

CORRUPTION IN ZIMBABWE: AN EXAMINATION OF THE
ROLES OF THE STATE AND CIVIL SOCIETY IN
COMBATING CORRUPTION

BY

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A thesis submitted in partial fulfilment for the requirements for the degree of Doctor
of Philosophy at the University of Central Lancashire

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Student declaration

I, Stephen Moyo declare that while registered as a candidate for the research degree, I have not been a registered candidate or enrolled student for another award of the University or other academic or professional institution.

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Abstract

This thesis employs the theory of political economy to examine the roles of the state and civil society in combating corruption in Zimbabwe. The thesis initially investigates whether and how the state-civil society relation influences or impedes Anti-Corruption management, and subsequently examines strategies deployed by the state and civil society organisations (CSOs) to combat corruption. Particular attention is paid to the role and impact of the state in designing and implementing Anti-Corruption policies, and the role civil society plays in influencing Anti-Corruption legislation and policy implementation.

This study adopts the World Bank conceptualisation of corruption and Transparency International's (TI) Corruption Perception Index (CPI) as part of the guiding framework. In-depth interviews with fifty eight key informants drawn from different levels within the government and civil society in Zimbabwe were conducted between October and February, 2012. The interviews focused on obtaining the different actors' perspective on how corruption in Zimbabwe was being produced and reinforced, and the roles played by the different actors in its perpetuation or curtailment. Quantitative data is used to support and triangulate some of the claims raised.

The findings of this thesis indicate that the prevalence of corruption in Zimbabwe is chiefly a consequence of a lack of political will to address the problem, and a myriad of complex factors. This reasons with the argument that the top political elite are perceived to be the primary beneficiaries of corruption. Thus, while there are concrete and noticeable developments in

establishing the legal and constitutional framework to fight corruption, there is a continued absence of a clear demonstration of political will to fight corruption. The thesis argues that political leadership and commitment to fight corruption is one of the most fundamental preconditions for success in the fight against it. Secondly, weak institutions have contributed to the proliferation of corruption in Zimbabwe. Zimbabwe has multiple Anti-Corruption initiatives shared between the state and civil society (to a limited extent) spearheaded by the Zimbabwe Anti-Corruption Commission (ZACC) and Transparency International-Zimbabwe (TI-Z). However, initiatives have achieved limited success in alleviating corruption as demonstrated by current data suggesting endemic corruption in Zimbabwe. While civil society may be seen as lacking the policy and political space to articulate and influence policy formulation and implementation, it is equally important to understand the historical background between civil society and the state which has produced such an outcome, and how malpractices within CSOs in some cases has hindered progress in executing its mandate. Anti-Corruption strategies are effective when they are participative and engaging of all stakeholders within society, but ultimately it is the level of power and ability to exercise agency that determines any real change. In the context of Zimbabwe, such all-inclusiveness has entailed building coalitions among stakeholders such as the state, civil society organisations, private sector and the general public in order to embolden the sustainability of strategies.

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For

uMkhonto oBhalilitshe eNtaben'enkulu uSilozwi

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List of Abbreviations

| | |
|-------|---|
| 3 PS | Prevention, Public education, and Punishment |
| ACTSA | Anti-Corruption Trust of Southern Africa |
| AIPPA | Access to Information and Protection of Privacy Act |
| ALAC | Advocacy and Legal Advice Centre |
| AU | African Union |
| BAZ | Broadcasting Authority of Zimbabwe |
| BBC | British Broadcasting Corporation |
| BEAM | Basic Education Assistance Module |
| BSAC | British South African Company |
| CAG | Comptroller Auditor General |
| CDF | Constituency Development Fund |
| CCS | Civil Society Centre |
| CCZ | Crisis Coalition of Zimbabwe |
| CCJP | Catholic Commission for Justice and Peace |
| CIDA | Canadian International Development Agency |
| CPI | Corruption Perception Index |
| CZI | Confederation of Zimbabwe Industry |
| DDF | District Development Fund |

| | |
|----------|--|
| DFID | Department For International Development |
| ESAP | Economic Structural Adjustment Programme |
| EU | European Union |
| FOI | Freedom of Information |
| FOZ | Friends of Zimbabwe |
| GDP | Gross Domestic Product |
| GE | Growth with Equity |
| GMB | Grain Marketing Board |
| GNU | Government of National Unity |
| HIV/AIDS | Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome |
| ICG | International Crisis Group |
| IFIs | International Financial Institutions |
| IMF | International Monetary Fund |
| LAA | Land Acquisition Act |
| LRF | Legal Rights Foundation |
| MDC | Movement for Democratic Change |
| MDC-T | Movement for Democratic Change-Tsvangirai |
| MDC-N | Movement for Democratic Change-Ncube |

| | |
|---------|--|
| MDGs | Millennium Development Goals |
| MMT | Mass Media Trust |
| MOU | Memorandum of Understanding |
| MP | Member of Parliament |
| MISA | Media Institute of Southern Africa |
| MZWP | Matabeleland Zambezi Water Project |
| NANGO | National Association of Non-Governmental Organisations |
| NCA | National Constitutional Assembly |
| NGO | Non-Governmental Organisations |
| NUST | National University of Science and Technology |
| ORAP | Organisation of Rural Associations for Progress |
| PF-ZAPU | Patriotic Front- Zimbabwe African Peoples' Union |
| POSA | Public Order and Security Act |
| PSC | Public Service Commission |
| PVOA | Private Voluntary Organisations Act |
| SADC | Southern African Development Community |
| SAP | Structural Adjustment Programmes |
| TI | Transparency International |
| TI-Z | Transparency International –Zimbabwe |

| | |
|---------|---|
| UCLAN | University of Central Lancashire |
| UN | United Nations |
| UNCAC | United Nations Convention Against Corruption |
| UNDP | United Nations Development Programme |
| USAID | United States Agency for International Development |
| US\$ | United States dollars |
| UZ | University of Zimbabwe |
| WVCF | War Veterans Compensation Fund |
| ZANLA | Zimbabwe African National Liberation Army |
| ZACC | Zimbabwe Anti-Corruption Commission |
| ZANU-PF | Zimbabwe African National Union - Patriotic Front |
| ZBC | Zimbabwe Broadcasting Corporation |
| ZBH | Zimbabwe Broadcasting Holdings |
| ZCFU | Zimbabwe Commercial Farmers Union |
| ZCTU | Zimbabwe Congress of Trade Union |
| ZILWACO | Zimbabwe Liberation War Collaborations |
| ZIMRA | Zimbabwe Inland Revenue Authority |
| ZNLWVA | Zimbabwe National Liberation War Veterans Association |
| ZIPDRA | Zimbabwe Political Detainees and Restricttees Association |

ZIPRA Zimbabwe People's Revolutionary Army

ZISCO Zimbabwe Iron and Steel Company

ZRP Zimbabwe Republic Police

Z\$ Zimbabwe Dollars

Chapter 1

CORRUPTION IN ZIMBABWE: AN EXAMINATION OF THE ROLES OF THE STATE AND CIVIL SOCIETY IN COMBATING CORRUPTION

1.1 Introduction

This chapter introduces the thesis by focusing on the research problematic issues of Anti-Corruption management in Zimbabwe. The thesis examines the roles of the state and civil society in combating corruption in Zimbabwe. This chapter provides a background within which corruption is being examined with particular reference to Zimbabwe. The chapter highlights some of the key arguments on the causes and drivers of corruption, and in particular why the roles of the state and civil society are critical. High corruption in Zimbabwe (TI-Z 2012) could be attributed to several factors acting together, such as lack of political will and weak institutions for managing the public sector. This study thus focuses on their roles in managing corruption, and seeks to make contributions to both the theory of corruption, and practice in terms of development of appropriate Anti-Corruption policy instruments. In addition, the chapter justifies why an understanding of corruption is important, and why Zimbabwe in particular is an interesting case to study. A brief insight into the approach and methods used in this study is provided in this chapter, as well as a description of how the results were analysed. The chapter further details the layout and organisation of the thesis.

1.1 Statement of the problem

Corruption is perceived by political and economic commentators such as Harrison (2004), Szeftel (2000b), and Uneke (2010) as being endemic in African countries, and increasingly being blamed for the inadequate economic growth in economies and the extant high socio-economic inequalities and poverty. Several scholars including political commentators such as Riley (2000), Robinson (2004), Mbaku (2007), and Devine (2010) have attempted to examine the factors that produce corruption, and especially why corruption is persistent in Africa. Others have looked at the measures that need to be applied, or that have been applied to address corruption in Africa and beyond. A substantial body of literature appears to argue that at the centre of corruption in Africa are weak institutions that fail to hold public officials accountable (Szeftel 2000b). Drawing on this perspective, this thesis argues that a stronger civil society is necessary for ensuring that the public and private sector are kept in check and operate in a transparent and just manner. This thesis seeks to interrogate this assertion by focusing on the case of Zimbabwe, a country that has recently experienced a surge in the level of corruption, increased state violence and a rapidly declining economy. The thesis is particularly concerned with examining the complex context within which corruption is produced and questioning whether the current understanding for corruption is sufficient as a basis of developing effective strategies to deal with it.

Zimbabwe's Corruption Perception Index (CPI) decreased from 42 to 20 between the years 1998 and 2011 when the country experienced political and economic crisis over the last one and half decades.¹

The acceleration of the economic and social hardships as a result of the Economic Structural Adjustment Programmes (ESAP) in the early 1990s, coupled with the increased greed as most of the political leadership and senior civil servants competed to accumulate riches through corrupt means led to the increase in the socio-economic hardships and an increase in the corruption trend. Among several other factors that have contributed to the increase in hardships and corruption are the struggle for power and politics of patronage, and the discovery of diamonds and other mineral resources which exacerbated the desire for private accumulation. Another important factor worth signposting is the Democratic Republic of Congo (DRC) civil war in which Zimbabwe took part between 1997 and 2000 spending approximately Z\$25million per month (Pearce 2000: 3). Political scientists such as Makumbe (cited in *The Financial Gazette*, 25 July 2000) suggest that the main beneficiaries were a group of people associated with the army and the senior government Ministers rather than the national economy. Diamonds and gold dealing were the sphere of influence for Zimbabwe to participate in the war (Pearce 2000).

¹ CPI is a composite of various corruption indicators, which ranks countries on a zero to one hundred scale, with a score of one hundred representing very low corruption (Thompson and Shar 2005). The CPI measures the perceived levels of public sector corruption in countries worldwide. Based on expert opinion, countries are scored from zero (highly corrupt) to one hundred (very clean) (TI 2012).

Political commentators such as Makumbe (2011) argue that the emergence of 'sick institutions' in the public sector, higher demands for increased government intervention in the indigenisation of the economy coupled with the escalation of a lack of transparency and accountability in the public sector, and the breakdown of the rule of law following the widespread invasion of white owned commercial farms since the year 2000 are factors contributing to high corruption in the country. Consequently, they are a challenge to Anti-Corruption movement. Makumbe (2011) concurs with Ncube (2010) and Bratton and Walle (1997) that a lack of transparency and accountability within Zimbabwean bureaucratic system has created an informational asymmetry which has allowed public service officials and politicians to siphon off an unaccountable amounts of public revenues and resources because the organisations deemed to be the watchdogs of the state have been incapacitated by the undemocratic government.

