIGURE 18



(ii) – WEAKNESS OF PARLIAMENTARY OVERSIGHT COMMITTEES

FIGURE 19:



These results indicate that the Ghanaian and Liberian parliamentarians were unanimously unhappy with the performance and capabilities of their parliamentary oversight committees. However, of all the countries in this survey, Ghana has probably the strongest instruments in place to oversee Executive activities within parliament. Indeed, the Finance Committee has instigated provision for pre-budget consultation with Ministry of Finance and the Public Accounts Committee requires quarterly statements on budget execution and has held public hearings. In 2007 the Public Accounts

Committee was granted its own budget and power to approve the budget of the Auditor General. The Auditor General must audit all public accounts and submit a report to parliament within six months of the end of the financial year in order that they can be debated in parliament. This is an indication that *standards* of probity and scrutiny have an important impact on an MP's perspective regarding corruption. The Ghanaian parliament has been successful in securing more oversight powers than the other legislatures in this study, and yet the MPs remain the most dissatisfied with their capabilities.

Parliamentary oversight committees should be a crucial tool in the fight against corruption, but in many countries, they prove to be too weak to be able to fulfil this function adequately. Burnell's (2003) examination of relations between the legislature and the executive in Zambia explored the understanding that Members of Parliament had of their own role. He explains that the Second Republic's one party state still influences the way MPs understand their function. 'In short, MPs are agents of the executive' (Burnell 2003: 58). He explains that some MPs would express the view that their role was to interpret official policies and implement government programmes in the constituencies. Intolerance towards dissent is also apparent, with the government strongly criticizing the opposition for being negative and for failing to offer constructive alternatives. The idea that parliamentarians have a legitimate function to hold the executive in check and critically debate public policy is a contested idea. It is also complicated by the competing interpretations of MPs' main responsibilities – these are best understood within a context of neo-patrimonial relations (Burnell 2003: 59 – and see 'Requests from Constituents' above).

The role of MPs is further undermined by outright bribery and political bullying. Tangri and Mwenda (2001) discuss this form of corruption in the context of Uganda's privatization processes in the 1990s. As scandals and rumours of corruption began to surface around the privatization programme in the late 1990s, parliament voted overwhelmingly to suspend the programme, and established a Select Committee on Privatization. Unfortunately, the final report of the Committee, released in October 1999, differed greatly from the interim report of November 1998. Calls for Museveni's brother, Salim Saleh, to face criminal prosecution had been removed. Criticisms of the whole management of the divestiture process had also been removed – 'and it was widely known that the parliamentarians involved in the drafting of the final report had been bribed to alter their findings' (Tangri and Mwenda 2001: 133). The Appointments Committee in Uganda has also been dismissed as 'just a bubble', with Nganda stating that 'it is wont to reject an appointment – with sound reasons – only to turn around after a meeting with the president' (Nganda 2003). Outright bribery, political coercion and confusion surrounding the role of an MP are all compounded by a set of – often logistical – complications which undermine the role of an MP even further.

An assessment of Mozambique's parliamentary oversight (TI: 2005) concluded that the following reasons all contributed to undermining this oversight ability:

- The capacity of the MPs is weak. They often lack training and political preparation and some are appointed without sufficient academic capabilities commensurate with their legislative responsibilities
- The Parliamentary Secretariat lacks sufficient technical capability for analyzing many of the more complex policies – the State budget in particular

- Parliament does not approve tax rates
- There are insufficient resources for MPs to travel in order to carry out their inspection and supervision responsibilities
- Main political parties seek only to oppose each other and rarely engage in well-informed, citizen focused policy debate

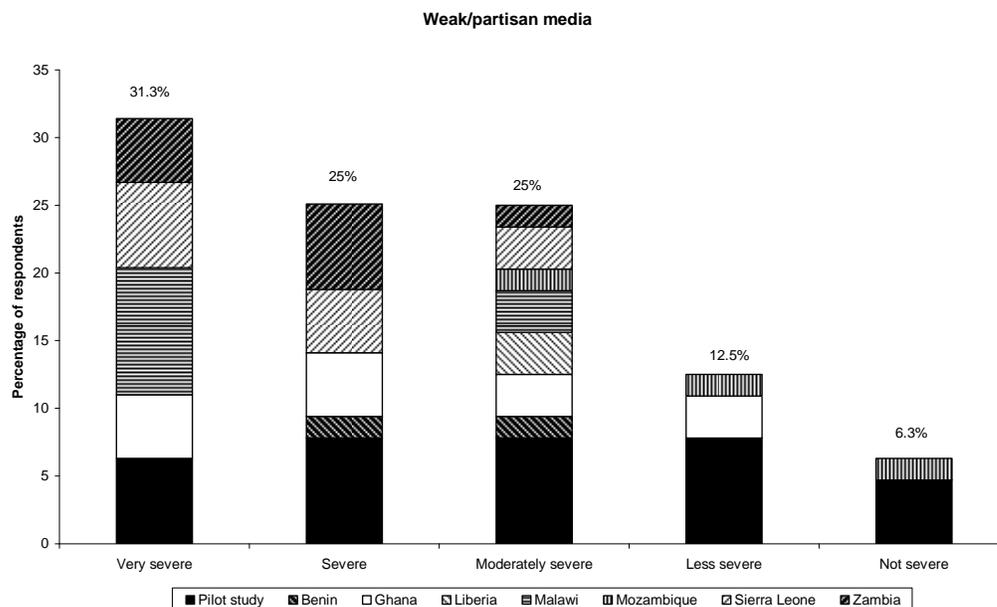
In addition to these aspects, Mozambique also operates under a Party List system, and it could be argued that this results in MPs having little direct relationship with the citizens that they are supposed to represent. This does also mean, however, that they are not always exposed to the same nature of demands from their constituents as those MPs who are directly elected by their own constituents.

These factors all contribute to the state of affairs which sees parliament's role in the scrutiny of the executive being ever further undermined – and it explains why 65.6 per cent of respondents to the survey believed that weak parliamentary oversight was a 'severe' or 'very severe' impediment to being able to fight corruption effectively as a Member of Parliament (see FIGURE 19).

(iii) – A WEAK AND/OR PARTISAN MEDIA

The media is an extremely significant tool in the fight against corruption, particularly in a democratic society. It is vital in informing the people both of the scale and nature of corruption, and about initiatives to combat it. Unfortunately, those in power are well aware of the potential effects of media scrutiny and there have been many attempts to undermine the freedom and impartiality of the press. State owned papers are often used as the mouthpiece of the government. Journalists who persist in attempting to expose corruption scandals often suffer intimidation and even physical abuse. Andrew Mwenda's experience in Uganda is a good example of this harassment. As his investigations into corruption bring him closer to Museveni, his office has been raided and he has been physically attacked. Pressure has also been applied on newspaper editors to ensure he is not free to report any findings that would show the president in a negative light.

FIGURE 20:



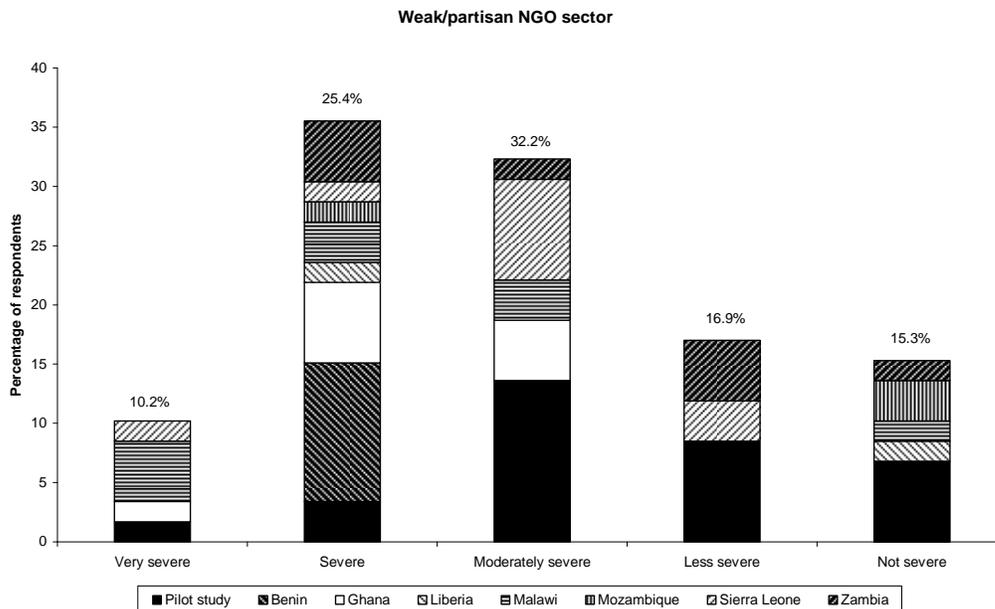
(iv) – A WEAK AND/OR PARTISAN NGO SECTOR

In comparison with the other impediments facing MPs, the NGO sector does not fare as badly as other sectors, with 35.6 per cent of respondents viewing it as a ‘severe’ or ‘very severe’ impediment to the fight against corruption (see FIGURE 21). The fact that it is viewed as an impediment at all is however, disappointing. The problem with development assistance, from both large multilateral agencies and smaller NGOs, is the *opportunity* it provides for corruption. A report by TI highlights the fact that the major thrust of larger scale corruption has been directed towards development funds, rather than recurrent budgets. The substantial sums involved in large projects can be accessed before the public has a chance to ask questions in a way unavailable in recurrent budgets. Cooksey (2002: 47) also argues that ‘...aid, in the form of project loans in particular, creates many opportunities for patronage, including project location, hiring project staff, training opportunities, procurement and purchases, and consultancy.’ Bahre (2005) also indicates that corruption is often present in smaller scale NGO cooperation programmes. He explains that it can often be ignored or overlooked, firstly because it is difficult to express opposition towards an organization in which one works, and secondly, because some aspects of a project might be working well – and the corruption aspect is therefore sidelined as a necessary evil. Evidence from those affected shows just how much the NGOs can help, but also the problems some can cause. The significance of these factors strongly supports Christian Aid’s recent internal position on corruption, and its acknowledgement that the development lobby has had its ‘head in the sand’ on the issue of corruption in development programmes (Christian Aid 2006).

Transparency International’s National Integrity System Report on Sierra Leone (TI 2004b) identifies, however, just what positive effects some NGO and civil society organizations can have on the development. Civil society organisations perform crucial roles in the socio-economic and political development of Sierra Leone. The Campaign for Good Governance is given as an example of an

NGO that monitors government delivery services and also sensitises the public on fundamental human rights. The Campaign for Good Governance primarily deals with issues of governance through the sensitisation of the public, and networking with other civil society groups on national issues concerning governance.

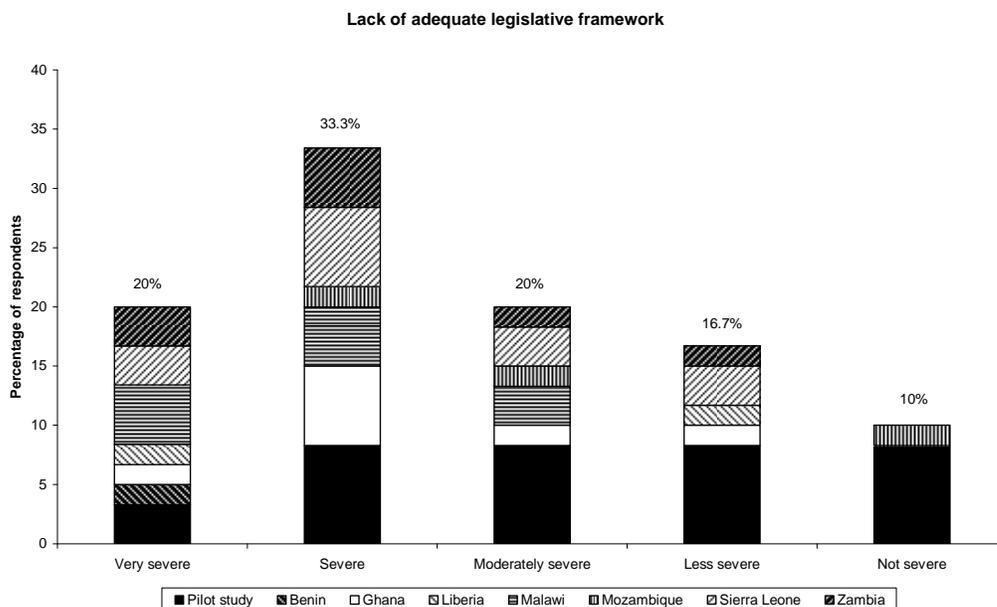
FIGURE 21:



