

# **CORRUPTION IN ZAMBIA: IS IT INEVITABLE? CAN WE STOP IT?**

by  
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# CORRUPTION IN ZAMBIA: IS IT INEVITABLE? CAN WE STOP IT?

So what new can possibly be said about this topic of corruption in Zambia? Haven't we already heard more than enough about the topic? And really, what difference does yet another paper make on the presence of corruption in Zambia today?

Well, these are questions that kept coming to me the past few days as I was finalising my presentation here this evening at the joint Alliance Française-JCTR lecture programme. (Maybe they were questions coming to you also!) Indeed, I was even tempted to switch to another more fresh topic, or else give up altogether. Well, of course I couldn't do that, so here I am, making an effort to provoke some good *discussion* this evening, and some strong *action* tomorrow!

I want to organise my presentation under the following four simple statements about corruption in Zambia:

1. Corruption is worse than "expected" in Zambia
2. Corruption threatens Zambia's future.
3. Corruption is not inevitable in Zambia.
4. Corruption can be defeated in Zambia.

## 1. Corruption is worse than "expected" in Zambia.

By this I mean that corruption at all three levels in Zambia is much more widespread, rampant and pervasive than one might think likely in a fairly democratic and peaceful country. Or at least what I thought likely, before undertaking research for this presentation.

What is this corruption? It can be defined simply as the *misuse of resources or authority by a public official for personal advantage*. I am corrupt when I use my position dishonestly for my gain or when I try to get another to use her or his position dishonestly for my gain.

According to Zambian law, the Anti-Corruption Commission Act No. 42 of 1996, corruption is defined as: "the soliciting, accepting, obtaining, giving or offering of a gratification by way of a bribe or other personal temptation or inducement, or the misuse or abuse of a public office for private advantage or benefit."

My *Thesaurus* gives many synonyms for corruption: dishonesty, bribery, extortion, profiteering, crookedness, racketeering, graft, embezzlement, malfeasance, theft, fraud, swindling, payoff, stealing, blackmail, nepotism, favouritism, sleaze, etc., etc.

It is sometimes described as the "fifth component" in a productive economy: wages, rent, profits, interest, corruption. It is certainly a major element in a three-part economy: formal sector, informal sector, underground sector (corruption, smuggling, drugs, prostitution, etc.). The monetary value of corrupt acts may not figure in official GDP statistics from the Central Statistics Office or the Bank of Zambia, but it certainly is there!

The three levels are (1) *grand corruption*, or that committed by major government or private actors (one thinks of the trial of former President Chiluba for "plunder of the national economy"); (2) *middle corruption*, or that committed by public servants by theft of public funds (one thinks of the trial of Health Permanent Secretary Bulaya for awarding a contract to himself), and (3) *petty corruption*, or bribes taken by minor government officials – "facilitation fees," as they might be called! (one thinks of paying a police officer a small amount to avoid a large fine).

For *grand corruption*, we are still awaiting the outcome of Chiluba's trial and I recognise that one is innocent until proved guilty. But the Zamtropol documents laid before the Parliament by President Mwanawasa in 2002, the Task Force revelations that caused Xavier Chungu and Attan Shansonga to flee the country, the on-going trials of former Ministers and Permanent Secretaries, surely do indicate a pattern of shocking corruption at the very highest levels. Firing of key officials in the Ministry of Lands or Ministry of Information raises our questions sharply.

The recently published and well researched study of the privatisation of Zambia's copper mines, *For Whom the Windfalls*, points to the potential for corruption at the highest levels. Was it only free market ideology that kept tightly secret the Development Agreements signed between the GRZ and the purchasers of the mines, or was it because their very terms -- so advantageous to foreign investors and so disadvantageous to Zambians -- had been facilitated by high level corruption? Surely we need to know more about all this!