This thesis deploys a political economy approach in order to investigate and examine the roles of the state and civil society in combating corruption in Zimbabwe. A political economy approach is:

“... concerned with the interaction of political and economic processes in a society; the distribution of power and wealth between different groups and individuals, and the processes that create, sustain and transform these relationships over time” (Riley 2000: 237).

This theoretical approach also entails critically analysing and evaluating the discourse about corruption in Zimbabwe *vis-a-vis* its effects on economic, social and political development. As argued by Szeftel (1998), corruption

should be understood as an outcome of fundamental political and socio-economic structural factors.

Using the political economy approach in this research will allow a critical analysis or an evaluation of how and why the socio-economic and political development influences the discourse on corruption in Zimbabwe with regards to the roles of the state and civil society in fighting corruption.

Literature on controlling corruption in Zimbabwe has focused on state programmes (Mavuso and Merwe 2008). Attention has often been given to the actions of the state and state institutions in the Anti-Corruption strategies while very little attention and recognition has been given to the position and potentially powerful contribution of civil society. Therefore, state sponsored Anti-Corruption strategies will be reviewed in order to locate the operating environment of civil society driven Anti-Corruption programmes. While acknowledging that efforts in controlling corruption in Zimbabwe have been fundamentally state-driven without much involvement from other stakeholders (Mavuso and Merwe 2008), this thesis will investigate and examine the extent to which civil society plays a continuing role in fighting corruption alongside the state.

In development discourse, corruption has been identified by political commentators such as Makumbe as a major obstruction to the promotion of sustainable economic growth and development in Zimbabwe (Makumbe 1994). Moleketi (2007) and Robinson (2004) argue that corruption is one of Zimbabwe's major developmental challenges alongside poverty, HIV/AIDS and governance. Corruption in Zimbabwe, as in the rest of Africa, is

perceived by Chabal and Daloz (1999), Mbaku (2007), and Falola (2008) to be a direct consequence of poorly developed and inappropriate institutional arrangements. Sibudubudu (2002) and Szeftel (2000a) argue that at independence Zimbabwe inherited the underdeveloped institutions which were conducive for the proliferation of corruption. This school of thought forms the basis of the problem to be investigated in this thesis. Eigen (2001: 36) sees corruption as “a daunting obstacle of sustainable development” and a great impediment to the achievement of the Millennium Development Goals (MDG) of reducing by half the number of people living in extreme poverty by 2015.

The focus of this study covers the period from 1980 to 2011, drawing on the colonial epoch in order to understand factors that inform the genesis of corruption in Zimbabwe. A discussion on the colonial state and the post-independent Zimbabwe will enable us to locate the state’s position in relation to the development of corruption in the period after independence. Emerging evidence from literature locates the roots of corruption in Zimbabwe in the fabrics of colonial administration, nationalist politics and economic meltdown between the early 1990s and 2010. To understand the roots of corruption in Zimbabwe, there is a need to understand the way the post-colonial state draws on the colonial state and how it functions and sustains itself in the context of political economy.

This thesis argues that Zimbabwe’s complex political economy has presented to both the public and the private sector opportunities for corruption; it suffices here to demonstrate that it has also given rise to several forms of corruption. These forms include among others, political

patronage and clientelism. Given the fact that the political forces governing Zimbabwe have historically been excluded from the economy by the colonial government, therefore when they came to power this meant controlling a major mechanism of accumulation. Concerned with delivering services to the historically excluded and marginalised people, the political system got entrenched in political patronage and a clientele system.

Political patronage and clientelism are hierarchal political and social relations binding leaders (patrons) and their followers (clients) based on complex mutual assistance and support (Szeftel 2000a). The relationships are founded on mutual material advantage; the patron supplies scarce resources such as jobs, business licences, money and contracts to dependants in return for their support and votes. It is a patron-client model of politics that permeates Zimbabwe's contemporary political systems. Political patronage and clientelism thrive in insecure political and economic environments like Zimbabwe (Midgal 1988). It is this political patronage and clientelist approach of distributing 'spoils politics' which have sustained systemic corruption and manifested a culture of impunity. The next section defines corruption, a concept vital to this thesis and examines how it is understood and contextualised.

1.2 Defining corruption

A study of corruption faces several problems from the outset, such as the definition of the concept itself. Parallel to numerous other complex phenomena, it is suggested by Obayelu (2007) and Freille (2007) that corruption is difficult to define in concise and concrete terms. In support,

Devine (2010) demonstrates no consensus as to what exactly constitutes corruption. Definitions and perspectives vary from country to country and society to society in accordance with cultural, legal or other factors and the nature of the problem as it happens in each country. Obayelu warned that:

“There is always a risk that several people may engage in a discussion about corruption while each is referring to or talking about a different thing completely” (2007: 13).

This is best captured in Heidenheimer *et al* (1993) who assert that any attempt to analyse the concept of corruption must contend with the fact that in English and other languages the word corruption has a history of vastly different meanings and connotations. Therefore, scholars, socio-economic commentators and policy makers alike need to approach it with academic caution.

When examining corruption, it is evident that it is a general phenomenon – or maybe a set of phenomena that are linked in different ways, but there is no solitary clinical definition which encapsulates it (Langseth 2002). Furthermore, if corruption is understood as a collection of phenomena, it then follows that understanding corruption requires an understanding not only of the individual phenomena, but also how numerous phenomena inter-relate. Such a general understanding is critical to developing effective control strategies. When one is able to define what corruption is, one can understand how to prevent it.

Social science defines corruption in terms of three basic forms. Firstly, corruption is related to the performance of the duties of public office. According to this approach, Nye states that:

“Corruption is behaviour which deviates from the normal duties of a public role because of private-regarding pecuniary or status gains: or violates rules against the exercise of certain types of private-regarding influence” (1967: 419).

This includes such behaviour as bribery, nepotism and misappropriation of public resources for private uses. This is synonymous with bureaucrats in Zimbabwe who according to Tizor (2009) have turned the public office into a money-generating machine. Bribery and nepotism by public officers from Ministries and/or departments such as Immigration and Customs, registrar, education and health, the police force, and the judicial system are endemic in Zimbabwe (Makumbe 2011 and TI-Z 2010).

Secondly, corruption is defined in terms of the public interest. According to Friedrich (1990), the pattern of corruption exists whenever a power holder who is charged with doing certain duties that are a responsible functionary of office holder, is by monetary or other rewards such as the expectation of a job in the future, induced to take actions which favour whoever provides the reward and thereby damage the group or organisation to which the functionary belongs, more specifically the government.

Thirdly, corruption is related to the notion of exchange deriving from the theory of the market. Klaveren argues that:

“The bureaucrat views his public office as an enterprise from which to extract extra-legal income. As a consequence, the civil servants compensation package does not depend on an ethical evaluation of his usefulness for the common good but precisely upon the market situation and his talents for finding the point of maximal gain on the public's demand curve” (1990: 26).

TI uses a focused definition of the term, which operationally defines corruption as the misuse of entrusted power for private gain. TI further

makes a distinction between “according to rule” corruption and “against the rule” corruption (TI 2010: 15). Byrne *et al* (2010) argue that facilitation of payments where a bribe is paid to receive preferential treatment for something that the bribe receiver is required to do by law, constitute the former, while on one hand, the latter is a bribe paid to obtain services the bribe receiver is prohibited from providing.

From all given definitions above, corruption encompasses undue influence over public policies, institutions, laws and regulations by vested private interests at the expense of the public interest.

The World Bank defines corruption as “the abuse of public office for private gains when an official accepts, solicits or extort bribes” (1997: 8). Central to this definition is that corruption is the abuse of public authority for private profit. However, as the scope of corruption has widened, this definition has been enlarged to cover abuse of all offices of trust for private benefit (Doig and Theobald 1993 and Rose-Ackerman 1997).

The United Nations Development Programmes (UNDP) also defines corruption as accepting money “... for doing something that one is under the duty to do or that one is under the duty not to do” (2000: 167). This demonstrates that corruption is a betrayal of trust resulting directly or indirectly from the subordination of public goals to those of the individual. Akcay (2004) argues that the official positions can be abused for personal benefits even if no bribe occurs, for example, through patronage and nepotism, the theft of state assets or the diversion of state resources for the benefit of one’s family or associates’ interests over those of the larger

society. The concepts of patronage and nepotism will be discussed further in chapters two and six.

Klitgaard (1988) and Rose-Ackerman (1997) argue that corruption occurs when public officials have a direct responsibility for the provision of a public service or application of specific regulations. In the case of Zimbabwe, this applies to sectors and departments already listed earlier in this chapter. In this regard, corruption in Zimbabwe is widespread in institutions occupied by public officials who have monopoly over goods and supplies or services that generate rent, with discretionary powers to decide who receives it, and are not accountable. Those in public offices, according to Tizor (2009), the World Bank (1997) and UNDP (2000) also include the politicians who may be high level bureaucrats.

Although there are multiple definitions of corruption, it is clear that corruption refers to the acts in which power and influence of the public office is used for personal gain which may be or may not be monetary at the expense of the common good and in violation of established laws, principles, regulations and ethical considerations.

Given these definitions, this thesis deploys the World Bank (1997) and UNDP (2000) approach that defines corruption as an abuse of a position of power frequently typified by greed and a lack of transparency in the individuals or institutions involved for private gain. It is related to the performance associated with a public office, and deviations from the laws and procedures that regulate the conduct of public servants. In addition, a lack of clearly defined roles within those organisations or institutions fuel

corruption within these settings (Bracking 2007). Therefore, this thesis analyses corruption in relation to bureaucrats and politicians' indirect or direct use of official positions or titles for private gain in violation of the governmental guidelines, established rules or ethical stances, which furnish individuals' interests whilst setting aside the public or the common good.

However, the thesis is aware of the flaws existing in definitions of corruption. Much writing on corruption is produced by, or influenced by international donors who concentrate on defining corruption in relation to public sector without considering corruption in the private sector. Ignoring corruption of the private sector is dangerous particularly when designing Anti-Corruption programmes, which focus on combating bureaucratic corruption while corruption within the private sector is also endemic (Harrison 2004). Precise definition needs to accommodate corruption within the private sector, which moves away from the tendency of portraying corruption as only happening in public offices.

However, the thesis takes notice that the World Bank and the UNDP are not the only sources of knowledge when it comes to defining and debating about corruption, as there have been other entrants into the field of good governance focusing on corruption with varied definitions. For instance, in the Zimbabwean context, a growing number of organisations working towards reducing corruption are beginning to produce their own knowledge, for example, TI-Z and The Anti-Corruption Trust of Southern Africa (ACTSA) have carried some research and produced important reports on the causes, scale, effects and the nature of corruption together with Anti-Corruption

strategies. Chapter six discusses role of the TI-Z in Anti-Corruption management.

