



Republic of Zambia

GOVERNANCE AND CORRUPTION

**SUPPLEMENTARY BOOK FOR SENIOR SECONDARY SCHOOL
(GRADES 10 - 12)**



Curriculum Development Centre

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CONTENTS	PAGE
PREFACE	iv
ACKNOWLEDGEMENTS..	v
INTRODUCTION.....	vi
Chapter One: The fight against corruption in Zambia	1
Background to the fight against corruption	1
Meaning of corruption	2
Corruption offences	3
Functions of the Anti-Corruption Commission	4
Forms of corruption	5
Manifestation of corruption	6
Causes of corruption	6
Effects of corruption	7
Chapter Two: Corruption and the Legal System	10
Anti-Corruption Laws in Zambia	10
Corruption and the Rule of Law.....	11
Institutions that fight corruption in Zambia.....	11
Chapter Three: Anti-Corruption Policy Framework.....	15
The National Anti-Corruption Policy	15
Legal Level Measures	15
Institutional Level Measures.....	15
Social Level Measures	16
Chapter Four: Governance and Corruption	18

Meaning of Governance	18
Good Governance	18
Bad Governance	19
The Role of Citizens in Promoting Good Governance	21
Corruption as a Key Governance Challenge	21
Role of the Public in the fight against corruption	21
Chapter Five: Corruption and Economic development	24
Corruption and the Economy.....	24
Corruption and the Environment	24
Chapter Six: Global and Regional Anti-Corruption efforts	27
The Southern African Development Community Protocol Against Corruption.....	27
The African Union Convention for Preventing and Combating Corruption	27
The United Nations Conventions Against Corruption	28
Zambia’s Effort Towards Domesticating International Agreements	28
Chapter Seven: Values and Leadership	30
Social Values	30
Leadership	31
Glossary.....	34
References.....	37

PREFACE

The Ministry of Education, Science, Vocational Training and Early Education officially started using the revised school curriculum in January 2014. This followed a long review process which also involved consultations with many stakeholders including the Anti-Corruption Commission (ACC). It is expected that the revised school curriculum will equip the learners with necessary skills, knowledge and values that shall enable them make meaningful contributions to national development.

One of the important aspects of the revised school curriculum is the inclusion of anti-corruption topics from grades One (1) to Twelve (12). This inclusion will enable learners understand, among others, what corruption is, its causes, effects and the role of every person in the fight against corruption.

In view of the anti-corruption topics that are in the school curriculum, the Anti-Corruption Commission in collaboration with the Curriculum Development Centre has developed this supplementary book. The book is particularly meant to support anti-corruption topics in subjects that relate to the way we live in our social settings and the way we conduct ourselves.

The Ministry of Education, Science, Vocational Training and Early Education and the Anti-Corruption Commission hope the book will be helpful in the learners' studies and in their careers in future.



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ANTI-CORRUPTION COMMISSION - ZAMBIA

ACKNOWLEDGEMENTS

This supplementary book is a result of efforts by several people who have worked hard both individually and collectively to produce it.

The ACC appreciates the contribution of reference materials by governance institutions, among them Transparency International, Governance Secretariat, Electoral Commission of Zambia and other Anti-Corruption Agencies in the region and globally.

Gratitude goes to the Government of the Republic of Zambia and Cooperating partners mainly the Department for International Development (DFID) for the financial support towards the compilation and printing of this publication.

Special tribute is made to the task team comprising officers from the Curriculum Development Centre (CDC), the Anti-Corruption Commission (ACC) and the Ministry of Education, Science, Vocational Training and Early Education who compiled the supplementary book.

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INTRODUCTION

Corruption is one of the challenges in Zambia and many countries around the world. It is a crime that can destroy individuals, communities and entire countries. Corruption, which happens in many ways and takes several forms, is mainly caused by greed and dishonesty. The beginning point is usually when people start looking only at themselves and their own interests above anyone else's. The results are very dangerous and include increased poverty, poor quality of services offered to the public, enlarging the gap between the rich and the poor, reduced standards of goods, compromised rule of law and under development. Once someone starts getting bribes or engaging in corruption, it becomes a habit and they grow up as a dishonest person.

In order to avoid the above situation, learners must start training themselves at an early age to be selfless and honest. They should also learn to respect other people and property which belongs either to the government or other people. In addition, it is important for learners to work hard and comply with rules that are given to them at school and at home since this would be the beginning of a corruption-free life.

There are several benefits when a country has very low levels of corruption. These include better social services since people will not have to pay extra money to receive services. Improved public service delivery can also happen because money which government releases will be reaching its intended beneficiaries. Reducing corruption can encourage people to follow the laws, rules and procedures hence promoting fairness in society. Further benefits include increased enjoyment of human rights which are important for all people to live happily together. Ultimately, a corruption-free country can make available more goods and services to its citizens and other people who visit and stay in the country.

CHAPTER ONE

THE FIGHT AGAINST CORRUPTION IN ZAMBIA

Background to the Fight Against Corruption

Corruption is a criminal offence whose existence has been reported since time immemorial. In Zambia, the fight against corruption dates back to the time before independence when Zambia was under the leadership of the British Government. The account below outlines the history of the fight against corruption in Zambia.