(v) – LACK OF AN ADEQUATE LEGISLATIVE FRAMEWORK

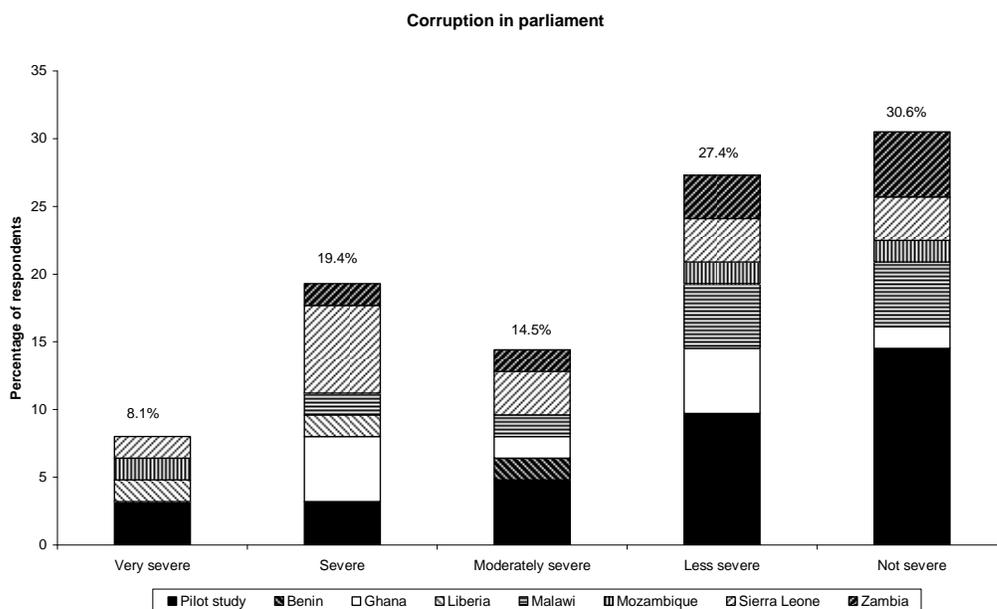
In 2006 a joint study was undertaken on behalf of APNAC-Uganda (APNAC-U) and Transparency International – Uganda (TI-U) to determine the extent to which existing anti-corruption legislation and policy complied with the requirements of the 2003 African Union (AU) Convention on Preventing and Combating Corruption and Related Offences (TI: 2006). The study demonstrated on one level how important a legislative framework was in providing the basis for a normative regime for the prosecution of acts of corruption. In this particular case, the report demonstrated that anti-corruption legislation in Uganda fell short of what was required under the auspices of the AU Convention. This was exacerbated considerably by the institutional weaknesses of the anti-corruption institutions. Figure 22 illustrates the fact that the lack of an adequate legislative framework is seen as a severe impediment in the fight against corruption to the majority of the respondents, particularly those from Ghana, Malawi, Sierra Leone and Zambia.

FIGURE 22:



(vi) – CORRUPTION AND THE WORKINGS OF PARLIAMENT

FIGURE 23:



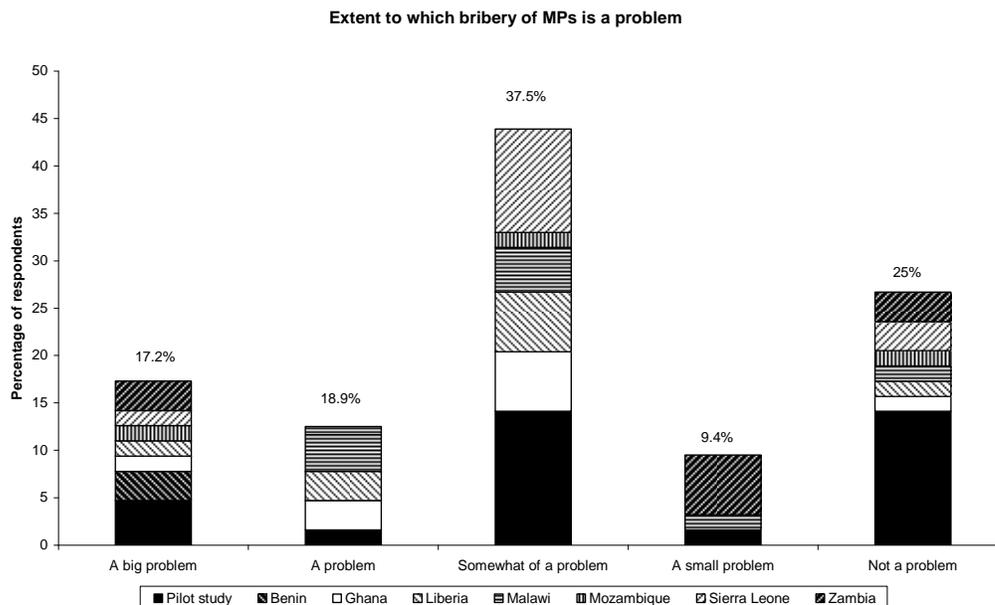
Results from this section of the survey should leave observers optimistic regarding the potential of parliament as a leading force in the fight against corruption. According to the respondents to the survey, with only 27.5 per cent of respondents viewing corruption in parliament as a ‘severe’ or ‘very severe’ impediment in the fight against corruption, this came as the lowest ranked problem. However, an analysis of further evidence forces one to question these conclusions.

ZAMBIAN MP:

'The people have a view of politicians being corrupt. This brings/breeds distrust between them and the politicians.'

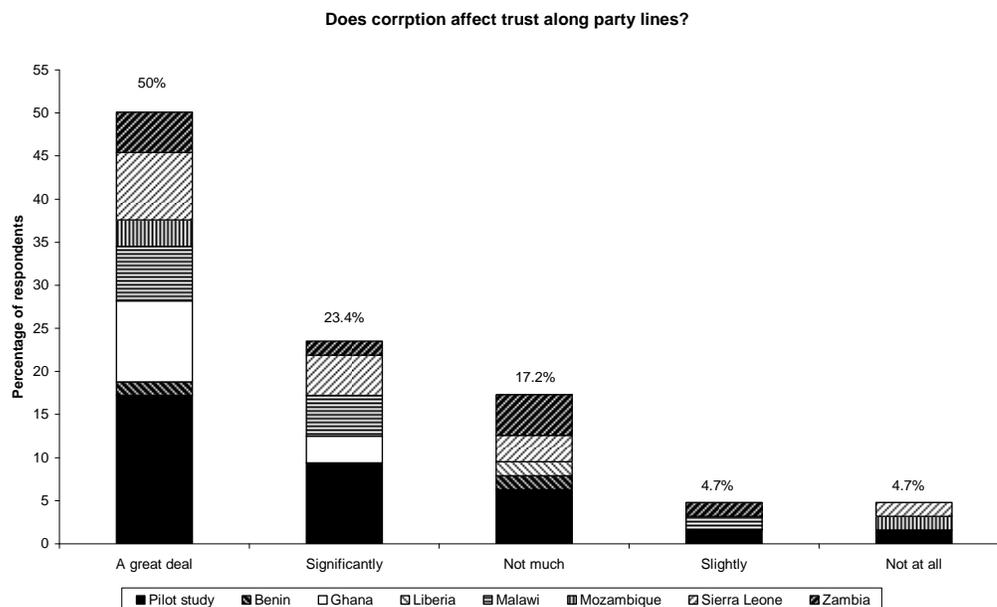
There is evidence that bribery of MPs in order to affect the way they vote or otherwise carry out their responsibilities is fairly common (see FIGURE 24). The majority of respondents did perceive this to be somewhat a problem (37.5 per cent). A further 36.1 per cent saw bribery of MPs as either a problem or a big problem. 25 per cent believed that bribery of MPs was not a problem. In other words, almost three quarters of respondents believed that bribery of MPs was, at the least, 'somewhat a problem'. The distribution of responses between parliamentarians from different countries demonstrates that the problem appears to be more pronounced in Liberia, Malawi, Benin and Ghana, although the majority of responses covered the range of categories – even from those in the same countries – see for example, the replies from Mozambique which fall neatly across the chart.

FIGURE 24:



Respondents were asked to identify the extent to which corruption affected political trust along party lines. Political trust was defined as the ability of political actors to have faith that colleagues would stand by particular issues that they had already rhetorically expressed. The fact that this is so significantly affected by corruption (see FIGURE 25) would certainly undermine the electoral choice within a multi-party democracy. The electorate (should) make their choices on the candidate's platform. Whether a candidate would act in a way that is supportive of that very platform is then open to question. An evaluation of these responses by country also demonstrates that the problem appears to be more severe in Ghana, Malawi and Sierra Leone, with respondents from the remaining countries again providing answers that ranged across all categories.

FIGURE 25:



Respondents were very clear about the extent to which corruption can affect political trust with regard to whether you could trust your colleagues to maintain a party line when it came to voting. They were also well aware of the effect this behaviour had on the perceptions of the public.

SIERRA LEONEAN MP:

‘Very few people manage to withstand the pressure of corruption even within political parties. There is in this country a lot of crossing over to the ruling party by some members of the opposition when money and positions are promised.’

GHANAIAN MP:

‘At times when a decision is taken, for example, to boycott proceedings of parliament, some members betray that because of foreign travels and monies to be earned from committee work. Some are even called by executives and promised certain benefits.’

(vii) – ANTI-CORRUPTION AGENCIES

Definition

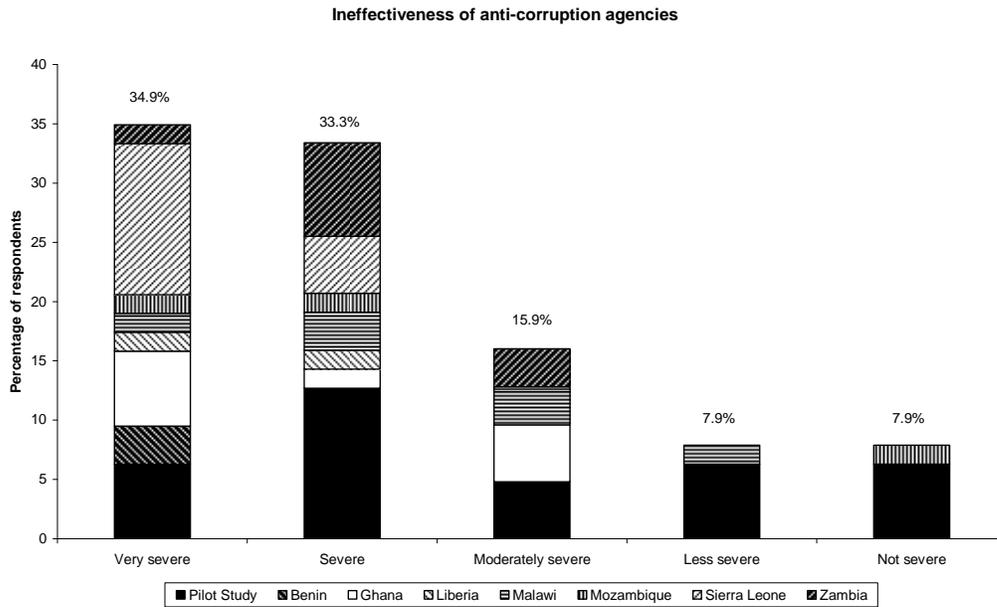
When assessing the possibility of these commissions, it should be noted that there is not one single definition that can be applied to all of the examples across Africa. They do not necessarily conform in their forms of organization and – most importantly – they do not have a single, common set of purposes. What they do all tend to involve, however, is that they address to some extent some or all of these three principal functions:

- They attempt to reduce corruption through advice and recommendations on good practice and reforming organizational structures
- Provide civic education through mass media, the formal education system and/or through cooperation with NGOs

- They act as enforcement bodies with powers to investigate and prosecute reported instances of corruption.

Unfortunately, before any commission can fulfil any or all of these roles, it must overcome a number of obstacles – the most serious of these being the need for political will (see below).

FIGURE 26:



This report will look in detail at these organizations. In a study focused on the role of parliamentarians the fact is that, at their best, ACCs should function as a vital tool of a robust parliament, supporting and enlarging its mandate for scrutiny of the executive. Nongogo's (2006) study indicates that, for those who work in these anti-corruption agencies, their preferred method of reporting would be to a bipartisan parliament. As the situation currently stands in the majority of African countries, these agencies tend to report either to the President or the Minister of Justice – who is appointed by the President. It is safe to say that both of these channels could be considered interested parties.

Unfortunately, Burnell (2003) argues that legislatures appear to be undergoing 'secular decline', unable to arrest the accumulation of executive power which is driven by both political and economic forces. It is partly for this reason that studies now focus on the usefulness of what he terms 'fire alarm' mechanisms – such as the ACCs, rather than the 'police-patrol' oversight traditionally associated with the parliamentary ideal. Judging by the information from our current study, the present record of anti-corruption commissions in Africa is not a particularly successful one.