Economic commentators such as Nye (1967), Huntington (1968), and Friedrich (1972) and Uneke (2010) argue that corruption enhances efficiency of the development process and facilitates economic growth and investment. This school of thought maintains that corruption speeds up the development machinery. They argue that corruption effectively 'lubricates' the wheels of an otherwise rigid bureaucracy:

“Making it more responsive to the needs of clients be they entrepreneurs or ordinary citizens, seeking services of a public agency. Corruption is said to minimise bureaucratic red tape, eliminating bottlenecks and facilitating a more efficient, flexible and responsive system” (Uneke 2010: 115).

According to their understanding corruption facilitates bureaucratic procedures, making the system more responsive, flexible and competent to the demands of different clienteles.

The perception that corruption greases a rigid bureaucracy is debatable. Frisch (1995) argues that corruption may be beneficial, but only to the privileged leaders and bureaucrats. In the case of Zimbabwe, this thesis argues that during the economic and political crisis years from 2000 to 2009 corruption was functional; it kept the political and economic systems functioning. Corruption managed to keep the bureaucrats at work when inflation was as high as 231million per cent (Berger 2008) with salaries earned only enough for one way trip (transport) to work (Chagonda 2010, and Cox and Anderson 2009). Despite the economic hardships, bureaucrats remained in post and made extra-income from bribes and other corrupt

practices. Public officials went to work not because they wanted to work, but because they made extra-cash from their positions. Without corruption this would have meant the government would have collapsed as the economy crumbled. Drawing on the case of Zimbabwe, this thesis argues that to a limited extent corruption has been functional in Zimbabwe between the years 2007 and 2009 given that it sustained a collapsing economy and supported the population that survived through corrupt means while it also allowed a government to survive.

However, academics such as Uneke (2010) argue that although corruption has desirable effects on political, economic and social development, Zimbabwe, as is the rest of Africa, has experienced undesirable effects. Uneke further argues that the “bureaucrats probably mount bottle necks in the bureaucratic structures” (2010: 115) purposely for the reason of using them as bargaining chips to extort bribes from consumers seeking services. Indeed, bureaucratic bottlenecks symbolise needless additional costs to business enterprises and make efficient operations difficult. In the context of Zimbabwe, on many occasions people are willing to pay bribes to the bureaucrats in order to receive services, and/or minimise costs on their businesses. Bureaucratic roadblocks have become institutionalised as a permanent source of extra-legal income for corrupt public officials (Uneke 2010 and Mbaku 2000). Despite the benefits of corruption cited by Nye (1967), Huntington (1968), Friedrich (1972) and Uneke (2010) its negative effects outweigh the supposed benefits. Thus the critique of the school of thought that corruption is beneficial is not very convincing. In the case of Zimbabwe (the focus of this study), corruption has not improved access to

the bureaucracy for most of historically marginalised groups such as the poor, rural inhabitants and the vast majority of the Ndebele people from Matabeleland (Gatsheni 2011). It is “a cancer that eats deep into the fabrics of the economy, politics and social life of the state” (Harrison 2004:136). It hinders the socio-economic and political development of the country (Amundsen 1999).

Prior to focusing on corruption in Zimbabwe, how it manifests itself, it is befitting to briefly make an examination of the literature on the wider perspectives of corruption in Africa. This will aid us to understand why corruption is perceived as being endemic in African countries. Doing this will facilitate in reviewing the contours of the contested and changing interpretations of corruption in Africa. This approach will enable the reader with a clear understanding of the nature of corruption in Zimbabwe, and permit a fluent evaluation of the roles of the state and civil society organisations (CSO) in combating corruption. The following section discusses the relevance of this study.

1.3 Relevance of the Study

A study about the role of the state and civil society in fighting corruption is of great relevance to the current discourse on socio-economic and political development and good governance in Zimbabwe. The thesis further emphasises the significance of this research in understanding the role played by civil society in influencing Anti-Corruption policy. This research is imperative to public policy making and implementation and most importantly to the Zimbabwean nation that is struggling to develop effective Anti-

Corruption policies. It is envisaged that this research will serve as a theoretical and empirical framework for understanding and developing genuine and credible civil society as an instrument of development and governance in Zimbabwe since much policy effort at regional and international levels is increasingly diverted towards strengthening the civil society sector to be proactive and ensure that countries meet their MDGs. Corruption is a major impediment to the achievement of the MDGs, and civil society has a comparative advantage to succeed where the government have struggled to score major successes in social contemporary issues such as corruption (Chabal 1994).

1.4 Objectives of the study

This thesis has two major objectives that speak to several sub issues. These are:

- 1) To evaluate the state and civil society relations in tackling the problem of corruption.
- 2) To examine strategies employed by the state and civil society in combating corruption

The objectives will be achieved by exploring and analysing what the state and the civil society have done, and are currently doing in fighting corruption. Success and failure of the state and CSOs vis-à-vis Anti- Corruption strategies will be explored and analysed.

1.5 Research Questions

In order to achieve the above objectives the following two research questions are asked. Each research question corresponds to the objective of the research.

1. How do relations between the state and civil society influence the fight against corruption in Zimbabwe?
2. What strategies do the state and civil society use in fighting corruption in Zimbabwe?

To help in answering the major questions, the following auxiliary questions are proposed:

1. How does civil society influence state sponsored Anti-Corruption strategies in Zimbabwe?
2. How effective are the strategies used by both the state and civil society in fighting corruption (if there are any)?
3. What is the public perception on the performance of the state and civil society in fighting corruption?
4. How do the colonial legacies and the state formation process explain the prevalence of corruption in Zimbabwe?
5. Can civil society play an effective role in Anti-Corruption initiatives if given a political space and an improved relationship with the state?

The thesis engages these auxiliary questions to interrogate the objectives of the study.

1.5.1 Methodological approach

This section presents the research approaches of the thesis. The aim of the research approach is to elucidate why decisions were taken, how they were implemented, and with what results (Schramm 1971) to help in achieving the projected objectives of the research and answering the research questions.

This research is a case study, which employs multiple qualitative methods such as interviews, documentary analysis and observation of the activities and the role of sampled subjects to collect data. These methods allowed the researcher to collect data from many different sources. This was vital for triangulating data collected through interviews and data from document evidence and observation. This thesis is largely theoretical and explores the academic literature on the Zimbabwean state, corruption within it, and the role of CSOs and organs of the state in combating corruption. This theoretical base is complemented by the use of the empirical data collected via structured and one-to-one semi-structured interviews with CSOs, government bodies, for example, The Ministry of Labour and Social Welfare because this Ministry is directly linked to combating and dealing with corruption, while it is responsible for the civil servants – the bureaucrats and it oversees the regulation of civil society in Zimbabwe as chapters five and six will demonstrate.

1.6 Overview of the Study

This first chapter (chapter one) introduces the study and captures the perception of corruption in Africa critical for this thesis. As an introductory

chapter it lays down the problem to be investigated and defines corruption as a key concept of the study. It sets out the approach, objectives, and research questions of the study.

Chapter two commences with a literature review concerning corruption in Zimbabwe and provides the conceptual and analytical framework of the research. The chapter contextualises corruption in Zimbabwe. The focal point of this chapter is on the political economy of corruption magnifying the magnitude of corruption as a crisis facing Zimbabwe. The inquiry this chapter is examining is why corruption has turned into an issue of critical importance to Zimbabwe's political economy in the last two decades. The chapter argues that in order to understand corruption and its damaging effects there is a need to understand the politics of the state. This is because corruption in Zimbabwe is embedded in its political economy. The chapter argues that the weak state institutions, which are further undermined by the economic problems, promote corruption. The chapter will not only offer a more encompassing explanation of corruption but also permit for the development of comprehensive strategies for the improvement of the problem.

Chapter three describes and justifies the data gathering methods used in the research. Data gathering instruments discussed in this section include semi-structured interviews, documentary analysis and observation. The chapter also outlines how the data was collected and analysed. Chapter four presents a narrative background of Zimbabwe.

Chapter five addresses and presents the results from the fieldwork findings drawing on the first research question. Chapter six is a presentation and

analysis of the results of fieldwork that answer the second research question. Chapter seven concludes the thesis by pulling together the discussed fundamental issues in order to discuss the implications of themes that emerged from the study for the understanding of the roles of the state and civil society in combating corruption in Zimbabwe.

Chapter 2

LITERATURE REVIEW OF THE STATE, CIVIL SOCIETY AND THE PARADOX OF CORRUPTION CONTROL IN ZIMBABWE

2.1 Introduction

“With the Zimbabwean economy in the doldrums corruption has become an accepted and almost expected way of doing business especially in the public sector. If a civil servant still goes to work today it is not because of the salary but the opportunities to enhance his paltry income with corrupt acts using the organisation’s resources” (Tizor 2009: 26).

This chapter reviews literature on the state of knowledge on corruption in Zimbabwe, particularly with regards to the roles of the state and civil society in producing and reducing it. While this chapter focuses on literature on corruption in Zimbabwe, it also draws on examples from other countries in Africa and beyond. This chapter takes as one of its points of reference Riley’s view of the “disastrous nature of corruption” (2000: 18) that impedes human development. The chapter pays interest to the bureaucratic forms of corruption in which public officials are involved, and analyses this with respect to broader issues including public perception of corruption, economic issues, historical and political linkages.

In development discourse, corruption is observed as a major obstruction to the promotion of sustainable economic growth and socio-political development in Zimbabwe (Makumbe 1994, Robinson 2004, Moleketi 2007

and Falola 2008). Corruption is regarded as one of Zimbabwe's major developmental challenges alongside poverty, HIV/AIDS and governance. Therefore addressing the problem of corruption is a development priority because measures to reduce poverty, for example, are hindered if the poor end up paying more to access goods and services, which makes life too expensive for those at the fringes of society. Therefore, combating corruption has to be a major priority for the state

2.3 An assessment of the political economy of corruption in Zimbabwe

In order to understand why corruption has such destructive effects in Zimbabwe, there is a necessity to understand the politics of the state in which corruption is embedded. To understand the genesis of this corruption we need to be aware of the way the post-colonial state functions and sustains itself in the context of political economy. Corruption should be understood as an outcome of the fundamental political and socio-economic structural factors (Szeftel 2000a and Sibudubudu 2002). To facilitate the comprehension of how these political and socio-economic factors contribute to making corruption so destructive, we need to broadly contextualise how the politics of the post-colonial state functions. Ncube (2010) argues that it is important to understand how the socio-economic arrangements since 1980 shaped the state-civil society relations and how these socio-economic arrangements influenced the state to isolate and attempt to eliminate civil society from the 'spoils politics'. This section aims to demonstrate that corruption in Zimbabwe is built into the very character and legacy of the

colonial state through the processes of clientelism, nepotism, patronage and factionalism.

Corruption in Zimbabwe is brought about and facilitated by several complex factors. Firstly, literature locates the roots of corruption in the nature and fabric of the government politics (Szeftel 1998, Bracking 2009, and Gatsheni 2011). This thesis points to the fact that from the top echelons of the government flow various streams of corrupt practices that have spread throughout the country. Habtemichael and Cloete (2010) argue that this pattern has created a chaotic situation leading to systemic corruption.