For *middle corruption*, we have only to cite the State President's dramatic declaration two months ago that K3 trillion kwacha -- the next day clarified to *only* K 36 billion -- has been stolen by 326 public workers in various ministries covering the period 2003 to 2007. And of course we also have the recently published and well researched study of the Auditor General's reports from 1984 to 2004, *Show Me the Money!* that reveals theft, misappropriation and revenue loss of over K7 trillion. And now almost every day in recent weeks we have the revelations in front to the Parliament's Public Accounts Committee (PAC) of massive corruption in so many ministries. I looked over the newspapers of the past few weeks and noted headlines like these:

- PS Quizzed over "Missing" US\$ 200,000 -- DAILY MAIL 13 April (rent paid by Uganda to Zambia for house in Italy)
- Government Suspends 2 Officers for Misappropriating K855 m -- POST 15 April (passport officers)
- Auditor General and PS Dr. Miti Differ over Accountability in Ministry of Health -- PSOT 05 April (K21 m spent for Christmas cards sent to donors, made of "poly vinyl chloride material which is much more durable than ordinary material")
- ACC to Probe ZESCO -- NATIONAL MIRROR 13-19 April (employees claim K150 m spent on golf shirts never delivered)
- RDA Engineer Nabbed -- DAILY MAIL 15 April (attempting to get K3 b to pay contractors already paid)
- Two Nabbed over K600,000 in Livingstone -- DAILY MAIL 16 April (received bribe to release 21 heads of cattle suspected of contagious Bovine Pleural Pneumonia)
- PS in Trouble over K1b -- TIMES OF ZAMBIA 11 April (diversion of money for cattle restocking)
- PS Sent Away from PAC -- DAILY MAIL 03 April (misappropriation of judiciary funds for football club)
- Auditor General Must Probe K200 m Misuse by ZULAWU -- TIMES OF ZAMBIA 10 April (misappropriation of money intended for staff houses)

For *petty corruption*, I am sure that you have stories yourself to tell. I just asked some friends the past few days and they told me about waiting for hours at UTH for an X-ray, to be told that for a small "facilitation fee" of K67,000 (no receipt provided!) there would not be need to wait in line! Or about complaining in one Ministry about wages not paid by a Chinese investor, only to be told that that investor was a good friend and such complaints would not be tolerated! Or about going to Central Police for a finger printed document and told to come back tomorrow, and tomorrow, and tomorrow, until some "lunch money" could

be found for the officer at the desk! “Petty” indeed in exchange, but massive in consequences....!

## 2. Corruption threatens Zambia’s future.

So we are talking about a fact that everyone seems to know, officials in government readily acknowledge, and people almost seem to accept as inevitable.

There is a word in ciNyanja that if I use in my homilies at Mass on Sunday will be sure to always provoke laughter: “*Nchekeleko*.” Literally it means something like, “Give me my share, cut me a slice”! It is an expression people laugh about because of its common use on the streets, in the shops, in the offices, in the homes. Give me my share of what you have, if you want me to cooperate with you for something that you need! It provokes laughter – maybe some nervous laughter – because it is so common. But surely it is no laughing matter.

Early in his term as third Republican President, Mr. Mwanawasa stated: “The impact of corruption is ghastly if not contained, and contained timely....Left uncontained, corruption threatens to undermine the credibility of government, and the very existence of Zambia as a nation. Therefore it is not HIV/AIDS, it is not poverty, but corruption, which poses the greatest threat to our people and nation.”

Such a judgment is not, in my estimation, exaggerated. Just think for a moment about how corruption affects the future of this country.

- *It blocks economic development:* discourages investments, both local and foreign; cancels possibilities of foreign aid and assistance from cooperating partners; lessens chances for continued debt relief; sidetracks funds for infrastructure improvement
- *It undermines social development:* diverts, distracts, drains scarce and needed resources (e.g., drugs in hospitals, books in schools); unravels essential cooperative efforts at the local level; kills and murders as effectively as an AK-47
- *It prevents political development:* destroys free and fair electoral processes; attracts undesirable elements into politics and discourages good people; weakens political will to fight back against injustices; delays effective constitution building
- *It threatens moral development:* builds a “culture of dishonesty” that hinders ordinary trust relationships; offers role models for youth that are destructive of community solidarity; depletes the “moral capital” that is so necessary to move the country out of poverty

Given even that brief analytical framework, we can see that the President was speaking very honestly when he said: “...it is not HIV/AIDS, it is not poverty, but corruption, which poses the greatest threat to our people and nation.”