FIGURE 27:

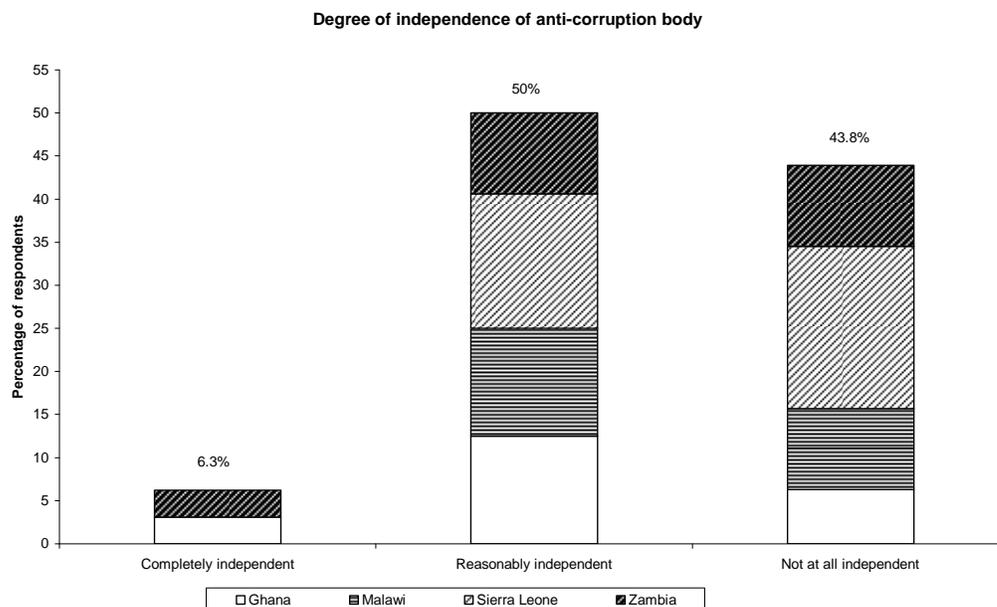


Figure 27 demonstrates that, of those countries with anti-corruption bodies, the responses demonstrate that very few MPs believe the body established in their country is completely independent, with Sierra Leone faring particularly badly. The nature of corruption means that it is especially important that any such body be independent, and be seen to be independent, for it to be able to fulfil its function effectively.

An extraordinary level of research has centred on ACCs, and their potential role in Africa. Much of this has been buoyed by the very successful record of the ACC in Hong Kong. Unfortunately, however, it has become clear that following the pattern of success in one country does not guarantee success in another – particularly if the context of corruption is markedly different between the two. One can question whether such an institution can even operate in the context of a country experiencing high levels of corruption (see www.U4.no for further discussion). Some commentators now condemn these ACCs as ‘one of the most over-estimated and over supported institutions in the fight against corruption.’ (www.u4.no: 2008)

Political Will

A study by Nongogo in 2006 focused on the work of six anti-corruption agencies established in southern Africa. The dominant theme throughout the questionnaires which he administered was that political will is fundamental. Not only is it the driving force behind legislation and policy, it is also vital for the provision of funds necessary for the realization of the agencies’ goals. It is also demonstrated in the extent to which the executive refrains from interfering in the work of the anti-corruption agency.

The term ‘political will’ can be problematic. It is used to refer to the commitment that political actors will dedicate, in this case, to the fight against corruption. However, given the dependence on international donors and the increasing levels of (not always robust) democracy on the continent, it is unlikely that any political leader will openly condone corruption. The use of political will as a rhetorical

device means that one cannot judge political will through what is said. It is also difficult to find disinterested motives in politics – and this means that political will is often partisan and limited by political imperatives. It is unheard of for political will to remain very strong if corruption investigations start to approach the Executive, or close allies of a President. This also raises the point that political will is too often seen exclusively in terms of the Executive. More exploration is needed about its role among political rivals, the business community and civil society organizations (Williams: 2008). Nevertheless, political will is used here – with these caveats in place – as no analysis of anti-corruption measures can be properly undertaken without an analysis of the commitment of those who have the power to implement them.

Although two of the countries also included in our current project – Zambia and Malawi – were seen to demonstrate a good level of political will in Nongogo's survey, this was seen to be concentrated in the very top levels of the executive. He argues that anti-corruption reforms only really prove successful when they enjoy a broad-based commitment from the whole political leadership – including the executive, parliament, judiciary and civil society actors. Thus, the question regarding political will is not just **whether** political will exists, but **where** it exists.

The reason why this distinction is so important is because new political leaders often stand on a platform of anti-corruption – and what they actually are referring to is the corruption of their predecessors. This stance has a number of benefits for a campaigning and a newly elected leader:

- Blame and hostility can be channelled towards those associated with the old regime.
- The new leader becomes associated with integrity and the good of the people.
- Questions regarding the position and promises of the new leader are sidelined in the all-consuming crusade against the scourge of corruption.

Of course, this approach engenders serious problems for the country as a whole:

- Once the fight against corruption becomes retrospective, it runs the risk of simply becoming a partisan witch hunt, one that can be directed towards rivals both outside and within the government.
- Even more serious, the focus on punishing previous corruption diverts attention away from dealing with the prevention of new corruption.

The example of Zambia

ZAMBIAN MP:

'Interference comes in all sorts of forms...In a lot of cases, I know as a matter of fact that the Anti-Corruption Commission cannot move against a member without informing the President.'

An excellent example of this situation can be found in what has been termed perhaps the most visible effort in the fight against corruption in the last 5 to 10 years. This has been the formation and subsequent activities of the Task Force on Corruption from the 'new deal' government of Levy Mwanawasa in Zambia. Mwanawasa addressed parliament in 2002, declaring that he had enough

prima facie evidence to indict former president Fredrick Chiluba for corruption and abuse of office. It is crucial to note that the mandate of the task force was to investigate and prosecute those who were suspected of plunder during President Chiluba's term of office.

The task force does include staff from Zambia's ACC. The ACC, however, has recently stated that its poor record on bringing prosecutions for corruption meant that it was going to alter its focus towards preventing current corruption. Although the Zambian government did manage to prosecute Chiluba successfully in a court in London, it has not yet seized his assets. Despite this high profile victory, however, Zambia's ACC remains aware of its own shortcomings and the way in which it is hamstrung in the area of corruption prevention by the actions and authority of the President. A real problem with the ACC is that President Mwanawasa is the appointing authority for the Commission's director general. A glaring example of his influence is when he sacked former lands minister Gladys Nyirongo for reporting former Lands Commissioner Sichone to the ACC. The President said that only he and the Secretary to the cabinet had the authority to take such action. The implication is that the Commission will – or can – only act on cases initiated by the president.

The lack of political will is both a contributing factor towards – and a result of – the whole anti-corruption context within a country. Together with the need for sustained political will, the other most important obstacle faced by ACCs is the fact that they **simply cannot function and will not work** in the context of a country with high levels of corruption. Any full assessment of the work of these commissions needs to include an examination of the whole structure of anti-corruption strategies and how all stakeholders are engaged – or not – in the fight against corruption.

For example, despite the existence of the Central Office for the Fight Against Corruption in Mozambique, not a single case of corruption has come to trial in the last 5 years. There is undoubtedly a lack of political will to support this organization, and it has also been hampered by the weakness of its investigative capacity. Even worse, the attitude of the judiciary towards the Central Office has been described as one of 'outright sabotage' (TI: 2007/8). In June 2007 the Central Office attempted to bring a case of corruption to trial, only to be told by the Maputo City Court that it was not a prosecuting authority. This assertion appears absurd in light of the fact that it is staffed by prosecutors and its head is an Assistant Attorney-General. Again, it would seem that the Central Office was little more than a cosmetic gesture – with a distinct lack of support from the Executive when it comes to prosecuting any **current** allegations of corruption.

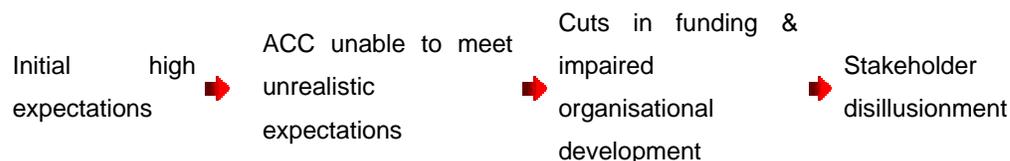
The insidious nature of corruption means that lack of external support is not the only problem. Many of these institutions are being undermined from within. One empirical study revealed that one man, employed in a very technical position in Malawi's Anti-Corruption Bureau did not even hold a High School junior certificate. If nepotism or corruption begin to infiltrate the recruitment process for such agencies, their fight against the many structural impediments put in their path will be further hampered by the fact that the calibre of some of their staff is so weak.

ACCs and Petty Corruption

The need for well-trained and able staff is reflected in several examples of research that have demonstrated the way in which Anti-Corruption Commission (ACC) staff view their own roles and the roles of the agencies in which they work. An overriding problem is that agency staff are happy to accept that the objective of their organization is to combat petty corruption only. For Transparency International's National Integrity System report on Malawi (2004), officials from that country's Anti-corruption Bureau were interviewed – and they explained that they believed that their organization was effective in dealing with issues of petty corruption – as opposed to grand or extractive corruption. This is because cases of petty corruption are effectively investigated, prosecuted and logically concluded within their bureau. Grand corruption is usually investigated by the Bureau, but not logically concluded by the other institutions such as the courts and the office of the Director of Public Prosecutions. In this, Malawi is not unique. In March 2006 Mozambique's Central Office for the Fight against Corruption published the first of its six-monthly reports. The results were disappointing. Apparently, the most significant of these actions was the detention of a man suspected of stealing a goat and a DVD player. The rather depressing fact is that most ACCs follow the same 'lifecycle' as identified in David Watt's 2005 study (see FIGURE 28).

FIGURE 28:

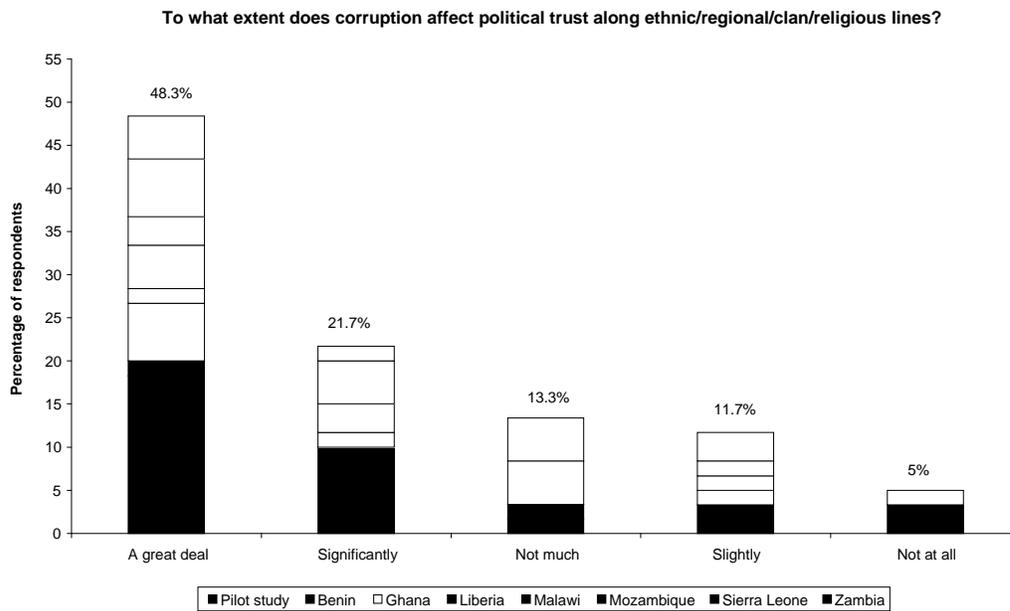
Lifecycle of an ACC



Watt argues that this 'lifecycle' of a new ACC starts with the initially high expectations from both donors and governments, but the expectations are all too often unrealistic. The failure to meet these expectations results in disillusionment in governments, donors and in the ACCs themselves. When a discredited government is toppled or voted out, donors become enthusiastic again and the ACC is suddenly reborn. There is a new rush to reconstitute support – and the expectations remain as high as ever. On top of this pattern, however – and what Watt overlooks – is the added complication that outside of the Executive, these 'unrealistic expectations' include the idea that an ACC will work, unhindered, towards the reduction and prevention of further corruption. As we have seen – with the Executive holding the reins – this is often kept strictly out of the remit of the new – or newly re-established – agencies.

5. IS ETHNICITY IMPORTANT?

FIGURE 29:



ZAMBIAN MP:

‘Each ethnic group feels comfortable if, at the table where the national cake is being shared, their ethnic group is represented. It does not matter whether the representative is a fool. You find solace in having a representative at that table in the hope that the crumbs finally reach you. Of course, they rarely do.’