Secondly, the thesis traces the roots of corruption in Zimbabwe in the colonial history in which colonialism set a culture of the bureaucratic corruption when the public office was attained through favour as a reward for one's loyalty to the settlers rather than on the basis of merit and qualification. This has generated a culture of patronage and clientelism (Gatsheni 2009 and 2011, and Tizor 2009) and the bureaucratic corruption that allowed corruption to thrive even after independence (Moyo 2002 and Mawowa 2007). There is also a school of thought that argues that corruption in Zimbabwe, as is in the rest of Africa, is a direct consequence of the poorly developed and inappropriate institutional arrangements inherited by the post-colonial state (Szeftel 1998 and 2000, Chabal and Daloz 1999, Mbaku 2007, Falola 2008, Sibudubudu 2002, and Gatsheni 2011).

Alexander and Kenneth (2012) argue that colonial institutions are thought to be important determinants of post-independence levels of economic growth and public administration. They suggest that states that share the British

institutional and cultural colonial legacies are more conducive to human, economic, political and administrative development than say the French or other colonisers. This comparison allows us to test for colonial legacy and institutions that operate in different states. Alexander and Kenneth (2012) argue that the institutional package brought by the British to its colonies ultimately led to higher standards of administration after independence compared to the French former colonies. In addition, Abdou (2010) argues that French colonies are perceived to be more corrupt than the British colonies giving examples of states like Mobutu Seseseko's Zaire (Democratic Republic of Congo) and Guinea. Given Abdou's perception, would this mean that the British left better systems for institutional administration strong enough to prevent corruption? If this is the case questions would arise as to why countries such as Nigeria, Kenya, Ghana and Zimbabwe (to name a few) all former British colonies exhibit higher CPI than other French colonies. What explains Zimbabwe's high CPI? Several factors acting together provide answers to this, but a common denominator is the weak institutions for managing public sector administration.

Mhone (2000) argues that Zimbabwe's socio-economic and political background creates fundamental allocative and distributive inefficiencies. These inefficiencies are mostly an outcome of colonialism "which have been compounded and exacerbated by post-independence policies of commission and omission" (Mhone 2000: 102). Before independence the economy of the country was characterised by severe inefficiencies in allocating the labour market, and by the huge distributive inequalities in access to social services. Therefore, as argued by Munyae and Lesetedi (1998), the practices of post-

colonial Zimbabwe's political and bureaucratic leadership are purely an expansion of such colonial policies and practices which serve to entrench corruption.

Gatsheni (2006) argues that the neo-liberal standpoint faultily reduces the catastrophe of corruption in Zimbabwe to a simple crisis of governance and traces the genesis to the year 2000 (when the state invaded white owned commercial farms) while ignoring earlier antecedents that are equally important. According to Gatsheni (2006), the neo-liberal perspective makes a critical error of the Zimbabwe crisis by focusing on the symptoms of the problem which surfaced in the year 2000 such as the economic disintegration and poor governance. There is a necessity for a deeper examination going beyond these symptoms of the crisis to comprehend the origins of corruption.

Makumbe (1994 and 2011) rejects Gatsheni's assertion by pointing out that the problem of corruption in Zimbabwe is related to the climate of unethical leadership and bad governance which in turn has generated a situation in which corruption has flourished. Makumbe concludes that national leaders are 'unethical' due to their roles and conduct in plundering national resources meant to benefit the country as a whole. Examples include the Willowgate car scandal of 1988, WVCF scandal of 1994, and the land repossession of the years 2000 to 2005 (Nyarota 2006, Shana 2006, and Bracking 2009). All of these scandals directly involved ZANU-PF senior government officials.

In Zimbabwe corruption has influenced socio-economic and political development, the breakdown of good governance and democracy, and

adversely affected the economic growth and reduced the resources available for the development of infrastructure, the public sector and anti-poverty programmes.

Despite a decreasing CPI score of Zimbabwe from forty two in 1998 to twenty in 2011 (TI 2012), the corruption crisis is far from being eradicated, hence the calls for a holistic approach in designing and implementing the Anti-Corruption strategies. To do so we need to understand the nature of the problem, its origins and how it manifests itself.

To understand the roots of corruption in Zimbabwe, there is a need to understand the way the post-colonial state emerged from the colonial state, how it draws on the legacy left by the colonial state, and how it functions and is sustained. This thesis employs a political economy approach to analyse the underlying political and socio-economic structural factors inherited from the colonial state.

Literature reviewed shows that once the colonial society was established after 1890, settlers occupied the dominant economic, political, and social positions. Frantz (1961) and Bayley (1966) argue that white settlers diversified their economy from mining to include manufacturing and agriculture, the latter setting the stage for a more aggressive mode of land appropriation (Mawowa 2007, Moyo 2006, and Bond and Manyanya 2002). This was followed by the adoption of discriminatory laws such as the Land Apportionment Act of 1930, the Cattle Levy (1931), the Maize Control Act (1931), and the Native Registration Act of 1936 (Mawowa 2007). These Acts created an advantage for white capital, increased the white settlers' access

to good land and ensured a reliable supply of the cheap black labour by dividing the economy along racial lines. The result was the consolidation of a white corrupt and accumulating class. According to Gatsheni (2009), colonialism became a terrain of corruption in the years to come as the post-colonial state inherited this corrupt system. Conditions of extreme inequality became great incentives for corruption in years after independence. Szeftel (1999) argues that the post-independent state was seen to be the means to redress this past inequality; instead the ruling elites have used it as a means to promote their private wealth. The new ruling government inherited the state and its resources which were used to generate further illegal accumulation. The next section examines how the ruling government distributed resources and how this promoted corruption.

2.3.1 Spoils politics: The state and economic distribution

Bratton and Masunungure (2011) argue that the state is the most precious prize in Zimbabwe because its power can be used to generate opportunities for private gain. The private sector employment opportunities are limited; therefore, the occupation of the public office remains the most dependable means of accumulating wealth. Mandaza concurs with the above argument by putting his judgment arguing that:

“The quest for power and wealth is expressed sometimes in open corruption and nepotism. The long years of colonial domination and deprivation, not to mention imprisonment and the hard days of the struggle, became almost the license-albeit for only a few among the many who might claim such a license – to accumulate quickly; and the state ... appeared the most viable agency for such accumulation” (Mandaza 1986: 57).

Political position is central in many ways to the process of private wealth accumulation and source of self-advancement. Rather than being motivated by the desire to achieve economic, social, and political development, after independence the ZANU-PF ruling elite immediately submitted to the predatory temptations and in the process transforming themselves into wealthy political benefactors. A large number of them have acquired massive properties in the form of farms and businesses from state resources. Ignatius Chombo, the Minister of Local Government, Public Works and Urban Development, who is allegedly said to own over fifty houses, and more than twenty private vehicles and numerous businesses, is one good example (ACTSA 2012).

Corruption in Zimbabwe was deeply imbedded in the politics of the pre-colonial state as well as in the economic problems that confronted the post-colonial state after independence. Szeftel (1999 and 2000), Gatsheni (2006 and 2011), and Ranger *et al* (2000) argue that Zimbabwe inherited underdeveloped institutions and economies that were characteristically skewed and susceptible to the international economic changes and fluctuations. Although Zimbabwe was politically independent, the economy was still dominated by minority whites and international corporate interests. It was not weaned from this Western dependency (Szeftel 1999). This was complimented by the fact that the means of production such as agriculture and manufacturing industries remained in the hands of the colonial settlers.

David (2002) argues that Zimbabwe's great dependence on the development and expansion of the international economy was complemented by the level

of the unevenness in the national economic and social development. David argues that:

“Uneven development took many forms, ..., the combination of declining peasant subsistence economies ..., extreme inequalities of income, the differential incorporation of different regions and ethnic groups into different roles in the economy and the state, and the exclusion of vast numbers of the indigenous population from ownership of property and market opportunities through institutionalised racism” (2002: 66).

When independence came the new government had to ameliorate its response not only to the demands of the international and national capital, but it had to contend with the divergent expectations both from the burgeoning indigenous entrepreneur groups for the increased economic space and from the general population seeking at least tolerable living and working conditions (Dansereau 2000). It was apparent that the institution paramount to tackle such problems was the state. The state had to play a key role in this anticipated development because of the deep inequalities left behind by the colonial state coupled with high expectations of the Zimbabwean population. Sibudubudu (2002) also points out that the post-colonial state assumed a fundamental position because the historical experience made it unlikely that the market forces which had shaped the underdevelopment and exclusion phase would reverse themselves once independence was attained without the state playing a key role in coercing change.

Against this background, the state became central to most Zimbabweans' goals to succeed, and the political power was considered as the apparatus with which the development and personal opportunities for jobs and upward mobility would be accomplished. It is argued by Mokoli (1992) that the people

of Zimbabwe perceived the state as the machinery and the road to prosperity. Eventually the state became the means to promote private wealth for the ruling elite. It is this limitless expectation of the ruling ZANU-PF government to intervene in the economy to redistribute entitlements and to provide jobs, loans, contracts, business licences and favours through political patronage that drove them to enrich themselves in a corrupt fashion.

The prospects of the state playing a leading role in directing the economic, social and political affairs together with the independence promises put a huge weight on the new state (Donna 1998). The independence pledges resulted in an excessively extended state in terms of its functions. Consequently, the state became the largest employer and emerged as the most powerful institution in Zimbabwean society (Mokoli 1992). It grew in size and scale because of its political and economic preferences. This provided the ZANU-PF-led government with the fundamental opportunity to maintain both the political and economic control and to a larger extent achieve remarkable wealth through a system of corrupt practices.

The state has become an important source of resources as well as power to the ruling government. This has seen Zimbabwe gradually transform into a centralised, authoritarian and prebendal state based on personal rule (Tordoff 1993) and patronage and clientelist politics (Allen 1995 and Szeftel 2000b). Nicholls *et al* (2006) label Zimbabwe as a 'kleptocracy state' where

the government has institutionalised theft at its heart.² Bureaucrats and the civil servants recognised the importance of employment in the government sector which bestowed important privileges on them. The nationalist leaders became aware that political influence and personal wealth leaned heavily on the economic and political power with which without it none could accumulate wealth. As state resources diminished and became scarce, competition in the form of corruption among the ruling elite increased. This explains the emergence of a one-party state in the 1980s advocated by ZANU-PF in its ideological system that would eliminate rivals for the influence and consolidation of the governing party over the state resources and take them out of the 'spoils politics' equation. Moyo (1993) explains the one-party state adopted by ZANU-PF as an attempt to regulate competition and conflict over the division of spoils, a desire for self-enrichment through political office.

Within a decade after independence the state failed to sustain itself and lacked the capacity and sufficient resources to meet the demands placed on it by independence. Callaghy (1987) argues that high birth rates, increased education, rapid urbanisation and the expectations of rapid change strained the state and its liberal democratic structures. The institutions the state inherited at independence were designed to meet the limited economic

² This is a form of political and government corruption where the government exists to increase the personal wealth and political power of its officials and the ruling elite at the expense of the wider population. This is often achieved by the embezzlement of state funds and resources.

interests of the colonial state. They were planned for the exploitation of export products and not to accommodate the democratic demands grafted onto it by independence (Szeftel 1998).