- Before Zambia's independence the Prevention of Corruption Act of 1916 was used to fight corruption. This law was put in place by the British Government and it applied to all its protectorates or colonies.
- After Zambia gained independence in 1964, the Penal Code, CAP 146, Section 10 contained the first anti-corruption provisions in independent Zambia. This law only covered corruption offences relating to public bodies and public officers (Government Workers). It was enforced by the Zambia Police Service.
- The Corrupt Practices Act No. 14 of 1980 provided for the establishment of the Anti-Corruption Commission (ACC) as an independent institution with exclusive focus on fighting corruption. It extended corruption definition to include private organisations. Under this law, the Commission was reporting to the President.
- The ACC Act No. 42 of 1996 repealed (replaced) the Corrupt Practices Act and provided for the operational autonomy of the Commission. This meant the Commission was not subject to direction or control of any authority. The Act allowed the Commission to exist as a body consisting of the Directorate (Operational Section) and Board of part-time Commissioners. This Act further enabled the Commission to represent the interest of the Zambian people and protection of ACC staff and management.
- The Anti-Corruption Act No. 38 of 2010 replaced the ACC Act No. 42 of 1996. Abuse of public office and possession of unexplained property were removed but conflict of interest, unlawful acquisition of public property and declaration of gifts by public officers were incorporated, among others.
- The Anti-Corruption Act No. 3 of 2012 is the current principal anti-corruption legislation in Zambia. This Act brought back the abuse of office clause and

re-emphasizes abuse of public authority of office to constitute an offence and defines misuse of private funds or property as an offence under the Act.

Meaning of Corruption

Corruption is generally understood to mean the giving of something of value to someone in order to receive a favour. It is also defined as the misuse or abuse of public office for personal gain. The Anti-Corruption Act No. 3 of 2012 defines corruption in the following ways:

Giving or receiving of Gratification: **soliciting, accepting, obtaining, giving, promising and offering** of a **gratification** by way of a bribe or other personal temptation, inducement or reward. A gratification is a corrupt payment which is given to induce or receive a favour and may include money, property and sexual favours among others. Both the giver and the receiver of a gratification commit an offence, except if it's a casual gift. **A casual gift** is any *conventional* or commonly accepted *unsolicited* gift which is of *modest value* and is *not connected to performance of duty*. For instance, a person may give a friend a birthday gift or a person in a village may give their local chief a bag of maize as a casual gift or homage. **A Bribe** is anything valuable for example money or property given to someone in order to receive a favour. **A reward** is anything valuable given to someone in appreciation of a favour.

Unlawful handling of public property or resources: Illegal or unlawful acquisition, diversion or disposal of public property or resources. This may involve illegal use or sale of public property.

Abuse of public office: Misuse or abuse of public office may involve public officers engaging in acts which are against state and citizens' interests. This may involve a Public Officer not declaring or disclosing interest in matters they are dealing with or making decisions which are against the regulations in order to obtain personal benefit.

Unexplained wealth for public officers: Possession of unexplained property by public officers. This may involve a public Officer having wealth or maintaining a standard of living which is not equal to the personal emoluments or earning.

Distribution of unauthorized materials: during election time materials such as money and food stuffs are not supposed to be distributed by candidates and their supporters to the electorates. It may also involve buying of Voters' Cards. Only campaign materials like posters, flyers and T-Shirts bearing party messages should be distributed during elections. This offence is provided for in the Electoral Act.

Corruption Offences

The following are some of the examples of corruption:

- Solicitation or asking for bribes or gratification in order to provide services such as giving of driving licences, national registration cards, police bond and school places.
- Corruption in kind may involve asking for sexual favours by people in authority in order to give favours.
- Unreasonable delay, omission or refusal to perform duties by a Public Officer in order to force someone to pay a bribe for example to issuing permits, licenses, certificates or payments for works done.
- A Public Officer sitting on a procurement committee failing to declare interest when the matter under consideration or discussion relates to his private business or that of his or her family members or associates.
- Illegal or fraudulent or unlawful acquisition, diversion, disposal of public property or funds. For example, illegal use of government motor vehicles by public officers is an offence.
- Wilful failure to comply with procedures relating to the management of public affairs. Bribes with regard to contracts or buying of goods, works and services, for example, issuance of completion of work certificates for

incomplete or poorly done works or projects such as construction of health centres, schools and roads.

- Being in possession of unexplained wealth, for example, a worker in a government institution possessing money, property or other resources which are beyond his or her salary and other official payments.
- Having property such as houses and cars and living a life style which is beyond a government worker's salary or other official payments.

Functions of the Anti-Corruption Commission

The ACC is the main institution that fights corruption in Zambia. The major functions of the ACC as provided for in the Anti-Corruption Act No. 3 of 2012 can be summarized as follows:

Public Education: This function involves conducting public education and encouraging public support towards the fight against corruption. This is done through awareness programmes and establishing partnerships with Civil Society Organizations, religious organisations, community associations and the youth. Some of the education programmes include talks, public rallies, youth festivals and radio programmes.

Corruption Prevention: Corruption prevention involves studying organisational processes and procedures so as to establish areas that are vulnerable to corruption and recommend remedial measures in both public and private organisations. Other functions under corruption prevention include conducting of joint operation programmes and assisting institutions in coming up with corruption prevention programmes. Corruption prevention also involves establishing Integrity Committees in public and private institutions to spearhead the prevention of corruption and improve public service delivery.

Investigations: Investigations involve gathering evidence on the reported acts of corruption. Under this function, the Commission receives corruption complaints from the public and investigates them. The Commission itself initiates investigations into suspected acts of corruption. Under this function, the Commission arrests those who engage in corruption.

Prosecution: The ACC Prosecution Unit is responsible for providing legal guidance and taking corruption cases to court. This is only done after investigations have been concluded, sufficient evidence gathered and offenders arrested.