MALAWIAN MP:

‘People and MPs would vote for a minister because he comes from an ethnic or religious group, even though that person is not fit to be a Minister.’

Figure 29 indicates the way in which political activity can be affected by ethnic/religious attitudes. The respondents were asked – ‘Does corruption affect political trust along ethnic/regional/clan/religious lines?’ As the chart indicates, the considerations of ethnicity play a major role in the way that political decisions are reached. Clan and ethnic loyalties can complicate the realization of a shared understanding of just what does constitute corruption. Frimpong (1999) identifies political intolerance as a key feature of African politics, whereby opposition is viewed as being intolerable and therefore something that must be repressed. It could be argued that this is a reflection of the effect of liberation movements forming governments after independence. He considers ethnic divisions from this perspective whereby groups seek to deny input from other groups. An absence of national unity after the high point of independence struggles has led to a prioritisation of the individual over national concerns and the tendency to privilege some groups over others. This is attributed to the emergence of ‘tribal sentiments’ and the despondency of the electorate, betrayed by their government and living in an economically unviable state.

MALAWIAN MP:

‘I have two main tribes and usually the one I belong to welcomes me without much problem, the other at times requires some sort of incentive’
 ‘MPs would vote for a Minister because he comes from the ethnic or religious groups even though that person is not fit to be a Minister.’

Relying heavily on Mamdani's (1996) notion of the bifurcated state and decentralised despotism, Ndegwa uses these features of African history to explain the way in which ethnicity has become crucial to the post-independence state. The solution he proposes is unity which recognises but transcends diversity, at the level of the state, but also through a rationalised pan-Africanism (Ndegwa 1999:84). Colonial rule is said to have created 'bifurcated states' which render much of the population ill-equipped to participate in the state as citizens, leaving them as subjects.

Simukonda (1999) discusses the regional distribution of economic and political resources under successive regimes in Malawi. The policies which have been employed in Malawi in this regard are said to be illegitimate in the same manner as corruption, as public office has been used for the diversion of benefits away from the deserving. At the end of the colonial period, regional inequalities in terms of economic development were apparent in Malawi. Whilst the south was the most prosperous region with the best infrastructure, the north, although historically having high levels of education, was economically undeveloped. Thus at independence, national economic development was desired, but it was necessary to rationalise this in favour of national equity. The state faced the challenge of resolving inequalities without reducing overall development levels or promoting ethnic tension through perceived unfair redistribution.

The Banda regime proved fairly successful in effecting some national development, but failed significantly regarding regional equity in the allocation of these gains. A bias was apparent in favour of Banda's own central region, despite the relative historical deprivation of the north. Northerners suffered discrimination in access to education and employment opportunities. Political appointments also tended to favour the centre. Simukonda describes the introduction of multi-party politics as having failed fundamentally to alter the importance of region in political loyalty. The pattern of party formation and voting shows that the population has come to judge the likelihood of benefiting from the government upon the regional components of the government.

SIERRA LEONEAN MP:

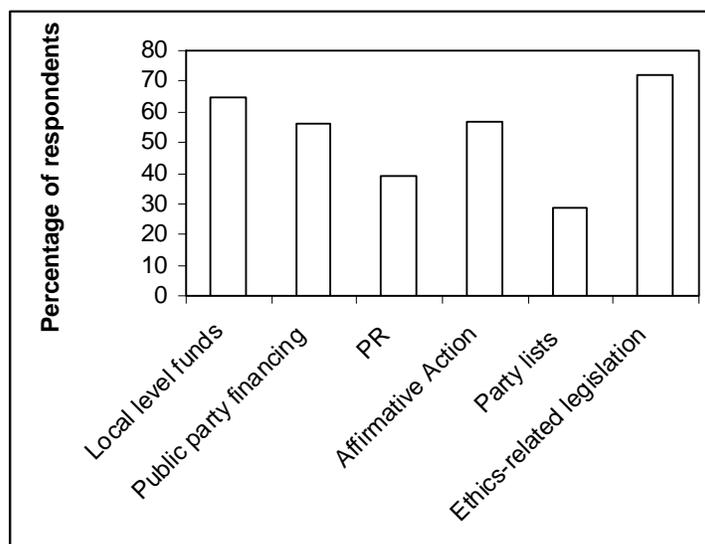
'Some religious leaders are bribed so as to influence electorate voting pattern.'
'Political parties and/or candidates may buy clan/ethnic/religious leaders to influence the vote of their followers.'

6. POSSIBLE SOLUTIONS

A range of instruments is available in the fight against corruption, although these tools have a varied degree of success. Respondents were asked to give their own opinion on the effectiveness of the various instruments and processes available in reducing corruption. The graph below (FIGURE 30) shows the percentage of respondents ranking these measures as 'effective' or 'very effective'.

FIGURE 30:

Effectiveness of anti-corruption measures

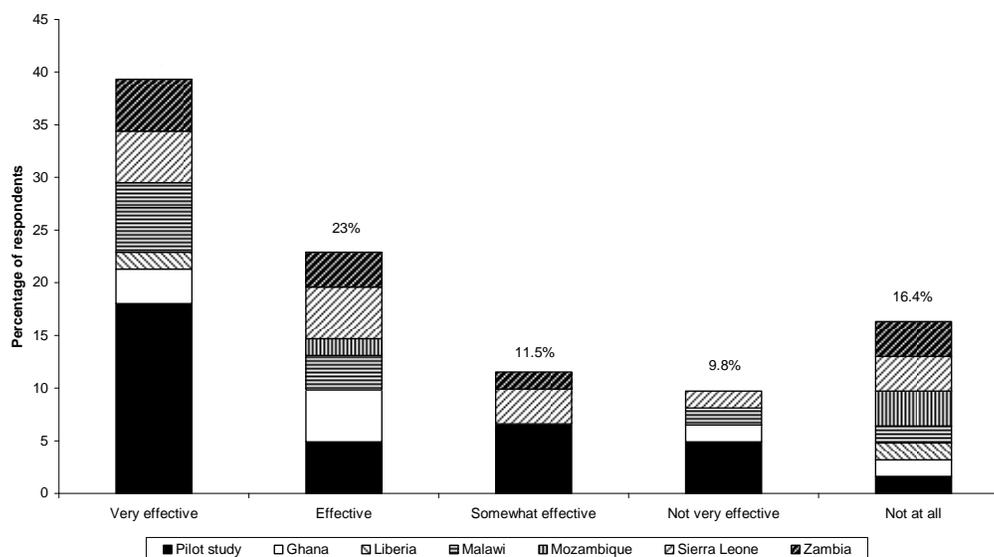


As is demonstrated, a high percentage (72.3 per cent) believed that ethics-related legislation, such as assets declaration was either effective or very effective in reducing corruption. MP controlled funds at a constituency or local level were also highly ranked – being viewed as effective or very effective by 64.6 per cent of respondents. Party lists were ranked as the least effective measure. Only 28.6 per cent of respondents perceived this measure to be effective or very effective in reducing corruption (see below for further discussion of party list systems).

(i) – LOCAL LEVEL FUNDS

FIGURE 31:

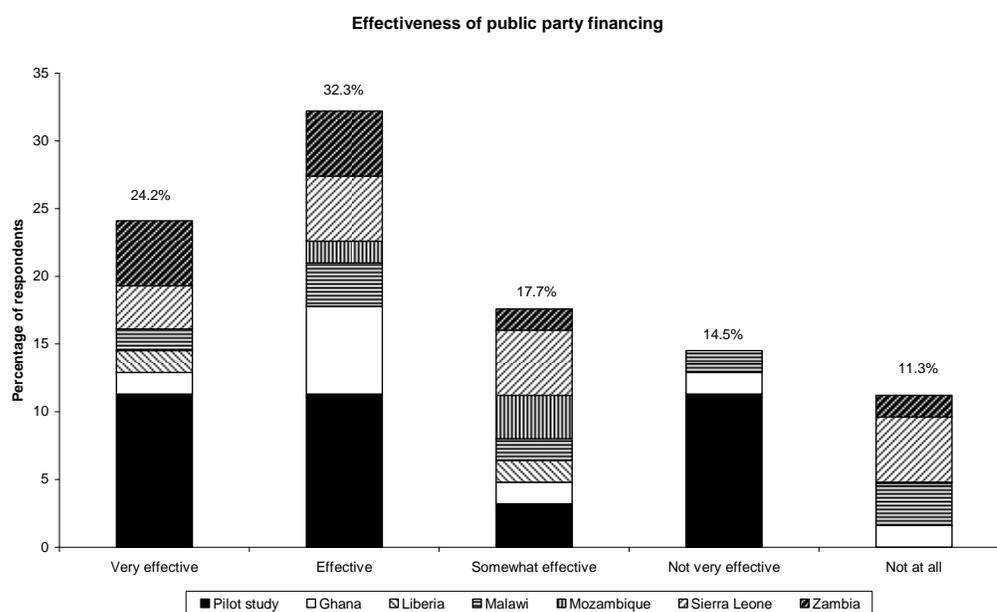
Effectiveness of MP controlled constituency/local level funds



One of the important questions for government structures is whether decisions should be taken at a local or a central level. Although decisions taken at a local level are further removed from organizations such as ACCs or the auditor general, which makes them less accountable in the bureaucratic sense, they do have the advantage of being closer to the voters, which makes the decision-makers more accountable politically. Research by Gatti and Fisman (1999) indicates that there appears to be less corruption where government is decentralized. This would support calls for expenditure and revenue decentralization to be decentralized as a way of combating the scourge of corruption. However, more recent experience has shown that constituency funds can sometimes be a way of transferring the locus of corruption down the chain to the regional level. These funds pose similar caveats as those identified in the discussion on ACCs – namely that if such institutions exist in a context where there are high levels of corruption, they will not be able to change the levels of corruption, and can even exacerbate the problem if attempted in the absence of any underlying changes to the attitudes and opportunities surrounding corruption.

(ii) – PUBLIC PARTY FINANCING

FIGURE 32:



The concept of supporting political parties has moved up the donor agenda in recognition of the fact that they are an essential part of a representative democracy. Unfortunately, democracy itself is not a panacea for corruption – it can bring its own problems. Although a functioning multi-party system is vital for a healthy democracy, citizens in three out of four countries polled in one study ‘singled out political parties as the institution they perceived as most corrupt’ (Gallup and TI: 2004). Transparency International’s country report on Malawi described the way in which, during elections, the ruling UDF party used the Malawi broadcasting corporation, government vehicles and the police and local authority facilities for its campaign. The *Malawi News* reported that the President had spent K200 million in four months inspecting ‘development projects’ when he was actually campaigning for the 2004 elections (TI: 2004a).

Party financing is seen as a way of levelling the playing field, and a method to reduce dependence on local political 'barons' for the provision of funds. In his comprehensive survey of the issues surrounding the debate on public party financing, Carothers (2006) identifies the main problems which political parties are facing: they tend to be focused on individual, dominating leaders (see discussions on Executive power above); they lack organization and often exhibit corrupt tendencies; they can lack roots within their communities and can be ideologically indifferent. As already mentioned, they can also be overly dependent on rich individuals as their source of finance.

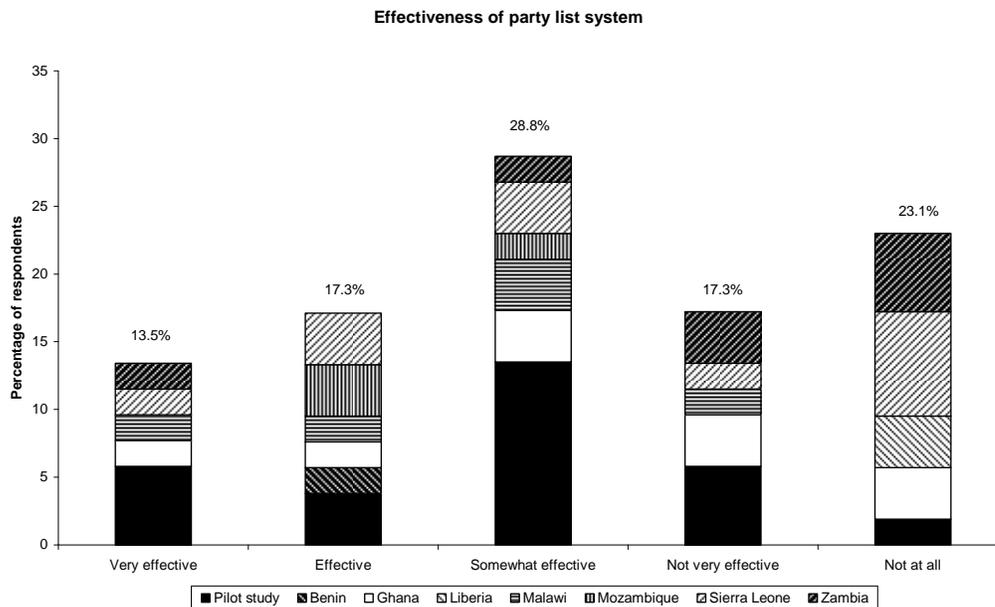
Carothers identifies 'electoralism' as one of the major failings of young political parties. In older democracies, parties had decades to develop from, for example, mass parties with roots in their communities. These new parties have not had enough time to establish an efficient party organization, based on civil society. They had to perform, straight away, as an 'electoral party' and operate as an organization dedicated to conducting electoral campaigns. This focus meant that ideology, connections with the voters and internal party structures were all sidelined. The Presidential systems in which most of these parties operate also constitute a significant obstacle to party formation and development (again, see discussions on Executive power above). Due to the inherent shortcomings and the environment in which these parties have to operate, Carothers argues that political party aid has had, at best, only had a minor effect. He points out a number of impediments which prevent aid from having 'transformational effects' on the political party structure. Firstly, he explains that leadership in these parties normally has very high levels of influence, and this leadership is not interested in the type of reforms that others in the party might be requesting. Internal democracy, financial transparency and the delegation of power could all be seen as antipathetic to the interests of the party leadership, and attempting any of these reforms without the cooperation of the leadership would simply not be possible. Carothers also identifies further errors in the attempts to support parties: short-term employment of 'experts' who have little local knowledge; insufficient training; and a focus on electoral campaign support rather than long term programmes of support all undermine attempts to improve the performance of political parties.