In the race to meet the demands of the people and distribute the state resources by the ruling government, Zimbabwe shifted from a bureaucratic administrative system that emphasised good governance to the sovereignty of politics and this according to Hope (2000), led to a politicised bureaucracy who engaged in the centralised economic decision-making and patrimonialism. Sibudubudu (2002) argues that this comes with extremely frail formal institutions, personalised rule and prevalent clientelistic networks.

The government of Zimbabwe dominates the state apparatus. Officials who occupy bureaucratic positions do so less to perform public service than to obtain private riches at the expense of the state. Tizor (2009) argues that the bureaucrats enjoy access to a range of forms of illicit rents, prebends, and petty corruption which constitute important entitlement of office. ZANU-PF undermines the effectiveness of the state administration by using it for “systematic patronage and clientelist practices in order to maintain political order” (Brinkerhoff and Goldsmith 2002: 25). Furthermore, political mobilisation in Zimbabwe was founded on a system of clientelist politics. This gave birth to parallel and unofficial structures such as Zimbabwe Liberations War Veterans Association (ZLWVA) (Mhanda 2011), and the Youth Militia (a group of people used by ZANU-PF to advance its political agenda) that also hold more power and authority on behalf of the ruling party than the formal administration (Bratton and van de Walle 1999 and Bracking 2009). This is seen by political commentators such as Makumbe (2011) as a form of

corruption that has come out of politicisation of the state by ZANU-PF. In return for showing the loyalty to the political elite these supporters gain access to the state resources, are awarded a range of payoffs, including jobs, loans, immunity to state laws and embezzlement of the state resources as sources of wealth accumulation (Robinson 1993 and Sibudubudu 2002). Drawing on this, the chapter is compelled to agree with Sibudubudu (2002 and Szeftel (2000b) that clientelism promotes a form of factional competition which encourages the plundering of the state resources.

ZANU-PF has successfully used the system of patronage and clientelism as a political tool in mobilising the political support in exchange for access to state resources. The failure of ESAP in the early 1990s left the state on a weak economic foundation and the government who had assumed the role of the state failed to meet the demands of its clients. As the state resources shrank due to high demands of scarce commodities and competing factions of the ruling government, thus ESAP became a source of political corruption (Bond 1998). This economic crisis intensified corruption.

The state controls imports and export licenses, access to foreign exchange, government grants and loans, and the payment of duties and taxes. This makes it an important institution for the party to control. The state generates capital that ZANU-PF government uses to obtain and maintain the regime security and also provides the framework through which these resources can be channelled to the regime's supporters. Doig (2006) argues that the state is a provider and an allocator of services and functions such as education, health and various lucrative contracts. It is this standpoint which makes the state a source of attraction to the ruling party.

The significance of the state on the economy makes corruption a tragedy in its effects on development. In the context of Zimbabwe, corruption is embedded in the politics of the state. Private wealth accumulation of the ruling elite is dependent on state power and access to state resources. Clientelism has been utilised as a vehicle of mobilising the political support by ZANU-PF. This presents a rise in competition for the state and public resources which leads to looting of the state resources. The following section examines state institutions and how corruption manifests itself within these institutions.

2.3.2 Corruption in state institutions in Zimbabwe

To understand Zimbabwe's state institutions, reference must be made to the structures inherited from the colonial settlers at independence. Between 1923 and 1979 the settler administration built a domineering state (Bratton and Masunungure 2011) with the objective of protecting the welfare of a racially defined ruling minority against the interests of a black majority population. The state institutions such as the judiciary and the police force were structured in a way that supported and protected the ruling colonial government (Gatsheni 2010). At independence the new government inherited a state that deeply infiltrated politics, economy and the society that offered various instruments of illegal accumulation and predatory rule.

According to Uneke (2010), weak institutional structures adopted at independence gave the public officials almost unrestricted authority to intervene in the private economic activities and politicise the way public resources were allocated. Mawowa (2007) and Uneke (2010) argue that this

aided the emergence of corruption as a lucrative growth industry to those in positions of power. Political institutions shape the environment in which economic activities take place. Particular aspects of this understanding are the characteristics of the political system. Political corruption is often part of a set of exchanges within patron-client networks through which the incumbent elite constructs political compromises with the clients who would otherwise threaten the political stability of the system (Szeftel 1998). Since independence ZANU-PF has captured the rural traditional leaders (the influential village chiefs) through the distribution of luxury vehicles, farms and putting them on the payroll as a way of gaining rural electoral support through their influence as village leaders.

When corruption is systemic, political repression and suppression of the political opposition and regime critics becomes the most characteristic feature of the political life (Makumbe 1994 and Nyarota 2009). This has led to police and military interventions in the political process of the country, with the MDC supporters recently becoming targets of political violence, torture and discrimination (Bracking 2009). As a result, Zimbabwe's political and economic development process and stability has been impaired.

Doig (2006) argues that since independence ZANU-PF has dominated major state institutions and manipulates them for partisan purposes. The civil service, officials in law enforcement and state security, armed forces and the judicial system have been turned into ZANU-PF functionaries. Doig argues that:

“Most senior army, civil servants and police posts were opened to party members who in turn had access to the deals

and contracts that were perks of office but also cemented their loyalty to the regime” (2006: 36).

Most of these assimilated members particularly in law and justice systems have been largely involved in corrupt conducts. In addition, Sokwanele (2009) argues that they are responsible for the ‘mess’ Zimbabwe is in. Consequently, this has led to the inflation of contracts and economic mismanagement which has seen the channelling of scarce state resources into uneconomic projects at the expense of more vital infrastructure projects as a result of the breakdown of rule of law. This has distorted competition and fair market structures, deterring both local and foreign domestic investments.

Pepys (2000) argues that corruption within the justice system is a serious crime because it is the institution designed to correct the injustices of the society. It is a serious crime that “results in the improper delivery of judicial services and protection for citizens” (Pepys 2000: 13). Corruption in Zimbabwe has infected justice and law institutions in which the powerful and the wealthy can escape arrest, prosecution and conviction through literally ‘buying justice’ (Tizor 2009), whereas the underprivileged are excluded from their rightful access to a fair justice service. Chief actors in this trap include the judges, public prosecutors, the police, court clerks and the prison wardens. Munakiri (2009) and Tizor (2009) argue that for a good bribe the Zimbabwe Republic Police (ZRP) can hold back files of reports, distort, or destroy evidence. For the right price they can completely destroy a case file. In some cases they do not bother to investigate or worse, even protect the alleged perpetrators if they are politically influential or wealthy. Tizor (2009) points out that corruption within the civil processes are widespread because

prosecutors and court clerks have powers to speed up or delay a case. Tizor argues that some cases do not go to court as they are unlawfully settled by police officers without the knowledge of the magistrate or judge.

The judiciary's responsibility is to protect human rights and civil liberties by guaranteeing the right to a fair trial by a competent and impartial tribunal (Newburn 1999, Ayres 1999, and Tizor 2009). By right, the public is entitled to equal access to the court of law and equal treatment of the investigative bodies and prosecutorial authorities regardless of their political affiliation and position in the society.

Freille (2007) demonstrates that weak state institutions such as corrupt police force and the judicial system encourage corruption. They encourage corruption as lack of punishment of offenders encourages offences while making pillaging the state resources more likely. According to Tizor (2009), the judiciary in Zimbabwe has lost both its independence and ability to prosecute and give deserving sentences to those individuals involved in corrupt practices, particularly the ruling elite and the wealthy. The legislative framework and the judicial system of Zimbabwe cannot be viewed as inadequate and/or too weak to give corruption an extended ground to thrive; but it is rather suggested by Tizor (2009) and Makumbe (2011) that they are just corrupt and therefore cannot be trusted to combat corruption. This is influenced by political interferences (Tizor 2009). Rose-Ackerman argues that "... a politically dependent judiciary can facilitate high-level corruption" (1999: 151).

When the judiciary is part of the corrupt system, those with means to pay bribes operate with impunity, confident that a well-placed payoff will deal with any legal problems. Kpunde (2000b) interprets this school of thought from the perspective of interest oriented actors. This suggests that most of the political and economic actors prefer to have judiciary institutions that work in favour of their special interests. Drawing on this perspective, an interest-based understanding of politics is simply not a good solution to the problem of how impartial and uncorrupted government institutions can be created in Zimbabwe.

Goredema (2001) argues that Zimbabwe's judiciary system is by and large competent and credible, but Tizor (2009) rejects this claim arguing that concerns have been raised about the alarming role of ZANU-PF's influence, interference and its manner in appointing the ruling party members to the judiciary positions who consequently become partisans. Certainly, the Attorney-General has not been independent of the ruling party influence. There are cases such as with the WVCF in which non deserving beneficiaries, most of them high-ranking members of the executive, have been in prosecution boxes, but the prosecution's ability to exercise a free hand has been ineffectual. Other examples include cases such as the Willowgate scandal in which high profile political leaders have been involved in grand corruption but managed to escape censure. The Presidential pardon of the Willowgate car scandal in 1988 demonstrates how the legal system is guarded by the ruling party. In the case of the Willowgate car scandal Nyarota (2006) argues that the courage of the President in setting up the resulting Sandura Commission of enquiry was supposed to be matched by

the freedom with which the investigations, the media and the enquiry would operate. Only then the nation would be sure that the prosecution results will leave them a cleaner nation. However, Ministers found guilty and charged by the Commission were immediately granted a Presidential pardon. The President undermined the work of the Sandura Commission, the judiciary's effectiveness and the investigative abilities by pardoning those found guilty. In many corruption scandals that were to follow where Ministers were implicated, their cases were not investigated. This reinforces Nicholls *et al* (2006) and Tizor (2009) who suggest that with political connection to the ruling party one is guaranteed immunity from persecution no matter how guilty one is.

Svensson (2005) concurs with other scholars such as Szeftel (2000b) who argue that corruption is an outcome and a reflection of a country's legal, economic, cultural and political institutions. Corruption is not an independent phenomenon, but a sign of broader governance problems. Zimbabwe's political, economic and social crisis is seen as the outcome of the follies of its governors who, having weakened the judiciary system and abused their political power for their own benefits, have squandered their colonial inheritance and restricted their subjects from equal benefits. Furthermore, political and economic corruption can get interlocked since the resources to finance political corruption are often generated from the national economy. There is, therefore, a destructive vicious circle in which corruption and the economy, corruption and judiciary, and police force weaknesses feed off each other and the cost of corruption becomes enormous.

While economists have looked at the economic incentives which state intervention creates for some types of corruption (Sibudubudu 2002), they have typically not looked closely at the political conditions which also generate incentives for a related political corruption. Political corruption in Zimbabwe has often been an unavoidable part of maintaining political control in the unstable political environments in which Zimbabwe finds itself. An analysis of corruption which incorporates the political dimension is important in this thesis for the reason that this approach allows us to critically evaluate civil society's relationship with the state in fighting corruption, and it is this which particularly interests this thesis.

Political corruption undermines the political legitimacy and democracy as this creates instability. It embeds authoritarianism and the arbitrary use of power. Political corruption comprises a handicap to the democratic processes and institutions. It usually flourishes in situations where institutional checks and accountabilities are absent or weak. Bad leadership, together with the absence of a punishment system through which a framework of controlling corruption would have been instituted, has made possible the tragedy of corrupt enrichment and wastage of public resources (Uneke 2010).