Transparency International Zambia (TIZ), the local branch of the highly respected international anti-corruption institution, has in recent years conducted surveys of people’s perceptions of corruption in the country. Without going into the details contained in their published reports and on their website, I can summarise by saying that although there had been some early perceptions of improvements with the Mwanawasa regime over the Chiluba regime (2002 report), there have been increased negative perceptions (2005 report).

And I doubt if I would be proven incorrect to state that given the Auditor General's most recent report and the hearings before the Public Accounts Committee, another local perception survey taken this year of 2007 would show even higher rankings on various corruption indices.

At the *international* level, Transparency International's 2006 Corruption Perception Index ranks Zambia as 111 out of 163 countries surveyed – that is, in the last quarter on a chart of how countries are looked at as regards corruption. The former Zambian Minister of Information strongly contested that ranking when it was released – but then it probably is not relevant or credible today to cite the opinions of that former Minister!

### **3. Corruption is not inevitable in Zambia**

Faced with both the evidence of great corruption in Zambia and the consequences on the future of Zambia's sustainable development, what should be our response? One response would be to simply accept corruption as a fact of life, lamentable but unavoidable. I don't think that many of us present here this evening would adopt that response!

So we might take up the three-part approach used in discussing how to deal with poverty – the poverty affecting and afflicting 70% of Zambians this evening. You know these three approaches: poverty *alleviation* (curbing the pain endured, through welfare and relief efforts), poverty *reduction* (cutting down on the numbers of the poor, through development programmes), and poverty *eradication* (doing away with the unacceptable situation, through economic and cultural transformation). Many of you may know the comparison I often use, explaining how we pastors might deal with sin, say the sin of adultery: sin alleviation (comforting those sinned against but not confronting the sinners), sin reduction (adultery four times a month instead of ten times a month), sin eradication (conversion of mind, heart and action to lead a faithful life).

What do we want in Zambia now? Simply some comforting of those who suffer because of corrupt practices? Or a marked reduction in the cases experienced and/or reported of corruption? Or an elimination of this cancer from the body of Mother Zambia? I would argue for the last option, while recognising it is an ideal to be struggled for and not a situation to be accomplished overnight. But to aim for anything less is to accept some inevitability and to be willing to live with unacceptable consequences.

The Government of the Republic of Zambia last year constituted a five institution committee (made up of the Anti-Corruption Commission, Governance Development Unit, Transparency International Zambia, the Cabinet Office and an independent Consultant) to develop the National Corruption Prevention Policy and Implementation Strategy.

The vision of this National Corruption Prevention Implementation Strategy is:

To attain “zero tolerance of corruption” and maintain Zambia as a corruption-free country by efficiently harmonised and coordinated actions against corruption in which all sectors of society freely and willingly participate.

The goal of the National Corruption Prevention Implementation Strategy is:

To harmonise and reconcile the various institutional efforts and political will in the fight against corruption so as to institute effective national

measures which reduce opportunities for corrupt practices and make corruption a high risk undertaking.

Indeed, lofty vision and a worthy goal. But unless I am mistaken, I do not believe that there has been widespread dissemination and discussion of the draft of this Strategy. Relying on a paper recently prepared by Mr. Thomas Krimmel, I learn that this Strategy deals with institutional, situational, social and legal contexts. Institutional and situational contexts relate to restructuring and reform of what is currently on the ground, social relates to attitudes and behaviours and legal to laws and regulations. Krimmel notes that this Strategy “mainly deals with the causes for the weaknesses of the current anti-corruption measures, rather than analyzing the underlying causes of corruption and defining concrete answers on the various aspects identified.”