In 2007 Transparency International identified certain pre-conditions which would enhance and improve the chances of success for party support:

- Legislation to provide funding and subsidized access to the media, shortening campaign periods and capping campaign expenditure
- Regulate flows of money into politics. This would involve bans on contributions from suspect individuals and corporations and ceilings on donations
- Disclosure requirements to provide transparency - who gave what to whom, when and what for. This should also include the demand for audited accounts – with a low threshold for disclosure

(iii) – PR/PARTY LIST SYSTEM

FIGURE 33:

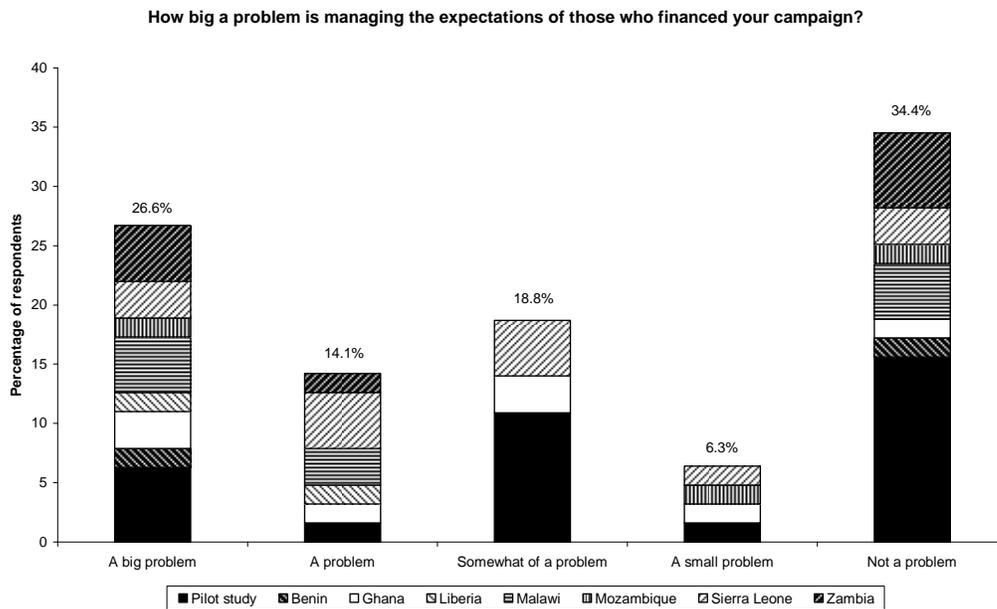


Respondents ranked party lists as the least effective measure in the fight against corruption. Only 30.8 per cent of respondents perceived this measure to be effective or very effective in reducing corruption. A further 40.4 per cent of MPs believed that a party list system was not very effective or not at all effective in the fight against corruption. Of the countries in the full study, only Mozambique currently operates a party list system to appoint MPs. Of the respondents from Mozambique itself, two respondents believed their party list system to be effective in reducing corruption, and one saw it as ‘somewhat effective’. This snapshot, too small to be considered a representative sample, does demonstrate, however, that there appears to be a more favourable view regarding the efficacy of those MPs who actually work under such a system.

Respondents were asked how they managed the expectations of those who financed their campaign, with 26.6 per cent judging this to be a big problem, and 34.4 per cent of respondents not judging this to be a problem at all (see FIGURE 34). This appears largely to reflect the fact that some MPs have to finance their campaign with donations, and some can cover the campaign expenditure themselves. Two countries in the study – Mozambique and Rwanda (a pilot study country) have parliamentary elections run on a party list basis and this has a significant effect. As they are not directly elected by a constituency, the link between those who financed their election campaigns and those whom they serve is weakened. The party finances campaigns centrally before allocating places in parliament according to the list. Although this means that constituents are disadvantaged regarding the extent to which they can hold their MP accountable, it does have the benefit of removing the connection between donations and direct influence over parliamentarians themselves.

The question of party lists is inextricably linked to the question of political parties themselves, as discussed above. If a party system is not functioning within a country, or the calibre of the parties is too weak, the system of party lists will make no difference to the levels of corruption in that context. Szeftel (2000) argues that multi-party systems put in place at independence were, in practice, dominant-party or single party states. He argues that there is a pressing need for political parties to represent the interests of workers, farmers, business etc in order that voters could then judge government performance in terms of policy and delivery rather than in terms of how resources were divided up (Szeftel 2000: 431). Larmer and Fraser (2007) point to the performance of Zambia's opposition Patriotic Front in the 2006 election, and argue that the most significant outcome of the campaign was the way in which this party managed to articulate a new populist politics which rejected the exploitation and corruption associated with foreign investors. It is this type of development that Szeftel would welcome. Until political parties can be strengthened enough to be able to perform the tasks they are intended for, the question of a party list system will be insufficient to mobilize party support, although it could alter the profile of corruption – if not reduce it.

FIGURE 34



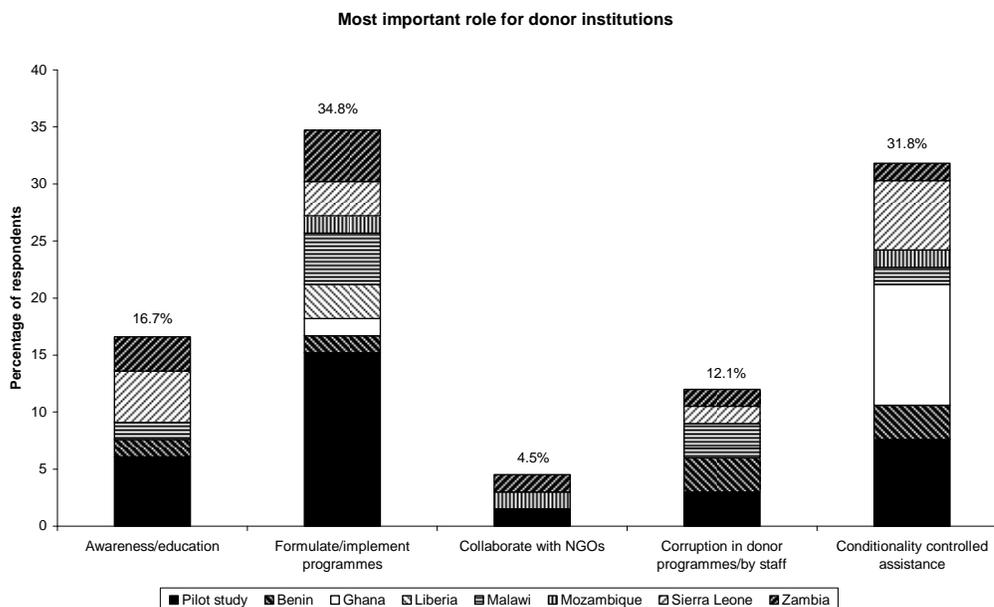
This discussion should be viewed in the light of the observations regarding the section above which looked at the cost of election campaigns, and the impact this had on the probity of MPs. On the whole, the distribution of responses from the individual countries indicated that certain individuals who did not find these aspects problematic could have access to individual wealth. A particular pattern regarding country allowances did not emerge.

7. THE ROLE OF INTERNATIONAL DONORS

A particularly interesting set of responses was received with regard to question of the role of donor institutions (see FIGURE 35). It would appear that a majority of MPs welcome the active involvement of donors in their own country's anti-corruption crusade, with large percentages supporting options which gave the donor institutions a guiding role – whether that be the 34.8 per cent who support donor institutions working with countries in their formulation and/or implementation of their anti-corruption programmes, or the 31.8 per cent who advocated the option of making development assistance conditional upon improvements in fighting corruption. It is a mark of just how seriously the damage caused by corruption is viewed by MPs in these countries that they are actively calling for conditionality to be enforced in this area. Indeed, when asked specifically about the notion of conditionality in lending from the World Bank the response was largely supportive. Over two thirds of the MPs asked believed that, where corruption was a serious problem and the leadership of a country was not taking serious steps to counter it, it would be appropriate for the World Bank to refrain from lending to the central government in question until the situation improved (see FIGURE 36).

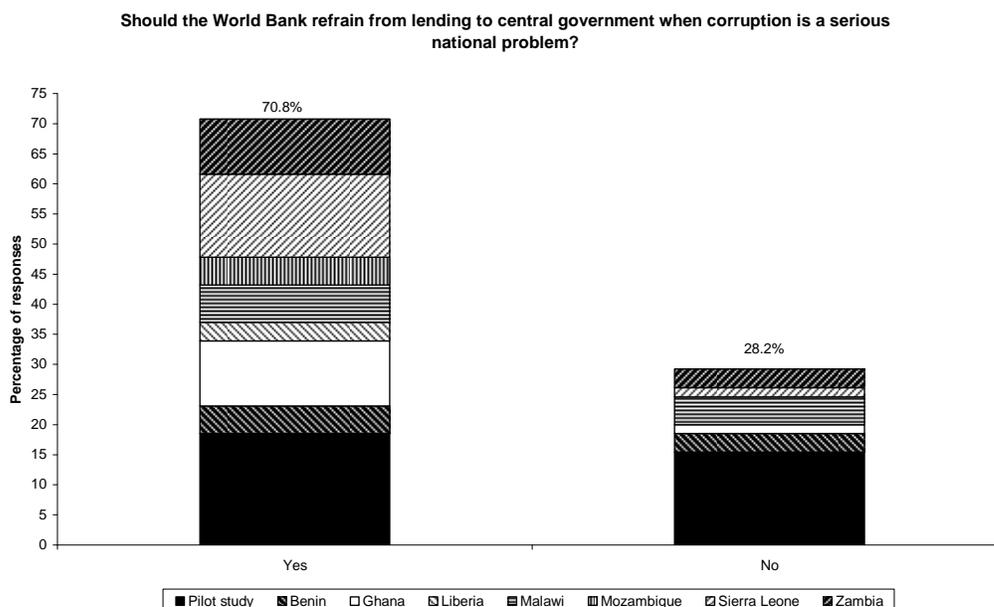
One of the most significant findings in these responses is the almost unanimous response from Ghanaian MPs. Their support for conditionality controlled assistance is the most uniform response from any of the countries. In fact, however, this question did ask the respondents to choose one category only from those above as the 'most important role for donor institutions'. When the question of conditionality was posed separately, again there was marked support for the idea of conditionality and the withdrawal of aid when corruption levels were high (see FIGURE 36).

FIGURE 35:



But is donor support necessarily beneficial in the fight against corruption? Some observers argue that it is actually counterproductive, a view which the survey results seem to support.

FIGURE 36:



Although clearly a benefit in many ways, foreign aid and the role played by development agencies are often cited as *contributing towards* the culture of corruption. The first aspect of this is the conditionality of aid imposed by the large multilateral donor agencies, ironically often linked to anti-corruption efforts. The problem, argues Szeftel, is that many of the recommended structural reforms have exacerbated the situation, often because the donors labour under a myopic belief that authoritarian regimes cause corruption. The prescription, therefore, is increased liberalization and an emphasis on democracy. The problem is, however, that this enforced deregulation has weakened the

capacity of the state to control corruption, while privatization has created opportunities for personal accumulation. The conditionalities require a reduction in the *size* of the state, but do little to improve its *strength* (Szeftel 1998: 233-4).