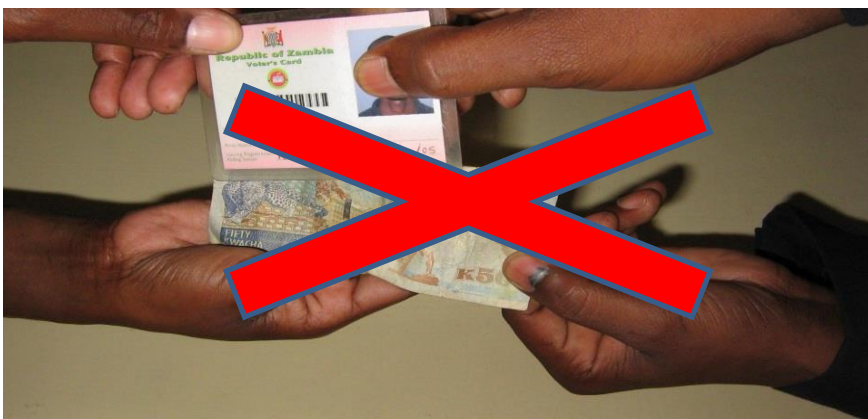
Forms of Corruption

Corruption exists in many different forms and may take place at various levels of society and institutions. Corruption can be categorized in three forms namely petty, grand and political or electoral corruption.

Petty Corruption: Petty Corruption involves giving of gratifications of small value such as K10.00 or a chicken in order to receive a favour. It is common at points of service delivery and usually involves ordinary people or members of the community

Grand Corruption: This form of corruption involves large amounts of gratification, for example, a vehicle, a cow or a bribe of K200, 000.00 being given in return for a favour. It may take place where senior officials exchange business deals with the business community such as road construction, procurement of school materials and furniture.

Political or Electoral Corruption: Political or electoral corruption relates to bribery and vote buying during elections and includes distribution of any unauthorized items to the electorate during political campaigns for example sugar, cooking oil and money.



Manifestation of Corruption

Corruption can happen or take place in different ways as explained below:

- **Fraud** - use of lies, deception, scam and misrepresenting of facts in order to gain advantage, for example, forgery and production of counterfeit or false material.
- **Bribery** - giving of valuable items in order to receive a favour
- **Extortion** - use of threats, intimidation, pressure or force and coercion to disadvantage someone. An individual may threaten to report another person's illegal activities if he or she declines to offer them something.
- **Electoral Corruption** - buying of votes and distribution of unauthorised materials during elections
- **Money Laundering** - disguising, hiding or concealing the proceeds of crime such as stolen property or money so that it appears like it is from a clean and genuine source
- **Abuse of Power** - willful failure to follow procedures and laws by public officials in order to obtain personal benefit
- **Conflict of Interest** - failure to disclose interest in matters and proceedings by public officials, for example, a public officer failing to inform his or her supervisors that a person they have employed is their relative.
- **Favoritism and Nepotism** - giving of favours to friends and family members

Causes of Corruption

There are many causes of corruption. Greed and Dishonesty are the main causes of corruption. There are other causes of corruption which have been categorized as follows:

- **Social Causes** - Weak moral and religious teachings, unethical or immoral leadership, inadequate checks and balances by the public, lack of knowledge of service provision, lenient punishment to offenders.

- **Economic Causes** - Low income or salaries, wide gap between the rich and the poor and inadequate social services such as health and education.
- **Organizational Causes** - Complicated procedures, too much power given to a person in an institution, insufficient supervision, non-existence of service standards and inadequate publicity of services.
- **Political Causes** – uncontrolled desire for power or authority by politicians coupled with a strong desire for immediate rewards among the electorate.

Effects of Corruption

Corruption has negative effects on both society and the economy. Corruption affects all sectors of society and everyone including those who engage in corruption and those who do not. The major effects of corruption include the following:

- **Lowers the quality of service delivery standards and procedures** - Corruption allows unqualified individuals to take up positions of power. Undeserving companies are also awarded Government contracts leading to poor services.
- **Prevents people from enjoying their human rights** - Corrupt people will always put their needs first before the rights and privileges of others, thereby violating rights of other people.
- **Creates anger** - This happens among citizens who are affected by corruption and may lead to strikes, demonstrations and riots.
- **Increases inequalities in society** - **Resources** are not equally shared between the poor and the rich when there is corruption, thereby widening the gap between them.
- **Leads to poor corporate image** - Corruption creates a bad image of an individual or institution making it difficult to obtain public trust.
- **Reduces investor confidence** - Genuine investors would not want to invest their money in a country that has high levels of corruption
- **Undermines the rule of law** - Corruption leads to unfair application of the law by the Judiciary and law enforcement agencies

- **Undermines peace and security** - Corruption causes criminals to go unpunished, thereby forcing members of the public to take the law in their own hands.
- **Leads to underdevelopment** - dishonesty and selfish individuals steal public resources leaving Government with limited resources to deliver quality services to the people. This may lead to poverty.



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Exercise

1. Outline the background to the fight against corruption.
2. Explain the functions of the ACC.
3. What are the characteristics of a Casual Gift?
4. Identify four (4) corruption offences.
5. Distinguish grand corruption from political corruption and give examples.
6. Describe four (4) ways in which corruption manifests itself.

7. Discuss the effects of corruption.
8. Imagine you were a Member of Parliament in the area where you live. State how you would make sure that there is no corruption in your constituency.