According to Mbaku (1992), corruption is related to the concept of exchange derived from the theory of the market. Mbaku argues that civil servants, bureaucrats and the incumbents view their public office as an enterprise from which to extract extra-income. In an economy pervaded by high levels of government regulations, government employees devote some of their time and effort to assisting entrepreneurs in evading state laws and statutes in order to supplement their low salaries. In exchange, they are paid extra-

income for the assistance rendered. Tizor (2009) argues that the civil servants have continued to receive very low salaries (table 2), which has forced them to supplement their salaries through corrupt activities. The question that arises is: Can low salaries explain the bureaucratic corruption in Zimbabwe?

With the very low salaries, the majority of bureaucrats have sought ways of sustaining themselves. The principal way is through corruption, perhaps more accurately, clientelism, a kind of “Tammany Hall” style patronage, dependent on personal, family, and similar networks of interest (Davidson 2005: 10).³ In so far as it is a system, corruption has become a way of life.

However, given the fact that the Willowgate car scandal and the WVCF was dominated by the Ministers and Members of Parliament (MP), Nyarota (2006) suggests that these people came from the war in 1980 without anything (materially). Almost everyone expected too much from the state. The very success and impetus of anti-colonial struggles certainly gave strength to these expectations. With this in mind, they wanted to benefit from the state’s resources and the opportunity presented itself in the form of the Willowvale car enterprise and the WVCF. It is debatable whether their

³ Tammany Hall was the name given to a powerful political organisation that essentially ran New York City in the 19th century. Corruption in the administration of the organisation of the City became a running theme of the Tammany organisation. Corruption ran throughout New York law enforcement, legal and political systems, judges, lawyers and politicians. Family, relatives and friendship ties mattered most in administrative favours (Riper, P. (1983) *The American Administrative State: An unorthodox view*, New York; E.P. Dutton.

salaries were too minimal to satisfy and match their liberation struggle's contribution or too high and influenced them to buy luxury vehicles.

However, drawing on table 2.1, there are other civil servants whose salaries were far below those of Ministers and MPs but were not part of the Willowgate scandal. This could be explained by the fact that they did not have access to the resources unlike the Ministers and MPs who through their offices were privileged to access the resources directly. Other civil servants, except for editors of the state-owned newspapers, were getting low wages which could not afford them vehicles. This supports Mauro's (2004) argument that too high salaries can also influence corruption rather than preventing it as demonstrated by Cabinet Ministers and MPs in the Willowgate car scandal.

In developing a common understanding and approach to corruption as a practice, this thesis identifies different forms of corruption prevalent in Zimbabwe which the elite and bureaucrats engage in. The following section takes a close look at these forms and types.

2.3.3 Forms and typologies of Corruption prevalent in Zimbabwe

Doig and Theobald (1993), Rose-Ackerman (1997), and Goudie and Stasavage (2004) use a variety of approaches to analyse and explain the discourses of corruption, its nature, causality and consequences. Their approaches to analysing corruption rely on adopting economic, social, and political understanding of the parties involved in corruption.

In explaining and analysing corruption, this thesis details the basic elements involved, and moves on to explain the way in which the external and internal factors at the national and institutional levels determine the actions of players involved in corruption. Drawing on the identified forms, there is what Goudie and Stasavage (2004) call the 'principal' and the 'agent' for the corrupt behaviour to occur.

The principal refers to the highest level of government, for example, politicians and government Ministers and MPs. The agents are government officials employed to fulfil a specific role, such as civil servants. The basic premise rests on defining who plays the role of the principal and who the agent is. Although this model suits examples of corrupt activities by the officials, definitions should be adjusted when applied to scenarios of high-level corruption. In this situation, the general public become the principal and the agent role is adopted by any government official who perpetrates the act. If this approach is examined in more detail, several areas are found to have influence over the actions of the agent in perpetrating corrupt acts. These are said to occur at the institutional level, the national level, including at international level.

Corruption may exist in one or many forms, or in a more complex combination, at various levels of administration with varying degrees of acceptance of the population subject to the corrupt institutions (Rose-Ackerman 1997, Klitgaard 1988, and Obayelu 2007). Uneke (2010) argues that in terms of organisation and structure, the form of corruption can take place in a vertical way where it links subordinates and superiors in a system of payoffs. It can also be structured horizontally where it connects several

agencies or branches of the government in a web of dishonesty. This involves collective abuse by public officials through embezzlement and nepotism as it links up private and public sectors through bribery, extortion and fraud. Corruption manifests itself in many forms. Figure 2.1 shows the most common forms of corruption prevalent in Zimbabwe.

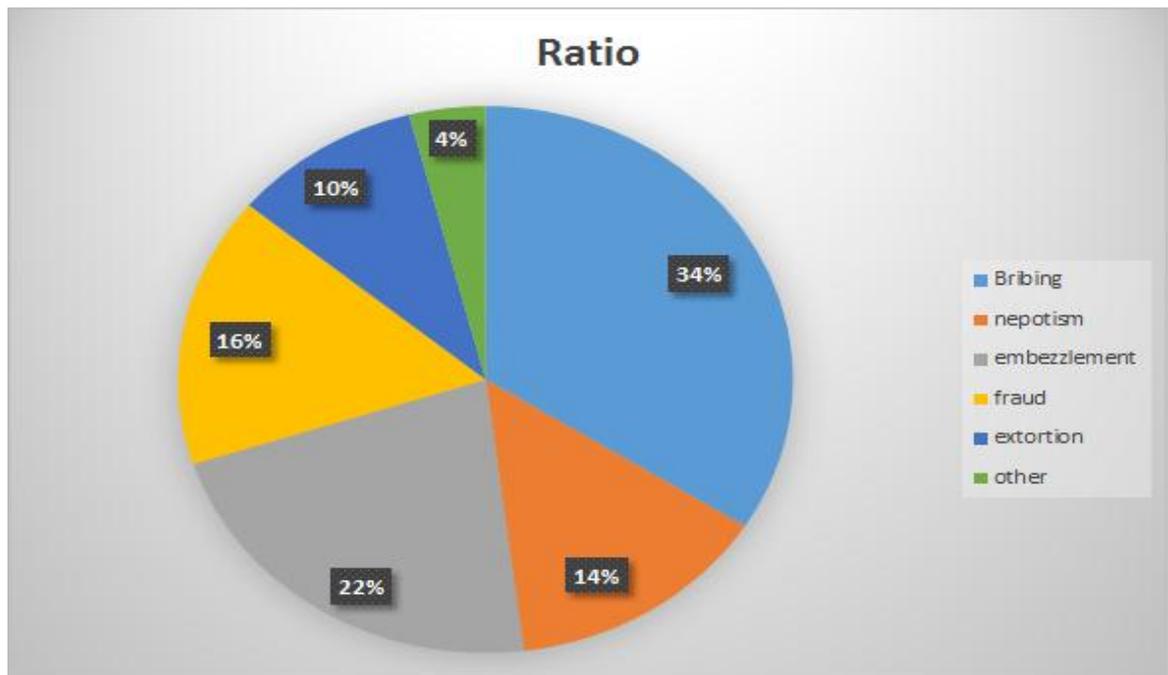


Figure 2.1 Forms of corruption prevalent in Zimbabwe

Source: Makumbe (2009)

This thesis places institutional level conditions into four distinct areas as key determinants of the way in which corruption progresses in Zimbabwe. The first relates to relationships between the government and the civil service, the second focuses on the judicial system, the third relates to civil society. The final arena concerns the government's approach to economic development (David 2005 and Jaques 2006).

Falola (2008) argues that the approach taken by the Zimbabwe government with regards to civil servants' salaries influences the prevalence of corrupt activities. David (2005), Jaques (2006), and Falola (2008) concur that civil servants get meagre salaries which drive them to seek extra income from services they provide. During the 1990s civil servants' wages had fallen to below the levels at independence, and by 2000 approximately eighty per cent of civil servants were said to be living below the poverty datum line (Dansereau 2000). Demonstrations by the public sector employees at the end of the 1990s reflected a growing dissatisfaction with the government with demands for increased salaries and improved economic conditions. The tables below show civil servants' salaries between 1984 and 1990, and immediately after the formation of Government of National Unity (GNU) following a protracted political and economic crisis between 2000 and 2008.

Table 2.1: Zimbabwe civil servants' salaries for 1984-1990

| Zimbabwe's civil servants' annual earnings, 1984 – 1990 | | | | |
|--|----------|---------|---------|---------|
| Sector | 1984 | 1986 | 1988 | 1990 |
| The editors (state papers) | Z\$5,500 | \$5,500 | \$5,700 | \$5,900 |
| Ministers and MPs | Z\$4,200 | \$4,200 | \$4,400 | \$4,500 |
| Magistrates/prosecutors | Z\$3,500 | \$3,500 | \$3,600 | \$3,700 |
| Nurses | Z\$3,400 | \$3,400 | \$3,500 | \$3,700 |
| Police force | Z\$3,100 | \$3,300 | \$3,300 | \$3,500 |
| Teachers | Z\$3,200 | \$3,200 | \$3,300 | \$3,500 |
| Army | Z\$3,400 | \$3,600 | \$4,100 | \$4,100 |

Source: Author's version based on figures collected during fieldwork

Table 2.1.1: Zimbabwe civil servants salaries after the economy recovered following political and economic crisis, 2009 to 2011

| Zimbabwe's civil servants' annual earnings, 2009 -2011 | | | |
|---|-------------|-------------|-------------|
| Sector | 2009 | 2010 | 2011 |
| The editors | US\$2,000 | US\$5,000 | US\$8,000 |
| Ministers and MPs | US\$2,000 | US\$4,000 | US\$6,400 |
| Magistrates/prosecutors | US\$1,800 | US\$3,500 | US\$4,700 |
| Nurses | US\$1,800 | US\$3,000 | US\$4,500 |
| Police force | US\$1,800 | US\$3,100 | US\$4,500 |
| Army | US\$1,800 | US\$3,300 | US\$4,800 |
| Teachers | US\$1,800 | US\$3,000 | US\$4,500 |

Source: Author's version based on figures collected during fieldwork

Transparency International (TI) (2000) rejects David (2005), Jaques (2006), and Falola's (2008) argument that poor civil servants' salaries are a cause of corruption. TI (2000) argues that the poor salaries are not the major cause of corruption in Zimbabwe because it is those in high offices who perpetuate corruption. While low salaries may act as incentives to engage in corrupt activities, they do not account for the fact that much of the highly damaging corruption that occurred, and still remains visible in Zimbabwe, is a result of

the actions of those powerful ruling elites who are already receiving high salaries. Examples would include the Willowgate scandal in which several government Ministers such as Maurice Nyagumbo, Enos Nkala, Sydney Sekeramai, to mention a few, were receiving high salaries compared to other civil servants (figure 2.1) as Ministers and occupied strong positions of political influence but easily abused trust for their private gain (*The Chronicle* 1987). The former Minister of Finance, Chris Karuneri, who embezzled one hundred and fifty million dollars (US\$) from the state, and the Minister of Local Government, Public Works and Urban Development, Ignatius Chombo, who is alleged to be owning four farms, numerous businesses and more than twenty houses (ACTSA 2012) have succumbed to corruption despite owning several business empires. Therefore, the argument pointing at low salaries as a cause of corruption in Zimbabwe is no longer robust despite petty corruption going on within public service institutions.