Hanlon (2004: 56) argues that the IMF structural reforms in Mozambique in the early 1990s reduced the salaries of the petty bureaucracy by two thirds, while senior figures were awarded large sums for attending workshops. 'The "little men" resorted to a corruption of survival while the "big men" luxuriated in a climate of donor-approved corruption.' Szeftel concludes that donors are undermining the very institutional development needed to combat corruption. Some commentators go even further, with Ayittey (1994: 263) stating: 'it would be economically irresponsible to advocate that Africa needs more external assistance when there is the clear possibility that corruption can render such assistance useless.' We have seen above how NGOs can provide real assistance to those in need, but also how their presence can increase the opportunities for corruption.

The increased focus on corruption since the end of the Cold War has coincided with the rise of a parallel issue: the governance agenda. Those mainly concerned with economic reform, particularly the World Bank and the IMF, have reported that corruption threatens good governance, redirects aid away from those who need it and undermines the institutions of the market. The actors who focus more on the issues of democracy and human rights (such as the Nordic countries) have condemned the way in which corruption often results in an abuse of power, unfairness in resource distribution and the negation of citizenship rights. The result has been that both sets of creditors/donors believe that '...a bloated, unaccountable and authoritarian state promoted endemic corruption' (Szeftel 1998: 224). In this way, the donor anti-corruption agenda has become linked with the notion of democratic reform. The belief is that, as corruption has flourished in military and authoritarian regimes, economic liberalization and multi-party democracy would therefore be the most effective means of combating the spread of corruption. LeVine (1993: 271) argues that attempts to limit corruption were '...more likely to succeed the further the country is along the democratization path.' He adds that if corruption persisted once a country had adopted a democratic system, this was simply an indication that the democratic process was not yet complete (LeVine 1993: 272). Unfortunately, argues Szeftel, these beliefs have led to a misguided approach to anti-corruption efforts, particularly from the international community. He contends that the disruptive nature of the reforms being imposed upon African countries is contributing to the increasing scale of corruption. Deregulation 'reduces the capacity of government to tighten rules governing government-corporate relations'. Meanwhile, privatization has created a host of opportunities for personal accumulation.

It is important to realize that donor agencies only possess limited leverage. Donors can also be following conflicting priorities. Some donors have withdrawn support, at least temporarily, because of corruption, while others have increased their support – due to the fact that they were following a different set of priorities. A good example is the withdrawal in 2006 of Danish funds from the education programme in Zambezia province in Mozambique. This was due to information that Danish funds were being misused. The World Bank continued to support Mozambique however. It appears that smaller bilateral donors are far more sensitive to the agendas of corruption and human rights, whereas the larger multilaterals, and the World Bank and the IMF in particular, are hindered in their

fight against corruption due to the fact that their efforts are diverted by their separate agenda for economic reform.

Mulinge and Lesetedi (1999) argue that international agents have also contributed to levels of corruption in Africa. These comprise of foreign governments, aid agencies and private companies who seek to further their own economic interests by engaging in or condoning corrupt practices. Examples given are not limited to the payment of bribes or refusal to condemn corrupt practices, but include actions which fit into a broader conceptualisation of corruption. For example, the authors are critical of loan conditionalities which dictate subsequent reliance on the donor's capacity, depriving a recipient of the opportunity for local investment and job creation and the formulation of structural adjustment policies which reduce public sector wages and encourage reliance on extra-legal acquisition.

Momba (1999), using Zambia as a case study, views the question of donor involvement from a slightly different angle, and by doing so highlights some significant points. Although donors have condemned Zambia's Movement for Multiparty Democracy (MMD) for bad governance and evidence of corruption, they have continued to offer economic support. Momba attributes this to the prioritisation of economic reforms, with which the government has been more willing to comply, over political reforms. The government has accelerated the process of structural adjustment. Privatisation has proceeded and the MMD has been committed to attracting foreign investors. Foreign companies have gained from the purchase of the larger and more profitable companies sold in the privatisation process. The benefits foreign concerns have received have been at the expense of smaller Zambian companies which have not been protected by the government.

Momba concludes that whilst donors have not been entirely happy with the government's governance record, commitment to economic reforms and the introduction of a totally free market economy have been the priority. The entrenchment of the market economy has been central to the interests of both international financial institutions and western governments. He suggests that government leaders are probably aware of the impunity regarding undemocratic practices which is afforded them by commitment to favoured economic systems.

It is useful to consider whether economic reforms have themselves facilitated bad governance and offered opportunities for government accumulation. Indeed, this is partly the angle provided by Mwenda and Tangri (2005) in their useful analysis of donor-driven reforms and patronage politics in Uganda. Donor driven reforms have sought to reduce the capacity of African leaders to use the state apparatus to consolidate support and prolong their stay in power. Mwenda and Tangri argue that in Uganda policies have served only to reproduce the form of patronage government which agencies hoped to eradicate and have generated new opportunities for corrupt behaviour. Donor reforms were initially accepted by the regime only as a means to remain in power, and there has thus been a continuity of practices within the new institutional structures.

Donor agencies attempted to reduce the size of African states, and thus the power of political figures to control and determine access to resources and positions of power. However, high levels of discretion in the disbursement of aid and privatisation of enterprises has encouraged a continuation in

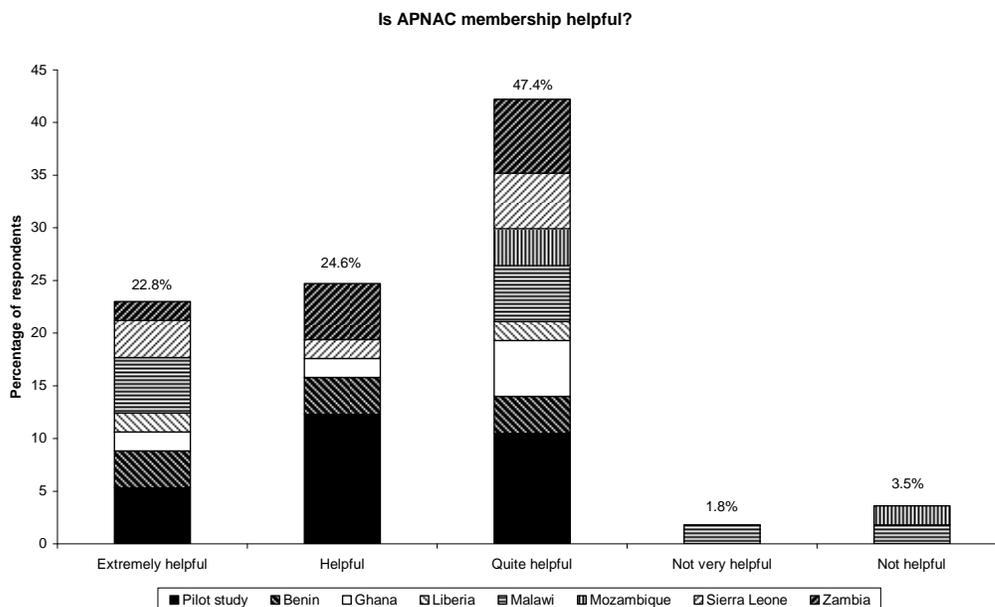
patronage practices, in terms of the preferment of political allies during the privatisation process. In addition, the size of the state and the power of leaders to appoint have been increased by donor facilitated creation of semi-autonomous agencies for the implementation of structural adjustment programmes. Decentralisation, intended to reduce the power of the central government, has also facilitated consolidation of National Resistance Movement (NRM) support due to the many new opportunities for lucrative appointments in local government. The legislature, the executive and the military have also grown. The increase in the cost of public administration entailed by the expansion of posts and agencies would have been unfeasible without donor assistance. As well as permitting the maintenance of political support through patronage, foreign aid is described as having allowed the NRM to enhance its legitimacy through the provision of services. The close relationship between donors and the Ugandan government contributed to low levels of scrutiny of the implementation of reforms. Uganda has been considered important for geo-strategic reasons and also as an example of an economic success in Africa.

8. EVALUATION OF APNAC MEMBERSHIP

Although there is a need to forge closer partnerships between the APNAC chapters and parliamentary institutions, these relationships are already being established successfully in a number of countries. In some instances this relationship has been institutionalized: in Ghana, the Speaker of the National Assembly is the patron of APNAC chapter there; in Zambia and Uganda, the parliaments support the chapters by assigning them meeting space and parliamentary staff, granting the chapters a sense of continuity and ensuring that MP turnover does not result in loss of institutional memory for the chapter. APNAC chapters have also forged very strong relationships with civil society groups, the closest being with the Transparency International chapters in Africa. The partnerships involve institutional support, such as running of APNAC secretariats (Kenya, Tanzania, Zimbabwe, Uganda, Ghana) or capacity building support, such as training (Senegal, Sierra Leone).

How important is APNAC membership to those MPs who participated in this survey? Section B of the questionnaire analysed the impact membership of APNAC has had on the experiences of the MPs who responded to this questionnaire. APNAC membership is judged overall to be helpful or extremely helpful by almost half of the respondents, and to be at least quite helpful by 95 per cent (see FIGURE 37). APNAC membership was seen as being particularly effective in increasing knowledge with regard to specific areas of anti-corruption legislation.

FIGURE 37:



The availability of this network is of real importance when it comes to the crucial areas of educating MPs on their role, and creating new behavioural norms around corruption. This type of network, with cross-fertilization of ideas and sharing of best practice, can have a very positive impact: reducing duplication; harmonizing agendas; and coordinating the goals of those parliamentarians in Africa who have committed themselves to the fight against corruption.

APNAC members have identified training as one of the tools that would enable them to improve their capacity to fight corruption. A programme of anti-corruption training workshops was therefore established, and the first of these sessions was successfully carried out in June 2005 in Arusha, Tanzania. A total of five chapters as well as members of civil society from Eastern and Southern Africa participated. The countries represented included Kenya, Uganda, Malawi, Zambia and Zimbabwe. This workshop was followed by further anti-corruption training workshops aimed at Francophone countries (Dakar November-December 2005) and Lusophone countries (Maputo May 2006) in order to provide a comprehensive outreach for African MPs concerned about the nature and consequences of corruption in their countries throughout Africa.

FIGURE 38:

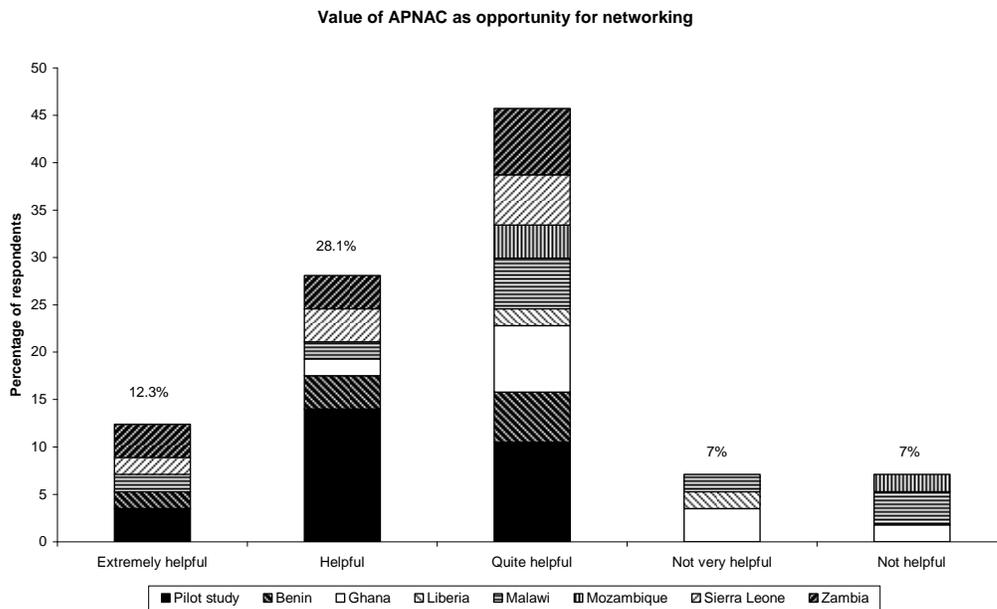
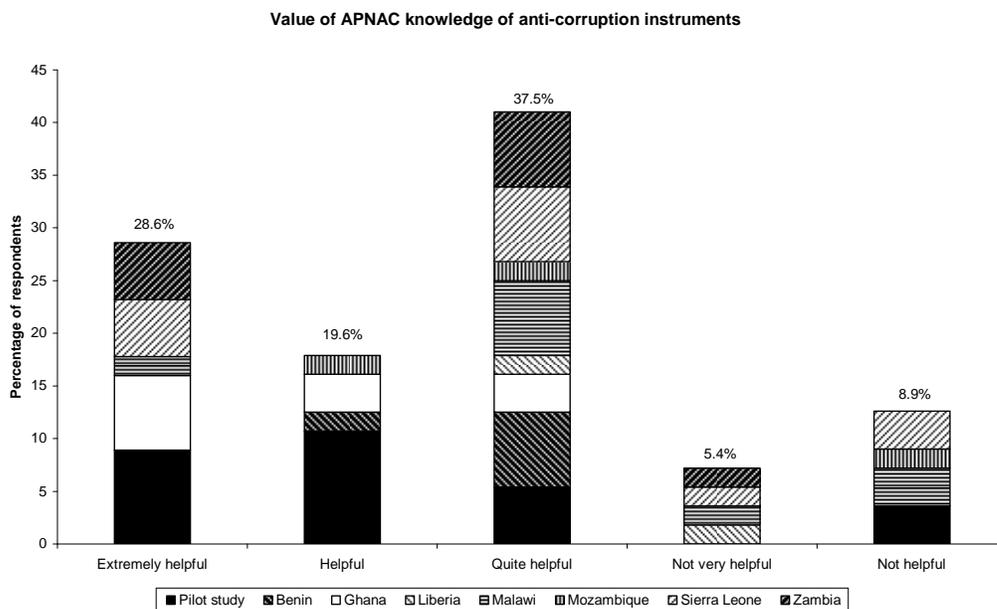


FIGURE 39:



The respondents were questioned on whether their membership of APNAC was useful in increasing their understanding and knowledge of certain areas of anti-corruption legislation, and the extent to which they viewed each area of legislation as important in the fight against corruption. The results were as follows (see FIGURE 39).