Activity

1. Conduct a research on the causes of corruption in your community and present your findings in class.

CHAPTER TWO

CORRUPTION AND THE LEGAL SYSTEM

A legal system is a way of interpreting and enforcing the law. A good legal system must have strong laws, principles and institutions that support the fight against corruption. Below are some of the laws and institutions that help fight corruption in Zambia.

Anti-Corruption Laws in Zambia

The Anti-Corruption Act No. 3 of 2012 is the supreme law in fighting corruption. It provides for the continued existence of the Anti-Corruption Commission which is the main institution that fights corruption in Zambia. It also provides the definitions of corruption, functions and powers of the Anti-Corruption Commission. Other laws that have corruption-related provisions include:

- **The Penal Code Chapter 87 of the Laws of Zambia** - It provides for various offences and penalties for criminal offences. It renders abuse of public office a criminal offence.
- **Public Procurement Act No. 12 of 2008** – It provides for offences of corrupt practices relating to the buying of goods, works and services by government departments. The Act establishes the Zambia Public Procurement Authority (ZPPA).
- **Electoral Act No. 12 of 2006** – It provides for corruption offences relating to elections.
- **Prohibition and Prevention of Money Laundering Act No. 44 of 2010** – It provides for offences of money laundering and is enforced by the Drug Enforcement Commission (DEC).
- **Financial Intelligence Act No. 46 of 2010** – It establishes the Financial Intelligence Unit which looks at the flow of funds in the financial sector and aims to prevent illegal financial transactions in the economy.
- **Public Interest Disclosure (Protection of Whistle Blowers) Act No. 4 of 2010** - It provides for protection of whistle blowers and complainants who give information to law enforcement agencies.

- **Plea Negotiation and Agreement Act No. 20 of 2010** - It provides room for bargain or agreement between accused persons and prosecuting agencies. It allows an accused person to plead guilty in exchange for lighter charges upon full disclosure of information on offences committed or advantage gained during the commission of an offence. An accused person can also offer to pay back property acquired during the commission of an offence in exchange for light charges.
- **Forfeiture of Proceeds of Crime Act No. 19 of 2010** – It offers provisions for seizure or recovery of stolen assets or earnings. Any property that is reasonably believed by the court of law to have been acquired through criminal activities may be taken over by the state.
- **Public Finance Act No. 15 of 2004** – It provides guidelines for the transparent and prudent management and expenditure of public finances.

Corruption and the Rule of Law

Rule of law is one of the principles of a good legal system and it is critical to the proper administration of justice. The rule of law means the law is applied equally to all citizens. It also means a situation where there is fairness and all activities in a country are conducted in accordance with the law.

Corruption hinders citizens from enjoying their constitutional rights and privileges because corrupt people are able to go unpunished and the innocent citizens are often unfairly treated. If allowed to increase, corruption causes the Judiciary and Law Enforcement Agencies to conduct their work unprofessionally, thereby compromising the rule of law.

Institutions that fight Corruption in Zambia

There are several institutions that fight corruption in Zambia. These institutions and the roles that each of them plays is explained below.

Anti-Corruption Commission (ACC): The ACC is the lead institution in the fight against corruption in Zambia. It fights corruption through four major ways, namely: community education, corruption prevention, investigations and prosecution. Community education involves sensitising members of the about the harmful effects of corruption and encouraging them to participate in the fight

against the vice. Corruption prevention involves working together with other organisations that provide services so as to reduce the opportunities for corrupt practices to take place. Investigation involves receiving complaints and finding evidence to prove or disprove allegations of corruption against someone and arresting those that are found to have committed offences. Prosecution involves taking people that the ACC has arrested for corruption offences to court.



The Anti-Corruption Commission Office in Lusaka

Zambia Police Service: Police Officers have powers to investigate any person who is alleged to have committed any corruption offence. The Police can arrest those that are found to have committed offences and take them to court.

Drug Enforcement Commission (DEC): The DEC mainly deals with corruption offences that relate to money laundering. In other words, they investigate corruption cases as part of their money laundering investigations. Money laundering is a crime which involves making illegally obtained resources look as if they were legally obtained. Corruption is one of the illegal ways through which

resources can be obtained hence the DEC can investigate cases of corruption to show that money laundering has occurred.

Commission for Investigations: This Commission deals with cases of maladministration. These are not criminal cases but administrative cases where government workers fail to follow written procedures. Failure to follow laid down procedures can result in corruption hence it is important that government workers follow the procedures.

Zambia Public Procurement Authority (ZPPA): The ZPPA regulates the way government institutions buy goods, services and works. People who are involved in procurement may want to use corrupt practices to benefit themselves hence it is important that the ZPPA checks how procurement is done so that there is no room for corruption.

Office of the Auditor General (OAG): The OAG checks how government money is handled by government institutions. This involves inspecting whether the money is used for intended purposes and is being handled in accordance with financial regulations. Those that fail to follow regulations are reported to various authorities including the ACC so that they are either disciplined or prosecuted.

Public Accounts Committee (PAC): The PAC is a specialised committee of the Zambia Parliament that is there to question those that the OAG has indicated to have failed to handle government funds properly. The PAC summons all those that are cited for non-compliance and asks them to correct the wrong handling of public funds in their institutions.

Civil Society Organizations such as Transparency International Zambia (TIZ) and African Parliamentarians Network Against Corruption - Zambia Chapter (APNAC Zambia): Civil Society Organisations are typically involved in advocacy and lobbying. This means that they promote the fight against corruption through research, social mobilisation and sensitisation. Civil Society Organisations usually put pressure on government institutions to promote integrity, transparency and accountability.