I believe that this observation is very important, and will shape my own set of recommendations about how to overcome the “inevitability conundrum” – to use a fancy phrase to describe what we all seem to be facing. Even the editorial in this morning’s POST highlights the frustration felt by Zambians in the face of the revelations of massive instances of corruption at so many levels and such ineffective responses being made.

Let me simply say the obvious, that the institutional and situational and legal frameworks for dealing with corruption in Zambia all need to be strengthened. This is obvious because we know that the Anti-Corruption Commission, the Auditor General’s Office, the Task Force on Corruption, or whatever institutional arrangement might be in place or put in place, cannot function without good staff and adequate resources and clear independent status.

Moreover, arrangements for tightening fiscal management are certainly in order. An Integrated Financial Management Information System (IFMIS) and a Public Expenditure Management and Financial Accounting Reform (PEMFAR) are obviously necessary.

And we should look forward to another obvious effort that can highlight and curb corruption, the implementation of the African Peer Review Mechanism (APRM). Zambia has signed on to this NEPAD initiative and in the next few months we should see Government and civil society engaged in effective partnership to move forward the APRM.

But rather than dwell on the obvious and perhaps more easily dealt with responses, let’s go a bit deeper to suggest that what is needed is a change of culture and identify what supports the current culture in place. Correct me if I, a *mzungu* living only 18 years here, am not correct, but I get a sense that sometimes corruption is tolerated for at least three reasons: (1) it is expected that those who have a bit of authority have a right to claim something for themselves, even outside the laid-down rules; (2) it is accepted that those who are in serious need are not doing anything wrong to compensate for low wages; and (3) it is anticipated that strict accountability and transparency is sometimes too much of a demeaning demand on high officials (how often do we hear “trust me” as a substitute for following the rules!).

I believe that we need to break that tolerance if all the institutional, situational and legal approaches are to have any effect. To repeat the line of argument at this point, corruption in Zambia is not inevitable – but we must take some deeper approaches to defeat it!

#### **4. Corruption can be defeated in Zambia.**

As I was preparing this presentation, an e-mail arrived from a Zambian whom I do not know, but who had seen the advertisement for this evening’s discussion and wanted to add his own view on the issue of how to deal with corruption. I quote: “What I would like to say is that

corruption in this country is as a result of lack of integrity and professional morals....We can fight corruption if we start by changing our attitudes as individuals. It takes two to tangle. If I can refuse to be corrupted then I can help the other person not to corrupt. We need to realise that we are to be at the service of others. Whatever we do must be for the benefits of others before we see our own rewards. This calls for a massive campaign through media and even workplaces, not only discussions.”

Now I ask myself and I ask you: Is this view merely sentimental, naïve, unrealistic? Or is it touching on something much deeper that we may well have been ignoring in all the anti-corruption activities that so far have not reaped much benefit?

I am reluctant to pin everything on one approach, but tonight at least I am going to say that in our efforts to defeat corruption in Zambia we should have a much, much stronger approach to dealing with culture, attitudes, behaviour patterns, etc. Let's keep up the structures, institutions, legal responses, etc. But let's see some new and renewed efforts to address the deepest causes of corruption and why some of those structures, etc., have not been working well.

In brief, I outline five calls for immediate action:

1. **Courageous leadership at the highest level of Government, the State President.** Let him reiterate what he said at the start of his presidency: “zero tolerance to corruption.” And to prove he means it now, let him immediately put on leave those high-ranking officials currently on trial in court or called by courts to explain their questionable activities. Let him open himself even to criticism of his Ruling Party's electoral practices by allowing full investigation into vehicle usage, dubious distribution of maize purchased from DRC, etc. At the time of the SADC meeting that he will preside over in two months, let everyone in this country, and the distinguished visitors who will be with us then, be fully aware of strong moral and practical leadership that is effectively working to halt the spread of the cancer that is killing thousands of Zambians daily, corruption. I don't think I am unfair to say that at this very moment, there is not such a widespread awareness among the participants in this meeting or in the country at large. Let me be corrected if I am mistaken.
2. **Moral teachings by the Church Mother Bodies.** I urge a joint Pastoral Letter to be prepared by our church leadership and published in five weeks, on 27 May, the Feast of Pentecost, calling for moral conversion, condemning great, middle and petty corruption, and sanctioning members who are known to unrepentantly engage in such corruption. Strong words? Yes – but not as strong as the words of Old Testament prophets like Jeremiah who criticised the *apamwamba* of his day: “Woe to him who builds his house on wrong, his terraces on injustice.” (Jeremiah 22:13-17) Or the words of the New Testament prophet Jesus Christ who challenges the religious leaders of his day: “Woe to you scribes and Pharisees, you frauds.” (Matthew 23: 1-39) Or the words of Peter who challenges Annaias and Sapphira over their swindling of land sales (Acts 5: 1-11). Where are the church prophets of today – calling by *word* and demonstrating by *witness* the transparency and accountability needed to stem the tide of creeping corruption?
3. **Practical instruction in all educational institutions.** Anyone would acknowledge that Zambia cannot develop all its wonderful God-given resources unless we have schools that teach good literacy and numeracy to our future generation of leaders. But let's also acknowledge that there will be no future development without honest, truthful, selfless and dedicated leaders, persons for whom corruption is seen as something to be avoided just as much as mathematical mistakes and incongruent grammar. Can that be taught?

Certainly it can, even if it will mean some prior instruction of the teachers themselves! But look how we have promoted HIV and AIDS awareness, with at least some significant consequences in behaviour patterns. Why not with anti-corruption values and norms?

4. **Civil society alliances to campaign in focused fashion.** The Oasis Forum has pulled together the *moral* voices (church mother bodies), *legal* voices (Law Association of Zambia) and *civil* voices (NGOCC) to protect the constitution from third-termism and to promote a people-centred constitution. Let it and other civil society alliances pull together a strong and clear voice saying: “Stop Killing the People! Stop Corruption!” The media – at least the independent media – is doing a fine job of reporting. But if civil society puts pressures on key actors from top to bottom, some halting of corruption can be experienced in the near future.
5. **Personal examination of conscience for conversion.** Let me speak as a pastor. If it is true that corruption is killing people in Zambia, then why not call for each of us to ask ourselves how we have contributed to killing our sisters and brothers? A shocking question, surely, but it has a ring with reality if we look carefully at it. Grand corruption surely set back the economic development in Zambia that would have provided jobs – and food – for millions in the past 15 years. Middle corruption has meant that medicines were not available in hospitals and clinics around the country for treating life-threatening diseases. Petty corruption has kept on the road dangerously defective vehicles that have caused horrendous accidents. Has my attitude, my indifference, my unwillingness to take a stand, contributed to the spread of these forms of corruption? Surely personal conversion can be called for!

## Conclusion

I’ve tried to argue this evening four points:

1. Corruption is worse than “expected” in Zambia
2. Corruption threatens Zambia’s future.
3. Corruption is not inevitable in Zambia.
4. Corruption can be defeated in Zambia.

I don’t think I’ve said anything particularly new – we all have similar thoughts, similar desires. Surely we can have similar actions!

I think it is time – indeed, past time – to move forward in stemming the tide of corruption, halting the spread of its deadly cancer. Hopefully the discussion that follows now will move us in that direction.

There is a 16<sup>th</sup> century saint, Thomas More, who was the Chancellor of King Henry VIII of England. Asked to go against his conscience, to deny his trust, he answered very poignantly that public trust is held like sand in our hands. If we open our fingers only a bit, to be only a bit corrupt, the sand of trust flows out quickly and is completely lost. A beautiful image, I believe, to remind us that indeed, today here in Zambia, we can together close our fingers, clasp our hands together with each other, to halt corruption.

Thank you!



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# Corruption in Zambia: Is it Inevitable? Can We Stop it?

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