FIGURE 40:

APNAC and the Importance of Anti-Corruption Legislation

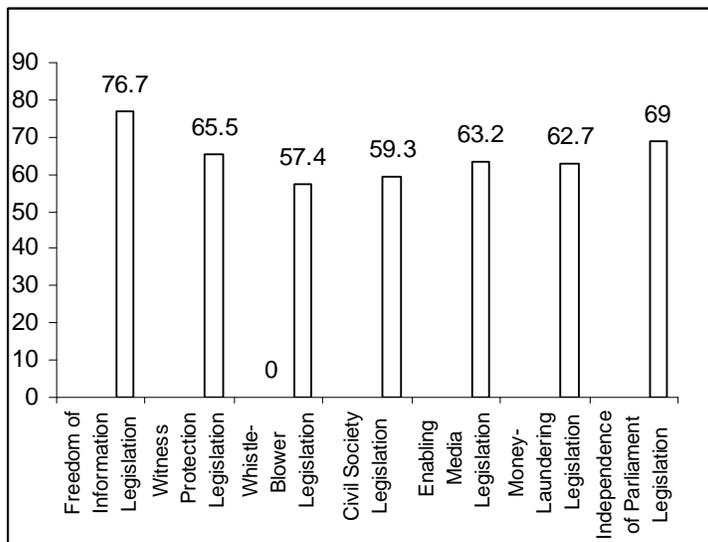
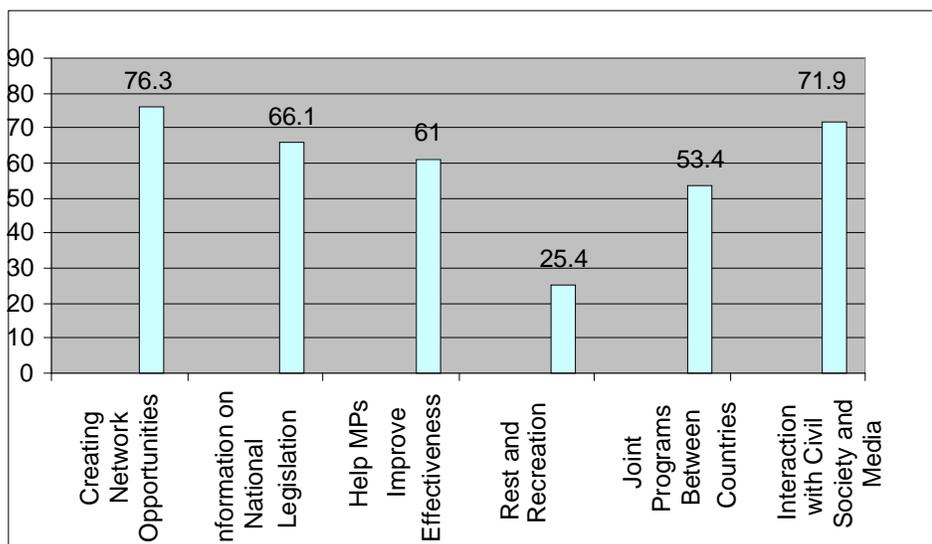


Figure 40 illustrates the percentage of respondents who believed that membership of APNAC had affected their perception regarding these aspects of legislation, to an extent that was either ‘more than average’ or ‘considerable’. It appears that APNAC is particularly useful in enhancing the understanding, awareness and knowledge of MPs with regard to various legislative instruments in the fight against corruption. All the instruments, and Freedom of Information legislation in particular, were seen to have a significant role to play in the anti-corruption programme.

FIGURE 41:

In what ways is APNAC membership helpful?



Although APNAC membership is largely judged as ‘quite helpful’ as a networking opportunity when the question includes the possibility of networking with MPs from other countries, the result is notably different with regard to the networking opportunities provided by APNAC within a respondent’s own

country. 76 per cent perceive it as being more or very helpful. These responses indicate that more attention could be focused on creating more international opportunities for discussion and cross fertilization of ideas within APNAC and the anti-corruption movement. This is particularly important as each MP can provide useful examples of their experience of anti-corruption measures – successful or otherwise.

The further areas covered in FIGURE 41 demonstrate that APNAC membership is seen as being useful in a number of areas – particularly in the provision of information and the impetus to affect national legislation. It is also seen as very helpful in enabling interaction with civil society and the media. This is a crucial role, because the involvement of civil society and the raising of public awareness has been an important development in the fight against corruption.

9. CONCLUSIONS & RECOMMENDATIONS

MALAWIAN MP:

‘A known corrupt person is an evil force, cannot be trusted, loses honour and esteem and affects his party’s standing negatively.’

The MPs questioned in this survey perceive corruption to be a significant threat to the development of their countries. In the survey, 76.9 per cent of the respondents viewed corruption as being among the top three national problems their country faced. A further 12.3 per cent – mainly from Ghana and Sierra Leone – viewed corruption as the single most important national problem. It is interesting to note, however, that one Malawian MP rated corruption as pervasive, but not a serious national problem, while two Ghanaian MPs saw corruption as the single most important national problem. (All the remaining respondents from both countries rated corruption as among the top three national problems.) This might imply that Ghana had the greater problem with corruption, however, in the 2007 Transparency International *Corruption Perceptions Index*, Ghana is rated the 69th worst country with regards to the impact of corruption, whereas Malawi is rated as the 118th. This demonstrates the significance of *behavioural norms* surrounding the acceptance of corruption. Ghanaian MPs appear to be more aware of the problem of corruption, and find it less acceptable even though – or more likely *because of* – the fact that there is less evidence of it in their country.

One of the crucial difficulties with corruption is the way in which it can act as a vortex – once corruption becomes common in a society, human nature prompts others to act in the same way in order that they are not disadvantaged by everyone else’s gain at their expense. If other policemen all accept bribes, knowing that a rise in salary is unlikely and therefore not worth campaigning for, one individual policeman will find it harder not to follow suit to ensure that his standard of living is on a par with his colleagues. If there is no apparent bribery, the risks are far greater if one policeman decided to engage in corrupt behaviour.

When MPs had to rate the challenges to their own probity, three main factors were identified. Poor remuneration was viewed as a big problem by 65.2 per cent of respondents, although the varied responses did not form a country-specific pattern. The aspect of poor remuneration does need to be

reviewed, but this is not a straight forward case of low-paid parliamentarians being forced into corruption to make ends meet. Kenyan MPs are very well paid, yet corruption remains a serious problem in this context. This aspect can only be dealt with in tandem with the issues regarding the *expectations* of the role of MPs – both their own and the constituents.

73.9 per cent of respondents also identified the need to raise resources for electoral campaigns as a big problem, although this did not appear to demonstrate any correlation with either the method of electing MPs, or the availability of public funding for elections. Mozambique (which operates a list system of MP selection), Benin and Malawi do provide limited public party funding, while Zambia, Ghana and Sierra Leone do not. Of the five MPs who replied that raising funds for election campaigns was not a problem or not much of a problem, one was from Mozambique and one was from Benin. The remaining three included two from Zambia and one from Sierra Leone.

The greatest challenge to the probity of MPs was identified as the financial demands of constituents. This report has looked at the misunderstandings that surround the role of an MP in Africa. Challenges occur in part due to the fact that parliamentarians are having to function in ways that are not completely compatible with the western model of parliamentary democracy as imported by the colonial powers. Resource distribution is still seen as one of the primary functions of MPs. This view is held not only by constituents, but also by some MPs. Misunderstanding the relationship between MPs and constituents can blur the lines of 'corruption', particularly when the very real issues of poverty and humanitarian need that many citizens face are taken into account. Community Development Funds and other local-level resource distribution schemes have been conceived as a response to this problem. They are useful tools in assisting MPs who have a close identification with the needs of their constituency. The potential problem, however, is the difficulty of distributing funds in what Collier (2000) refers to as 'a high-corruption equilibrium'. If corruption is pervasive, then disbursement of funds can make MPs more accountable to their constituents, but the funds are also placed further down the bureaucratic chain of scrutiny – in that their spending is further away from the scrutiny of in-country oversight mechanisms, such as Auditor Generals and Public Accounts Committees. There is a pressing need to educate both parliamentarians and the public regarding what MPs can and cannot do. In this survey, some respondents mentioned that they attempted to explain to their constituents the role of an MP, but this education needs to be properly structured and focused. This will not remove the demands from constituents, so this education has to be supported by constituency funds with strengthened oversight mechanisms in place.

Of the structural impediments that face MPs, the respondents categorized both Executive control over the budget and the weakness of anti-corruption commissions as forming the most severe impediments – followed by the weakness of parliamentary oversight committees. Executive control and parliamentary oversight together present a real difficulty – particularly when so much power is concentrated in the hands of the Executive. Tangri and Mwenda's work on Uganda (2001; 2006) demonstrates the way in which an exceptionally high level of influence in the Executive can undermine and even thwart anti-corruption efforts, particularly as they attempt to challenge any corruption within the President's own patronage networks. ACCs are often hamstrung by the

President's power over resources, appointments and just how much legal authority the commission is afforded. When this is the case, pressure needs to come both from within society and from donors.

The role of donors in the anti-corruption movement has proven to be a problematic one. This is the case particularly when donors have an array of agendas, not all of which are compatible all of the time. It was surprising to see the high levels of respondents who agreed that in countries where corruption is a serious national problem, and the leadership is unwilling to take steps to address the problem, the World Bank should refrain from lending to central government until the situation improves. One complication is that the World Bank and the IMF sometimes concentrate on the economic reform agenda, at the expense of the anti-corruption agenda. If a smaller bilateral donor – usually one of the Nordic countries who have human rights higher on their agenda – threatens to reduce or withdraw aid in response to corruption, larger multilateral agencies have stepped in to make up the balance. For donors to have a positive impact, they must work in a *coordinated manner*, agree on how to set priorities and how to go about achieving them.

There is a need for an explicit discussion of donor objectives, at each stage of the process. When launching specific programmes, whether it be on ACCs, party assistance etc, donors need to be explicit about their objectives and involve all stakeholders in the structuring of these programmes. For donors who might be resistant to these recommendations, for example the multilateral groups and major financial institutions such as the World Bank and IMF, civil society and anti-corruption agencies need to be aware of their alternative agendas in order to be able to assert pressure and demand a greater role in the design of programmes.

SHORT TO MEDIUM TERM RECOMMENDATIONS:

- Educate parliamentarians on their role vis-à-vis their constituents – establish a coordinated programme which encourages awareness of citizen-based policy development above simple resource distribution.
- Support civil society organizations in educating the constituents themselves regarding the role of the MP.
- Work to strengthen Anti-Corruption Commissions. This should include a shift of focus to include the prevention of current and future corruption and a clear and agreed strategic plan to clarify the objectives of the organization. These objectives should be annually reviewed by parliament.
- Establish a comprehensive strategy to assist election financing. This should include caps on expenditure (e.g. a set amount per voter), restrictions on sources and levels of donations, time limits on campaigns and rigorously applied disclosure regulations.
- Improve the level of locally dispersed funds (e.g. community development funds) *only* in tandem with improved oversight mechanisms for these funds.

MEDIUM TO LONG TERM RECOMMENDATIONS:

- If a society has reached a high-corruption equilibrium, there is a need to work on reversing the behavioural norms that have been established. Techniques can include 'good

governance zones' and penalty systems to encourage and reward whistle-blowing and increase the risks of engaging in corrupt behaviour (Collier 2000).