Exercise

1. In your own words, explain the meaning of a legal system.
2. Apart from the Anti-Corruption Act No. 3 of 2012, describe other laws that have corruption related provisions.

3. Explain the meaning of the Rule of Law and its importance to the fight against corruption.
4. Write an essay explaining how the legal system helps the fight against corruption.
5. If you see someone getting involved in corruption, where would you report that person? Also explain why you would report that person.

Activity

1. In groups visit any institution that fight corruption in Zambia and find out how it fights corruption. Report your findings to the class.

CHAPTER THREE

ANTI-CORRUPTION POLICY FRAMEWORK

National policies provide measures for dealing with national issues. They also allow participation and involvement of all sectors, institutions and individuals. The fight against corruption in Zambia is guided by the National Anti-Corruption Policy.

The National Anti-Corruption Policy

The National Anti-Corruption Policy of 2009 is the overall framework or guide in the fight against corruption in Zambia. The Vision of the Policy is to have a nation and its people that are zero tolerant to corruption. It is expected that policy interventions will contribute to improved service delivery, good governance and socio-economic development. The policy provides measures for the fight against corruption at three levels namely:

Legal Level Measures

The legal level deals with anti-corruption laws. The following are the legal measures:

- Reviewing and strengthening anti-corruption laws
- Including the provisions of international agreements and conventions into national laws

Institutional Level Measures

The institutional measures focus on institutional or organizational policies or procedures. The institutional measures are:

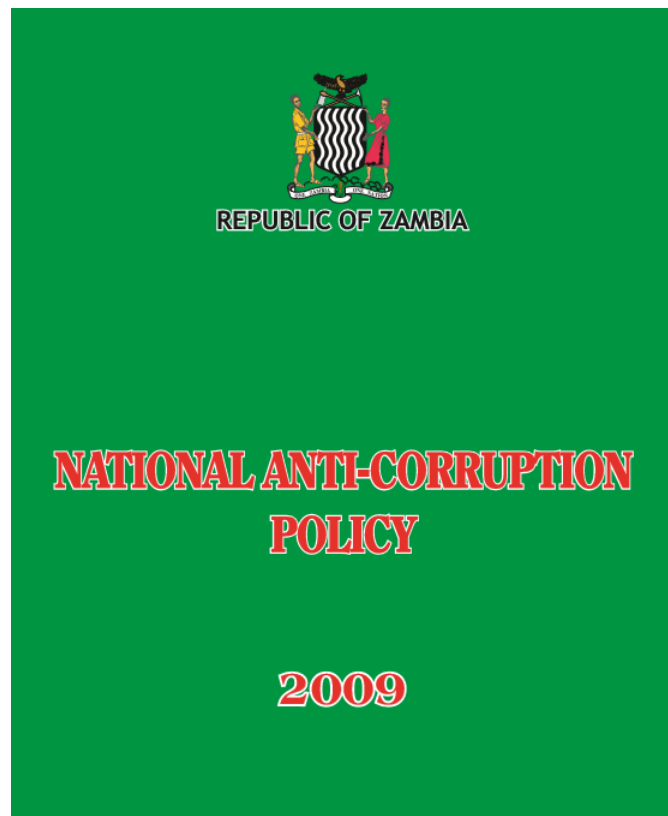
- Introducing Integrity Committees to help in corruption prevention in various institutions
- Developing and promoting adherence to codes of ethics
- Revising organizational procedures and processes
- Increasing service delivery points

- Developing Service Charters by both public and private institutions in order to publicise their services. A Service Charter is a social written agreement on how an institution will deliver its service to the general public aimed at promoting efficiency and effectiveness.

Social Level Measures

The social level deals with the way people live or their lifestyles. The following are the social measures:

- Including or putting anti-corruption messages in the school curriculum as a way of teaching ethical values to the learners.
- Engaging traditional leaders in identifying cultural practices that promote corruption so that they can be addressed.
- Promoting community participation



The National Anti-Corruption Policy

Exercise

1. State the vision of the NACP?
2. Distinguish measures at legal level from institutional level measures of the National Anti-Corruption Policy.
3. Write an essay on the importance of the NACP to national development.
4. Explain how traditional leaders can play a role in the fight against corruption.

Activity

1. In groups design activities to present on the International Anti-Corruption day on 9th December. The activities may include posters, poems, plays, songs and others.

CHAPTER FOUR

CORRUPTION AND GOVERNANCE

Corruption affects governance in many ways. It is important to understand issues of governance in order to identify the many ways in which corruption affects governance. Governance can be good or bad, effective or ineffective. Failure to control corruption is an indication of bad and ineffective governance.

Meaning of Governance

The term **Governance** refers to the way government carries out its work. It also includes the way people are ruled with or without their consent. Good governance has such qualities as **accountability, responsiveness, competence, transparency, citizen participation and efficiency**. It assumes government's ability to maintain social peace and guarantees law and order.

Government institutions carry out vital functions that are needed in order for the state to function. How well the state functions depends on how effective the different institutions are in doing the job. Governance is also defined as the way government uses its authority to provide services, make laws and enforce them.

Good Governance

Good governance is the effective implementation of policies and provision of services that are responsive to the needs of citizen.