The strength of the linkages between civil service and political parties in Zimbabwe is highly debated by Falola (2008). Falola argues that ZANU-PF's political appointments are made from the civil service. Examples include Anias Chigwedere, who was elevated from being an education officer, to eventually become Minister of Education, Sports, Arts and Culture in 2001.

At institutional level, Goudie and Stasavage (2004) suggest three aspects of institutional organisation that influence the extent to which officials engage in corrupt activities. Firstly, it lies in the degree of monopoly of power held by public officials. Such officials include those from various departments processing and issuing mandatory documents such as passports, driving licenses, business contracts etc. and other departments such as the

Immigration and Customs, education and health. Officials from these departments have solitary responsibility for the provisions of goods or services. They are in positions where goods and services may be in short supply, or may have created this shortage themselves to benefit out of this shortage. Nicholls *et al* (2006: 147) refer to this as “corruption without theft”, the shortage creates higher demand consequently raising the prices the official can demand. The official transfers the customary sum of money to the government, but an excess will be kept. For instance, the Minister of Finance Mr Tendai Biti (cited in *Bulawayo24news*, 13 May 2013) raises concerns that the Ministry of Home Affairs and every department in it are not remitting to Treasury. The passport office is said to collect an average of one and half million dollars (US\$) a month but they only remit eight hundred dollars, while traffic police collect two million dollars (US\$) a month from roadblocks with only less than a million remitted to the Treasury. Biti argues that the rest is kept by the corrupt elite.

Secondly, the institutional factor relates to the degree of discretionary influence held by the public officials (Fabla 2008). In institutions where the agent is given many powers over the supply of government goods or services, the opportunity for engaging in corrupt conducts rises. For example, such institutions include the Zimbabwe Inland Revenue Authority (ZIMRA) and other departments already listed here.

Thirdly, opportunities for the agent to abuse their position and engage in corrupt activities are higher in those institutions where there is little or no transparency, where suitable systems of monitoring and accountability are not in place (Nicholls *et al* 2006). Without checks and balances agents are

not held accountable for their actions, and this gives them extra incentives to continue to engage in activities that do not benefit the institution.

The third institutional factor according to Goudie and Stasavage (2004) rests with the relationship between the government and the legal bodies that operate within the state. Three specific areas of concern are identified: firstly, the independence of the judiciary from the government, secondly, the efficiency of the legal bodies in enforcing the law and morality, and the organization of those bodies concerned with direct enforcement of the law, and thirdly, the freedom of expression bestowed to the media and the public. Scholars, socio-economic and political analysts agree that to a great extent these factors play a major role in determining how corruption manifests itself within different institutions.

Having explained the notion of principal and agent in the discourse of corruption, the following section outlines and analyses the types of corruption ensuing in Zimbabwe. These are: systemic corruption; grand and political corruption, and bureaucratic or petty corruption. There are several types of corruption but this thesis has interest on the listed three types.

2.3.3.1 Systemic or endemic corruption in Zimbabwe

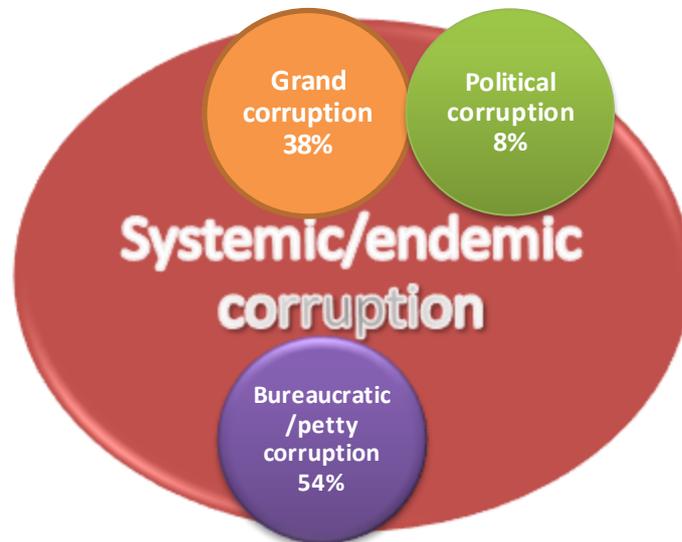


Figure 2.2: Types of corruption prevalent in Zimbabwe

Source: Based on report by Transparency International-Zimbabwe (2010)

Systemic corruption is when corruption is an integrated and crucial aspect of the social, political and economic system when it is embedded in a wider situation that helps sustain it (Byrne 2007). Systemic corruption is when processes of the state and key institutions are:

“Routinely dominated and used by corrupt individuals and groups, and in which many people have few practical alternatives to dealing with corrupt officials” (Johnston 1997).

In the context of Zimbabwe, systemic corruption is so difficult to combat because it is embedded in a wider economic and political situation that sustains it. Within it are other types of corruption that nurture themselves through systemic corruption (figure 2.3). The relationships between systemic corruption and the broader state of the situation or environment are reciprocal. Corruption contributes to weakening competitive processes and

major institutions, delays and distorts socio-economic and political development (Johnston 1997) because that environment renders people more vulnerable to corrupt exploitation as they are dependent upon its bureaucratic recompenses in the absence of better economic opportunities and therefore less able to resist it.

Systemic corruption is generally brought about, encouraged and promoted by political and socio-economic factors. It occurs where bribery on a large scale is routine. Nicholls *et al* (2006) argue that in many cases causes are brought about by the inefficiency of the civil service, high demand for services and laxity in political and economic systems, and a shortage of basic commodities. The collapse of the economy from the year 2000 to 2008 led to widespread instances of corruption as the public adopted every means for survival due to shortages of basic commodities and high inflation.

Between the years of 1991 and 1995 ESAP caused massive economic difficulties to a large number of the population. In addition to the effects of ESAP, Zimbabwe witnessed a prolonged drought which resulted in massive shortages of the basic commodities. The drought worsened the country's economic crisis adding misery on top of what ESAP had caused. Consequently, corruption became a survival means for many people as the scramble for the diminishing basic commodities increased.

Nicholls *et al* (2006: 4) argue that systemic corruption flourishes where institutions are weak, and is strongly related to poor governance where there are "inadequate legislative controls, no independent judiciary and where independent media and civil society agencies are absent or not effective". It

follows then to point out that systemic corruption has permeated Zimbabwean political, social and economic institutions with equal measure. It is no longer restricted to a few dishonest individuals as traditionally narrated in the literature (Chabal and Daloz 1999). In this system, corruption has become an acceptable culture of doing everyday business in the country. This is further emphasised by Tendai Biti (Zimbabwe's Minister of Finance) who when asked about what the government was doing to contain corruption, admitted that the government has failed to do anything (*newzimbabwe.com* 2010), which explains why corruption has become a tradition of doing everyday business. This draws us to argue that Zimbabwe has legitimised corruption and the culture of impunity.

Cultural theorists such as Ellis (2001) and Robinson (2004) contend that systemic corruption is embedded in Zimbabwe's socio-political structures. Its values and social organisations are normative traits that are conducive for corruption to thrive. Supporting Ellis and Robinson is Gatsheni (2011) who argues that Zimbabwe's cultural mode of social relations of kinship and the extended family system encourages patron-client relations in which the political power is habitually misappropriated to benefit the family, group, political and ethnic ties. Top civil servants and the private sector executives seem to put the family and personal welfare first, political and ethnic interests second and the corporate interests last. The President is the prime example; he has filled top military, security, and the ZRP posts with his close allies (Sokwanele 2000, and *Financial Gazette*, 2002). Corruption thrives in this social milieu.

The issue of culture in corruption is widely debated by several commentators such as Makumbe (1994), Nyarota (2006), and Shana (2006) arguing that corruption has become a culture in Zimbabwe. However, this perspective is criticised by Mamdani (2008) and Gatsheni (2011) who point out that what becomes significant is to look at the way in which a culture of corruption can emerge. This rests on the idea that persistent corruption can become so entrenched in everyday life that the systemic argument takes on a new form. This highlights the manifestation of the prevalent practices such as patronage and nepotism. They suggest that if activities such as nepotism and patronage were such important cultural factors, there would be no reason for these practices to be illegal at all.

It is, however, interesting to observe that whilst critics suggest that systemic corruption results from the traditional cultural practices, many scholars, commentators and the public often cite corruption as a consequence of the political and economic structures that play a major role in its proliferation (Szeftel 2000b). However, whichever way it is looked at, corruption is a major factor in hindering Zimbabwe's economic development (Makumbe 1994, Shana 2006, Munakiri 2009 and TI 2010). If corruption is such a culturally accepted practice, it is doubtful that the general public, scholars, social and political commentators would demonstrate such concern. Ellis argues that if corrupt activities were indeed a cultural phenomenon, there would be no need for the "actions of the corrupt officials to be shrouded in secrecy" (2001: 74).

Chabal and Daloz (1999) argue that systemic corruption is a routine aspect of many of the African social systems. They argue that systemic corruption is

merely seen and understood as part of a complex network of redistribution driven by particularistic social pressure for a selfish additional source of income. Chabal and Daloz (1999) and Chikulo (2000) understand systemic corruption as an integral part of the fabric of social life. It is understood as a habitual part of everyday life and an expected element of everyday social transaction.

The procurement of the public goods and services is an important factor in the discourse of systemic corruption because this is where the public and the private sector corruption meet through the awarding of contracts, tenders, services and favours. The bureaucrats and incumbents feature regularly in the independent print media in Zimbabwe such as *The Daily News*, *The Zimbabwe Independent*, *The Standard*, and *The Financial Gazette* creating an impression that they are the drivers of corruption. Goredema (2001) posits that this leaves us with questions arising about the structures of the state and the government, the integrity of the public sector functionaries, the capacity of the non-state sector and the direction and capability of the law enforcement institutions.

The patronage system of “Big Man-Small Boy” politics (Chabal and Daloz 1999: 87) was institutionalised during the colonial period as a way to govern through the chiefs and headmen, but still remains salient in contemporary Zimbabwean politics, which to a great extent contributes to corrupt practices (Le Vine 1980, and Nugent 1995). Gatsheni (2010) argues that the ZANU-PF-led government borrowed the same systems by strengthening its relations with traditional chiefs as a way of monitoring and capturing rural electoral support.