- Focus on strengthening the independence of the media – another tool to increase the risks of corrupt behaviour.
- Accept that certain institutions such as ACCs cannot work in countries that are experiencing high levels of corruption. Ensure that any resources used to strengthen these agencies are complimented by a parallel focus on changing the underlying level of corruption using increased education and the techniques referred to above.
- Donors – multilateral financial institutions such as the World Bank and the IMF in particular – must place anti-corruption concerns higher on their agendas and be more willing to suspend funding – as advised by the respondents to this survey – in the light of high levels of corruption.
- Donors should work to increase coordination and complementarity of their goals with each other and with the widest possible range of in-country stakeholders.
- Accept that corruption cannot be permanently reduced without addressing the socio-economic factors that drive much of it.
- Understand that corruption is a world-wide phenomenon. All human beings will react in similar ways given the same obstacles and incentives. Plans to tackle the motivations behind corruption – whether they be power preservation or greed – are unlikely to succeed. Anti-corruption strategies must therefore focus on reducing *opportunities for* and increasing the *risks of* corrupt behaviour.

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World Bank (1998) 'Corruption and Development' (PREM Notes No. 4. May 1998: Washington DC.)
www.u4.no/themes/political-corruption/challenges.cfm

Useful international web sources

(i) The World Bank

The Country Assistance Strategy (CAS) is the most important World Bank country document relating to each African country, and frequently includes commentary on levels and types of corruption, as well as discussion of anti-corruption measures. It is tailored to the needs and circumstances of each country and lays down the World Bank Group's development priorities, as well as the level and type of assistance the Bank will provide for a period of three years.

The CAS preparation is a participatory process. Before adoption, key elements of the strategy are discussed with government representatives; and to ensure the widest possible involvement, public dialogues are held. However, the CAS is not a negotiated document. Any differences between the country's own agenda and the Bank's strategy are highlighted in the CAS document. A progress report is issued in the intervening year. Go to www.worldbank.org/cas

World Bank: Governance indicators 1996-2006:
<http://info.worldbank.org/governance/wgi2007/pdf/c18.pdf>

(ii) The International Monetary Fund

Poverty Reduction Strategy Papers (PRSPs) are prepared by member countries in broad consultation with stakeholders and development partners, including the staffs of the World Bank and the IMF. Updated every three years with annual progress reports, they describe the country's macroeconomic, structural, and social policies in support of growth and poverty reduction, as well as associated external financing needs and major sources of financing. Go to <http://www.imf.org/external/pubind.htm>

(iii) APNAC and GOPAC

Further information and reports are available at <http://www.apnacafrika.org> and at the GOPAC umbrella organization's website, which can be consulted at <http://www.gopacnetwork.org>

(iv) Transparency International

Transparency International National Integrity System reports:
http://www.transparency.org/policy_research/nis/regional/africa_middle_east
This page gives access to country reports on Ghana (2001), Malawi (2004a), Mozambique (2007/8), Sierra Leone (2004b) and Zambia (2003 and 2006/7).

Transparency International *Global Corruption Barometer* at www.transparency.org

(v) Independent site

www.u4.no/themes/political-corruption/challenges.cfm

6. Do you think the problem of bribery by the **domestic business sector to public officials** has changed in the past 3 years ?

Increased Substantially				Same	
Decreased Substantially	1	2	3	4	5
<hr/>					

7. Do you think enough has been done by the government in your country in the areas of enforcement and education/prevention in order to tackle the problem of corruption?

	Much	Not nearly enough	Enough	Too	
(a) Enforcement	1	2	3	4	5
(b) Education/Prevention	1	2	3	4	5

8. What should be the MOST important role for donor institutions (both multi-and bilateral) in helping countries fight corruption ? (please tick one only)

- Increase awareness and educate on costs of corruption
- Work with countries in their formulation/implementation of anti-corruption programs
- Collaborate with international NGOs to combat corruption worldwide
- Control corruption in donor-funded development projects and among donor agency staff
- Make development assistance conditional upon improvements in fighting corruption by the country
- Donor agencies should not be involved in this area of work

9. In countries where corruption is a serious national problem, and the leadership is unwilling to take serious steps towards dealing with the problem, it is appropriate for the World Bank to refrain from lending to the central government until the situation improves: YES / NO

10. What sectors in your country do you feel are afflicted by a serious corruption problem?

	Deeply Affected	Moderately Affected	Not Much		
(a) The Presidency/Executive	1	2	3	4	5
(b) Parliament	1	2	3	4	5
(c) Civil Service	1	2	3	4	5
(d) Security services including police and military	1	2	3	4	5
(e) Judiciary	1	2	3	4	5
(f) Parastatals	1	2	3	4	5
(g) Revenue Collection agencies	1	2	3	4	5
(h) NGOs	1	2	3	4	5
(i) The Private Sector	1	2	3	4	5
(j) Multinationals	1	2	3	4	5
(k) Electoral system	1	2	3	4	5
(l) Political parties	1	2	3	4	5
(m) Other	1	2	3	4	5

SECTION B: EVALUATION

1. Has your participation in APNAC via membership of its Chapter in your country and/or participation in its events been?

Extremely Helpful					Quite Helpful
	Not Helpful				
	1	2	3	4	5

2. Has your participation in APNAC via membership of its Chapter in your country and/or participation in its events been helpful in providing **networking and coalition-building opportunities with fellow MPs within your own country and in other countries?**

Extremely Helpful					Quite Helpful
	Not Helpful				
	1	2	3	4	5

3. Has your participation in APNAC via membership of its Chapter in your country and/or participation in its events been helpful in **introducing you to and deepening your knowledge of international, regional and national anti-corruption instruments such as the United Nations Anti-Corruption Convention, the African Union Convention Against Corruption, the SADC Convention Against Corruption, OECD Convention Against the Bribery of Foreign Public Officials, Extractive Industries Transparency Initiative etc?**

Extremely Helpful					Quite Helpful
	Not Helpful				
	1	2	3	4	5

4. Has your participation in APNAC via membership of its Chapter in your country and/or participation in its events affected your perception regarding the importance of the following in helping in the fight against corruption?

Freedom of Information Legislation

Considerably					Average
	Not Much				
	1	2	3	4	5

Witness Protection Legislation

Considerably					Average
	Not Much				
	1	2	3	4	5

Whistle-blower Legislation

Considerably					Average
	Not Much				
	1	2	3	4	5

Legislation creating an enabling environment for civil society

Considerably					Average
	Not Much				
	1	2	3	4	5

Legislation creating an enabling environment for media

Considerably					Average
	Not Much				
	1	2	3	4	5

Money Laundering Legislation

Considerably					Average
	Not Much				
	1	2	3	4	5

Legislation that enhances the independence of parliament

Considerably					Average
	Not Much				
	1	2	3	4	5

5. Has your participation in APNAC via membership of its Chapter in your country and/or participation in its events been helpful in:

	Helpful	Very Helpful	Moderately Helpful	Not	
(a) Creating networking opportunities for MPs	1	2	3	4	5
(b) Providing information and impetus to affect national legislation especially anti-graft laws	1	2	3	4	5
(c) Helping MPs simply learn in ways that improve their professional effectiveness	1	2	3	4	5
(d) Opportunities for rest and recreation	1	2	3	4	5
(e) Creating opportunities for the development of joint programs between countries	1	2	3	4	5
(f) Enabling interaction with civil society and media	1	2	3	4	5
(g) Other	1	2	3	4	5

SECTION C: THE CHALLENGES OF POLITICS

1. Some of the following have been identified as challenges that affect the ability of members of parliament to maintain standards of probity which are often articulated in international and national anti-corruption instruments and legislation:

Low salaries and poor remuneration generally

A Big Problem	Not Much of a Problem
Not a Problem	
1	2
3	4
5	

The need to raise resources for campaigns

A Big Problem	Not Much of a Problem
Not a Problem	
1	2
3	4
5	

The financial demands placed on MPs by constituents

A Big Problem	Not Much of a Problem
Not a Problem	
1	2
3	4
5	

The political demands placed on MPs by the Executive/Presidency

A Big Problem	Not Much of a Problem
Not a Problem	
1	2
3	4
5	

OTHER CHALLENGES (Please List)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

2. Constituents and supporters place many requests for `assistance` to members of Parliament. Which ones affect you most?

	Deeply Affected	Moderately Affected	Not Much
(a) Cash for transport (local and international)	1	2	3
(b) Cash for school fees	1	2	3

(c) Cash for food	1	2	3	4	5
(d) Cash for clothes	1	2	3	4	5
(e) Job requests	1	2	3	4	5
(f) Cash for hospital bills and medicine	1	2	3	4	5
(g) Cash for the police and other officials	1	2	3	4	5
(h) Cash for development projects	1	2	3	4	5
(i) Cash for settling fines in disputes	1	2	3	4	5
(j) Cash for bride price and wedding preparations	1	2	3	4	5
(k) Cash funeral preparations	1	2	3	4	5
(l) Cash for the medicine man	1	2	3	4	5
(m) Other	1	2	3	4	5
(j) Other	1	2	3	4	5
(j) Other	1	2	3	4	5

3. How do you cope with the above challenges? (Please tick one only)

- Ignore requests
- Make cash payments
- Find other ways to help

4. To what extent can MPs exercise leadership in fighting corruption?

To a great extent Not at all	1	2	3	4	5	To some extent
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5. What do you consider the most severe impediments to your being able to fight corruption effectively as an MP?

	Severe	Very Severe	Moderately Severe	Not	
(a) Limited parliamentary control over the budgeting process i.e. the Executive controls the budget making process	1	2	3	4	5
(b) The weakness of parliamentary oversight committees	1	2	3	4	5
(c) A weak and/or partisan media	1	2	3	4	5
(d) A weak and/or partisan NGO sector	1	2	3	4	5
(e) Lack of an adequate legislative framework	1	2	3	4	5
(f) Corruption afflicts parliament deeply as well	1	2	3	4	5
(g) Ineffectiveness of anti-corruption agencies	1	2	3	4	5
(h) Ethical standards of individual MPs	1	2	3	4	5
(i) Other	1	2	3	4	5

6. Is the bribery of MPs to affect the way they vote on certain pieces of legislation or otherwise carry out their responsibilities:

A Big Problem	Not a Problem	Somewhat a Problem		
1	2	3	4	5

7. Once you have been elected is managing the expectations of those who helped to finance your campaign:

A Big Problem	Not a Problem	Somewhat a Problem		
1	2	3	4	5

How do you deal with this?

8. Does corruption affect clan/ethnic/religious/regional attitudes of your voters and supporters?

A Great Deal Not Much
Not at All

1 2 3 4 5

Please explain

9. Does corruption affect political trust³ along party lines?

A Great Deal Not Much
Not at All

1 2 3 4 5

Please explain

10. Does corruption affect political trust in general (public trust):

A Great Deal Not Much
Not at All

1 2 3 4 5

Please explain

10. Does corruption affect political trust along ethnic/regional/clan/religious lines among political leaders:

A Great Deal Not Much
Not at All

1 2 3 4 5

Please explain

11. Certain instruments and processes have been presented as solutions to reduce corruption. Please give your opinion on their effectiveness:

	Very Effective	Somewhat Effective	Not At All
(a) MP-controlled constituency/local level funds	1	2	3 4 5
(b) Public political party financing	1	2	3 4 5
(c) Proportional representation	1	2	3 4 5
(d) Affirmative action	1	2	3 4 5
(e) Party lists	1	2	3 4 5
(f) Ethics-related legislation e.g. assets declaration	1	2	3 4 5
(g) Other	1	2	3 4 5
(h) Other	1	2	3 4 5
(i) Other	1	2	3 4 5

12. Are there other issues on corruption that you think were not adequately covered in this questionnaire? Please give your suggestions on how the instrument could be further improved.

*** Thank you for your cooperation***

³ `Political trust` here defined as the ability of political actors to have faith that colleagues will stand by positions on particular issues that they have already rhetorically expressed

Additional questions:

- 1) Government or Opposition MP?

Whether an MP is in opposition or not may influence their perception of corruption in the parliament.

- 2) Rural or urban constituency?

We might expect that the type of constituency will effect the type of corruption experienced.

- 3) Minister or Assistant Minister?

We know that Ministers have greater access to power/resources, so it might be that Ministers/Assistant Ministers will have different views about patronage and corruption.

- 4) 'To what extent has the Electoral Commission carried out its duties in the last election impartially?'

Very Impartial

Reasonably Impartial

Not at all impartial

Electoral Commissions are key players in controlling electoral corruption, so the answers to this question would be very interesting.

- 5) 'Is there an official 'Anti-Corruption' body or Ministry within the government of your country?'

Yes/NO

If yes, 'Has the Anti-corruption body been allowed to conduct its work independent from government intervention?'

Completely independent

Reasonably Independent

Not at all independent