Characteristics of Good Governance

The following are some of the characteristics of good governance:

- Consensus oriented - encouraging contributions from citizens and various people and groups
- Accountable – being responsible and answering questions that citizens ask about decisions made
- Transparent - conducting activities in a clear and open manner

- Participatory - involving all citizens in decision making and actions that concern them
- Rule of law – applying the law equally and fairly on all citizens
- Responsive – meeting the needs and responding to the cries of the people
- Effective – doing things in a correct way and within the given time
- Efficient - doing work correctly using minimum resources
- Equitable - ensuring that all citizens have a fair share of opportunities and resources
- Inclusive – ensuring that no one is discriminated against based on one's race, religion, sex, gender or physical challenge.
- Tolerance – allowing other people to say and do as they like provided this is within the law.
- Respect for Human Rights – protecting, observing and promoting human rights
- Regular free and fair elections – conducting elections at agreed intervals in a free and fair environment

Importance of Good Governance

Good governance indicates a meaningful relationship between the people and the government. Good governance also ensures that people are consulted and participate in decision making. As such, good governance promotes harmony in a country because government institutions are accountable, effective and respected. Therefore people's living standards will be improved and national development will take place.

Bad Governance

Bad governance indicates that there is something wrong in the relationships among people who work in government as well as in the relationship between government and the community. Extreme circumstances, such as war, ethnic or religious conflict, economic hardship, and social inequalities, can pose serious

difficulties on the work of government as well as society. Even in less difficult times, the institutions and policies of government may undermine how well the government carries out its work. When institutions and policies are weak, individuals tend to take advantage of them. Bad governance is a result of poor management in institutions.

Characteristics of Bad Governance

The following are the characteristics of bad governance are:

- Favouritism and nepotism instead of rewards for performance
- Outdated and slow systems for managing financial information, records, and other documents
- Unclear rules, procedures and objectives
- Poor working conditions for government workers
- Unregulated official power by people in authority
- Insufficient supervision of workers
- Lack of transparency and accountability
- Weak punishment for those who abuse public resources.
- Excessive control and monopoly of power by government
- Resistance to change of policies and programmes that promote good governance
- Poor communication between service providers and clients
- Inefficiency
- Unresponsiveness to good governance programmes

Effects of Bad Governance

Corruption, which is one of the indicators of bad governance, has brought about certain negative effects on society such as civil unrest, coups d'état, underdevelopment, poor service delivery, poverty, high levels of crime, and public discontentment.

The Role of Citizens in Promoting Good Governance

Citizens' input in governance is important for improving governance. Through elections, public meetings, policy roundtable discussions, committees and surveys, citizens express their 'voice' on what they want from government and how well the government is delivering services. Better policies and programs are developed where government officials coordinate and negotiate with private firms, professional and voluntary associations, labour unions, interest groups, religious associations, women's groups and many other stakeholders.

Corruption as a key Governance Challenge

Corruption is one of the several governance challenges and normally goes beyond the workings of a few bad individuals. If corruption is to be reduced, it is important to figure out exactly where the governance challenge is and take steps to reduce or eliminate it. Like in dealing with most governance challenges, fighting corruption will usually require the participation of all groups which include officials, business persons, leaders of the community, and individuals.

Role of the Public in the fight against Corruption

Members of the public have a very significant role to play in fighting corruption. Citizens are at the centre of the fight against corruption as they have a responsibility to hold leaders accountable in the way they spend public resources. Various sections of society can contribute to the fight against corruption. These sections include the following:

Public Officers: A public officer is any person who works in a public office or body or a government department. Public officers can contribute to the fight against corruption by:

- educating others on what constitutes corruption
- supporting anti-corruption laws and other corruption prevention interventions at work places
- reporting suspected acts of corruption

- offering expert opinion and advice on how best to tackle corruption in an institution
- promoting good ethical values in organization and leading by example in upholding integrity.
- making right decisions which are in the interest of the public.
- being zero tolerant to corruption by resisting corruption at all times and encouraging others to follow laws and regulations in an institution

The Role of Members of the Public: A member of the public is any person, whether citizen, resident or visitor in Zambia. These can contribute to the fight against corruption by:

- sensitizing the public on the dangers of corruption through talks, meetings and many other ways and encouraging them to take up an active role in fighting corruption
- advocating or lobbying for strong and effective laws and policies in the fight against corruption through representatives such as Councillors and Members of Parliament
- reporting corruption and refraining from getting bribes
- establishing community anti-corruption clubs aimed at coming up with strategies for corruption prevention in their localities
- being honest all the time
- respecting government and other people's property
- monitoring community projects and ensuring that those involved in such projects act responsibly
- refraining from promising and giving bribes

The Role of Young People: Young people need to be involved in the fight against corruption through the following:

- upholding integrity from an early age by being honest and responsible

- preparing timely for the achievement of their goals by studying hard for examinations
- learning to comply with laws and procedure by following school rules
- forming, joining and sustaining anti-corruption clubs
- reporting any suspected acts of corruption to the ACC and Zambia Police
- making presentations to schools, youth groups and clubs on corruption and its effects
- organising competitions that communicate anti-corruption messages using posters, poems, essays, debate and drama

Exercise

1. Explain the meaning of governance.
2. Write an essay on the differences between good and bad governance
3. State the role that each of the following play in the fight against corruption:
 - i. Young people
 - ii. Members of the Public
 - iii. Public Officers
4. What is the relationship between good governance and the fight against corruption?
5. If you were employed by the government today to head a certain department, explain what you would do to make sure that there is no corruption in your department.

Activity

1. With the help of a teacher, conduct a debate on the topic “young people are doing enough in the fight against corruption”

CHAPTER FIVE

CORRUPTION AND ECONOMIC DEVELOPMENT

Economic development is about the production of goods and services that promotes an improved standard of living of the people. Corruption has an adverse effect of slowing down economic development.

Corruption and the Economy

Corruption hinders development as it makes governments spend resources on projects which are not properly carried out and undermines government's ability to implement policies in areas where they are needed. Below are some of the examples of how corruption affects economic development;

- misuse of public funds meant to build hospitals and schools, construct roads and buy educational materials may result in these planned activities either not done or not completed
- misuse of public property by public officials leading to delayed or poor service delivery
- misuse of public resources for personal benefit by going against laid down rules and regulations thus, leaving government with limited resources for development
- corruption in trade also results in reduced government revenue especially if bribes are paid to avoid paying of legal taxes
- corruption hinders investment from taking place and makes the process of conducting business difficult because bribes are paid for permits to be processed
- where bribes are paid, investment is hindered as they become an additional cost to doing business

Corruption and the Environment

The Environment plays a very important role in the well-being of the people because most of the food and medicines that human beings use are drawn from the environment. The environment also provides people with essential raw materials. It is therefore important to maintain transparency in the management

of the environment and in the use of natural resources. Corruption affects the safe and proper use of the environment. The following are some of the ways in which corruption affects the environment:

- corruption can cause serious environmental damage thereby affecting various forms of life, for example, community members may pay bribes in order to cut down trees for personal use such as charcoal burning
- if people who should prevent illegal cutting of trees accept bribes, deforestation can occur and this may lead to poor rains and soils
- when regulators are bribed, manufacturing industries do not follow environmental rules and regulations which can lead to excessive pollution of air, water and land
- corruption can allow selfish individuals to destroy protected natural sites and habitats which bring income from local and international tourists
- wildlife can be depleted when poachers bribe wildlife officers
- when regulators or law enforcers accept bribes, there can be unsustainable exploitation of mineral resources and loss of national income



Illegal and indiscriminate cutting of trees

Exercise

1. Explain three (3) ways in which corruption affects economic development.
2. Outline four (4) ways in which corruption affects the environment.

Activity

1. Write a paper for presentation at a class panel discussion on the topic "How does corruption lead to environmental damage?"

CHAPTER SIX

GLOBAL AND REGIONAL ANTI-CORRUPTION EFFORTS

Zambia is a member of the United Nations and is party to three international anti-corruption conventions, namely:

- Southern African Development Community Protocol Against Corruption.
- African Union Convention for Preventing and Combating Corruption.
- United Nations Convention Against Corruption.

These conventions provide anti-corruption measures, laws, policies and programmes which member countries to the United Nations are expected to adopt and include in their anti-corruption laws. The three conventions offer valuable best practices and encourage member countries to help each other in dealing with criminal matters through the process of Mutual Legal Assistance. Mutual legal assistance is the help that countries give each other to fight criminal activities.

Southern African Development Community Protocol Against Corruption

The Southern African Development Community Protocol Against Corruption was signed by Southern African Development Community members to promote international anti-corruption efforts in the region. It recognises that corruption poses a big challenge to good governance and development. The agreement provides ways through which members states can prevent, detect and punish corrupt practices. It also encourages international cooperation among member countries to ensure that corruption is fought effectively in both the public and private sectors.

African Union Convention for Preventing and Combating Corruption

The African Union Convention for Preventing and Combating Corruption was made in order to promote and strengthen the fight against corruption on the African Continent. It recognises that corruption undermines accountability and transparency in the management of public affairs. In this regard, the agreement encourages member countries to develop strong legal and preventive measures for fighting corruption. It also encourages member countries to cooperate with each other in order to fight corruption effectively.

United Nations Convention against Corruption

The United Nations Convention against Corruption is the world's strongest international agreement aimed at building integrity and fighting corruption in member states of the United Nations. The Convention requires State Parties to prevent and make corruption a criminal offence; promote international cooperation; recover stolen assets; and improve technical assistance. It also promotes information exchange in both private and public sectors of member countries.



The United Nations General Assembly in Session

Zambia's Effort towards Domesticating International Anti-Corruption Agreements

Some of the efforts that Zambia has made towards domesticating international agreements in her national laws are:

- providing protection of whistle blowers, experts and victims of corruption
- providing procedures for declaring conflict of interest and gifts
- putting in place regulations for the forfeiture of proceeds of crime

- setting up of a Financial Intelligence Unit (FIU)
- putting in place corruption prevention systems in the public service
- anti-corruption education through the school curriculum
- enhancing community participation in anti-corruption activities
- adopting the National Anti-Corruption Policy

Exercise

1. Briefly explain Mutual Legal Assistance in criminal matters
2. What does the United Nations Convention Against Corruption require state parties to do in order to fight corruption?
3. International anti-corruption agreements encourage state parties to protect complainants and whistle blowers. Explain how you think whistle blowers and complaints should be protected in Zambia.
4. Corruption often happens when members of the public seek services from public offices. How can corruption which happens between members of the public and public officers be prevented in Zambia.

Activity

1. With the help of a teacher, conduct a discussion on the following:
 - i) Protection of whistle blowers, experts and victims of corruption
 - ii) Anti-Corruption education through the school curriculum

CHAPTER SEVEN

VALUES AND LEADERSHIP

Values are acceptable standards of behaviour of a person, group or organization. They provide principles governing a person's behaviour and are an important quality of leadership. Values in leadership are essential in the fight against corruption.

Social Values

Some of the common values include; integrity, openness, accountability, respect, hard work and selflessness. These values have major influence on a person's behaviour and attitude. Values are important in guiding the way people relate with one another in both good and bad times.

It is necessary to have shared rules that guide the behaviour of its members, otherwise the community will not function well for the benefit of the majority. When families, schools, companies, and society in general function poorly, many times it is due to a lack of shared values and principles. Usually, people without personal values do not practice what they teach.

The following values are very important in the fight against corruption:

- **integrity** – doing things correctly even when no one is watching. It also means being honest at all times
- **openness** – not hiding anything from those people that are allowed to check what someone does. This is also called transparency
- **respect** – being courteous and helpful to people. It also entails not taking other people's property without their permission
- **hardwork** – putting in one's best to achieve particular results
- **selflessness** – taking the interest of other people before one's own interest
- **accountability** - Taking responsibility for one's decisions and actions

Leadership

Leadership is defined as a position of influence that someone can use to gain support from others in accomplishing a common task. A Leader gives direction to others in achieving a goal.

Good leadership is key in the fight against corruption because a leader is a role model. Therefore, it is important for a leader to have certain qualities that would inspire the community to actively participate in the fight against corruption. The following are some of the qualities of a good leader:

Qualities of a Good Leader:

- Integrity
- Humility
- Visionary
- Passionate
- Transparency
- Cooperative
- Accountable
- leads by example
- Inspirational
- Transformational
- Tolerant
- Good listener

However, some leaders are bad and have some impartial and flexible qualities below:

Qualities of a Bad Leader:

- Dishonesty
- Proud
- Not passionate
- Lack vision
- Not transparent
- Insecure
- Immature
- Low self esteem
- Partial
- Intolerant
- Rigid
- Bad listener
- Selfish

Parents, community leaders, teachers and senior executives in companies are expected to encourage and emphasise honest behaviour and treat all persons fairly. By so doing, others are likely to be inspired.

Exercise

1. Explain what each of the following values mean:
 - (a) Integrity
 - (b) Selflessness
 - (c) Respect
2. Assess the effects of good leadership on the fight against corruption
3. Describe qualities of a good leader

Activity

Find and circle the following words in the puzzle below.

- (1) Leadership
- (2) Value integrity
- (3) Value
- (4) Vision
- (5) Proud
- (6) Hardwork
- (7) Anti
- (8) Corrupt
- (9) Rigid

J	K	L	L	P	P	Q	S	T
I	N	T	E	G	R	I	T	Y
R	H	V	A	L	U	E	O	P
T	A	D	D	A	N	T	I	R
P	R	I	E	A	V	N	N	O
U	D	G	R	G	F	O	V	U
R	W	I	S	R	I	X	D	D
R	O	R	H	S	S	O	U	O
O	R	W	I	R	A	T	B	T
C	K	V	P	X	Q	Y	P	A

GLOSSARY

Accountability	Taking responsibility for one's decisions and actions
Bribery	Giving valuables to someone in order to get a favour from him or her.
Casual Gift	Any unsolicited item which is widely acceptable, of modest value and not connected to one's job.
Competence	Ability, knowledge and skill to do something
Consensus	An agreement on a matter or issue.
Contract	A formal agreement between two parties
Convention	An agreement, usually between Countries
Conventional	Widely accepted
Criminal Offence	Conduct which is against the law and punishable by imprisonment
Domestication	Putting components of international agreements in national laws
Economy	The production, distribution and consumption of goods and services
Efficiency	Doing something using few resources
Emoluments	A person's official payments or income
Entrepreneurship	Activities or skills used to make profit
Environment	The surroundings, in this case, vegetation, animals, water, air and land
Favour	Assistance or help which may or may not be deserved
Governance	The way government carries out its work
Gratification	Any corrupt payment, in cash or kind
Institutional	Relating to organisations and their processes
Integrity	Doing what is right even when no one is watching

Investigation	An inquiry into something such as corrupt practices
Leadership	Position of influence in a group
Legal	Relating to laws and their application
Modest value	Not expensive
Money laundering	A crime involving making illegally obtained resources look as if they were legally obtained.
Penal Code	A law that contains a number of criminal offences and their punishment
Policy	An overall guide on what should be done on matter
Proceeds of Crime-	Money or property which is got though committing a criminal offence
Prosecution	Taking someone accused of a criminal offence to court
Public Officer	A person who works in a government organisation
Public Office/Body	The government, any Ministry or department of the government, the National assembly, the Judiciary, a local authority, parastatal , board, council, authority, commission or other body appointed by the government or established by a written law
Public Property	Property or goods under the control of a public body
Responsiveness	Being able and ready to address matters or issues
Rule of Law	The authority of the law over every person
Sexual	Relating to sensual relationships between two people
Social	Relating to people and their way of live
Solicit	Asking or request for something
Transparency	Timely informing those that deserve to know about someone's work

Unethical	Any action or behaviour which violates established and acceptable actions or behaviour
Underdevelopment	Having less improvement in people's lives than was supposed to be the case
Undermine	To weaken or prevent the full effect of something
Unlawful	Also called illegal, it is something which amounts to an offence under the law
Unsustainable	Not allowing continuous availability or use
Value	Desirable standards of behaviour
Whistle Blower	Someone who reveals a criminal activities within an organization to a law enforcement agency

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International Conventions

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Southern African Development Community Protocol Against Corruption

United Nations Convention Against Corruption

Data Banks

Zambia News and Information Services Photo Library



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