Following an argument by Chabal and Daloz (1999), the ethnic based patron-clientelism and 'prebendalism' gives the office holders and the bureaucrats the opportunity to use official decisions as vehicles for personal or clan enrichment. The case of Matabeleland as a marginalised region testifies Chabal and Daloz's argument. The region has not been developed as much as other regions (Sokwanele 2008), purely for political reasons because it is perceived to be anti-ZANU-PF (Bracking 2009 and Matshazi 2009). The viewpoint is that Matabeleland is a strong hold of PF-ZAPU and the MDC political parties opposing the ruling party. Consequently, the ruling government has isolated Matabeleland from the national development programmes. Where the government pledges to carry out a development project, it collapses or is never implemented. The Matabeleland Zambezi Water Project (MZWP) has taken nearly thirty years to take off having been proposed and initiated in the year 1982.⁴ People from Matabeleland view the government's procrastination as political punishment (Sokwanele 2004). This has led to de-industrialisation of the city with many industries relocating to Harare, a situation that worsens unemployment in Matabeleland. As a result, the people of Matabeleland have continued to call for devolution of power and cessation measures to help the region out of the 'de-development' government agenda.

⁴ The MZWP is a project that was proposed by the government in 1982 to end the perennial water shortages faced by Zimbabwe's second city of Bulawayo by bringing water from the mighty Zambezi River to the city.

The next section looks at grand and political corruption and how it has affected Zimbabwe.

2.3.3.2 Grand and political corruption in Zimbabwe

Grand and political corruptions go hand in hand. These involve high level corruption which involves political decision-makers. Political or grand corruption takes place at the high levels of the political system when politicians and state agents entitled to make and enforce the laws in the name of the people are using their authority to sustain their power, status and wealth (Byrne 2007). Consequently, this leads to the misallocation of resources and perverts the manner in which decisions are made. In political corruption, in particular, the laws and regulations are abused by the rulers, ignored, side-stepped, and tailored to benefit their interests. According to Byrne (2007) and Rose-Ackerman (1994), grand corruption is at the top levels of the public sphere, where rules and policies are formulated in the first place.

Rose-Ackerman, a prominent guru in corruption studies, defines grand corruption as “the misuse of public power by the Heads of the state, Ministers and senior government officials for private pecuniary gain” (1994: 83). It arises mostly where high officials have great influence and power over the granting of large public contracts to individuals, agents or companies for a commission. Political elites exploit their political power to make economic policies that benefit them as individuals at the expense of the public. This form of corruption is exemplified by four high-profile cases. Firstly, the Minister of Local Government, Public Works and Urban Development, Mr

Ignatius Chombo, whose company Augur Investment was controversially and corruptly awarded contracts to construct the Harare Airport road and Joshua Mqabuko Airport in Bulawayo (Musanzikwa 2012). Secondly, Anias Chigwedere, the former Minister of Education, Sports, Arts and Culture, who is also a Zimbabwean historian whose four series of history text books (Dynamics of History 1- 4) are 'compulsorily' used as regulated history books for high schools (Sokwanele 2006). As a Minister overseeing education administration, he used his influence to recommend his books for the national school history syllabus. In such decisions a conflict of interests is clear.

A thirdly example involved vice President, Joice Mujuru. She allocated her company the contract to make and print new number plates for all vehicles replacing the old number plate system (*newzimbabwe.com* 2010 and Sokwanele (2008)). The vice President used the company she owns to misappropriate state resources to enrich herself having proposed to update the vehicle registration process (Parliamentary Debates, 23 October 2002). This demonstrates that in Zimbabwe the political elite can change either the national policies or their implementation to serve their own interests at the tax payers' cost (Donna 1998 and Nyarota 2004). Hope (2000) argues that politicians serving as wealth brokers easily obtain the resources they need to purchase influence, security, power, wealth and continue to monopolise the supply of legislation.

A fourth example involved the former Minister of Finance, Chris Karuneri, who embezzled one hundred and fifty million dollars (US\$) from the state treasury through externalising the foreign currency between 2002 and 2004

when the state desperately needed foreign currency for development purposes during his term of office (*newzimbabwe.com*, 2008). As selected officials or in the government's role of benevolent social guardians, politicians are supposed to make resource allocation decisions based exclusively upon the interest of their people. Therefore, there are several questions that are of interest in this thesis that have to be addressed.

1. What explains this 'greediness' from the ruling party?
2. How did this come about?
3. Where did the liberators go wrong?
4. Do the leaders care about the development of Zimbabwe more than their personal enrichment?

This chapter interrogates these questions to explain manifestations of grand and political corruption in Zimbabwe. Without any doubt, the desire for wealth accumulation by politicians and legislators supply some answers to the questions, and have their abrasive part in the story. While ZANU-PF's corrupt conduct is always the spotlight, this can seldom reveal the root of the matter. Primarily, this is a crisis of institutions as argued earlier in this chapter.

Statistics show that between the years 1990 and 1998 grand and political corruption cost Zimbabwe an estimated six billion dollars (BBC 2009). The figure is not restricted to money but includes the lost opportunities for investments, human capital, trade and other necessary projects for national development diverted to individual projects.

The Society of Advanced Legal Studies, Anti-Corruption Working Group (cited in Nicholls *et al* 2006) point out that grand corruption involves key activities such as bribe payments, embezzlement and misappropriation of state assets. The bribe can either be a direct payment in return for showing favour or payment of part of the proceeds of a contract granted as a result of the bribe, which Goudie and Stasavage (2004) call a 'kickback'.

The African development literature tends to focus on grand corruption to the detriment of other types, the reason being that international development organisations perceive the cross border and international trade related practices as having a larger impact on the growth of the economy of the developing nations than those internal corrupt activities which could be dealt with by the citizens of the country (Moody-Stuart 1997). With the international community moving away from economic growth as the main target of development towards policies promoting poverty reduction and access to resources, Heidenheimer *et al* (1993) and Eigen (2001) argue that the weight given to grand corruption debates has gained momentum. This is fuelled by the funds nations receive as aid that studies by TI (2010), Uneke (2010), and the World Bank (2010) reveal as much as a third having been diverted to private accounts by the ruling elite in Africa.

2.3.3.3 Bureaucratic or Petty Corruption in Zimbabwe

Bureaucratic or petty corruption refers to the "soliciting or extortion of small payments by low level officials in order to expedite business by cutting through red tape" (Tizor 2009:36). Jain (2001: 89) argues that in bureaucratic corruption officials solicit and extort payments "to do what they are supposed

to do". Bureaucratic corruption, small in scale, is an everyday corruption that takes place at the implementation end of politics where the bureaucrats meet the public. Byrne (2007) argues that petty corruption is bribery in connection with the implementation of existing laws, rules and regulations. Modest sums of money are commonly involved when people pay for services in their encounter with public administration and services such as local licensing authorities, schools, hospitals, police force and taxing authorities.

A key distinction from grand corruption is that an official may be paid for doing what he is lawfully required to do. Tizor (2009) points out that there is high acceptance and cooperation of the public in the society as it is seen as the alternative way of getting a service particularly from institutions such as the ZIMRA, Customs and Immigration, judiciary or justice system, registrar department that processes mandatory documents, the ZRP, education and health services. It has become a common routine in Zimbabwe to find public servants extorting bribes for services or using public facilities and materials for their own marginal personal gain.

In most cases, the public now assumes that services required would not be obtained without the additional payments, making corruption a normative part of doing business in their everyday life. The sums paid or involved are usually small compared to those of the grand corruption. Tizor (2009) contends that bureaucratic corruption has become common and an acceptable 'culture' because it is in most cases carried out in the open. Nicholls *et al* (2006) concur that bureaucratic corruption is usually used, however, to describe 'facilitation' or 'greasing', payments sought by officials for the services the public are entitled to free of charge. For example, bribes

are paid to Immigration and Customs officers to pass goods through immigration ports of entry without paying any duty, traffic police officers solicit for a small amount of money to let vehicles not road worthy and traffic offenders through at roadblocks (TI-Z 2011).

Bureaucratic corruption is perceived to arise from the clash of and conflict between traditional values and the imported norms that accompany modernisation and social-political development (Tizor 2009).⁵ Theories of modernisation and political development have renewed discussions on bureaucratic corruption and the role of the laws and institutions in economic growth and development. Mbaku (1992) argues that bureaucratic corruption is the opportunistic behaviour related to the scope and extent of the government regulation of the economic activities.

The issue of bureaucratic corruption providing civil servants with the opportunity to raise their earnings above what the law prescribes is extensively discussed by Falola (2008) who argues that bureaucratic corruption is an unavoidable system in any developing country. Falola argues that government would rather divert what is supposed to be increments for civil servants' salaries to private projects that would protect their political power and business acquired using corrupt means. For instance, the ruling party has always rewarded its senior military personnel

⁵ Modernisation is the process of change towards those types of social, economic and political systems that have developed in Western Europe and North America. It produces economic growth, structural and cultural changes in economic and political administration (Armer, J. and Katsillis, J. (2001) Modernisation theory, Encyclopaedia of Sociology, 3.

and the related state security agents, the police and prison commissioners, and the Attorney-General's team with increased salaries (Sokwanele 2008). Meeting the demands of these institutional elite serves to protect the ruling party from any impending threats from political opposition, CSOs and vocal pressure groups.

Using their official positions, the bureaucrats are able to capture and maintain monopoly positions in the economy. Mbaku (1992: 49) argues that "corruption allows inefficient producers to remain in business", and encourages the governments to pursue pervasive economic policies which provide the opportunities to the bureaucrats and politicians to enrich themselves through extorting bribes from those seeking government favours. Kpunde (2000b) and Mbaku (2007) note that the incentive for bureaucratic corruption is usually provided by the high levels of funds and resources under the discretionary control of the officials coupled with limited accountability and transparency. Other contributing factors to rising bureaucratic corruption include the limited extent of auditing and monitoring within government institutions. Makumbe (2009) argues that this has been the case with Zimbabwe since the 1980s; many government institutions are rarely audited. According to Sokwanele (2008), one of higher education institutions spent eleven years (1990 to 2001) without any official auditing by the state Auditor's office. This explains why corruption is endemic in some government institutions and further suggests that corruption within several institutions has been going on due to a lack of checks and monitoring mechanisms.

Neo-Marxist scholars such as David (2005) and Falola (2008) suggest that bureaucratic corruption is the problem of the state's economic and political structural organisations as they are embedded in the capitalist commodity production process and their social relations woven around it. They argue that as long the state is based on a capitalist mode of production the menace of bureaucratic corruption will be a permanent feature of the economy. Therefore, Falola (2008) argues that bureaucratic corruption in Zimbabwe is an unavoidable outcome of modernisation and development. It is a system within state institutions. The Sandura Commission (1989), a report on the Willowgate car scandal, proposed several solutions to bureaucratic and grand/political corruption, among them are that: firstly, Zimbabwe has got to 'modernise' its traditional culture and social values to make them conducive to social and economic development. Secondly, the role of Anti-Corruption watchdogs must be strengthened to monitor similar corrupt practices. Thirdly, the state needs to work with other organisations outside government structures to monitor corruption. This third recommendation links us to the following section that examines civil society as part of a watchdog body that can monitor corruption in Zimbabwe.

2.4 An assessment of civil society in Zimbabwe

Studying and talking about civil society and its role in Zimbabwe is a methodological challenge. The practice of civil society and theorising about it mirrors the influence of the neo-liberal framework that promoted it from the early 1990s, which perceives it to be anti-state (Ncube 2010). Since then, the conventional perspective is that civil society is meant to oppose the state. In

this context, civil society is theorised in a Weberian institutional sense as institutions or organisations that oppose the totalitarian state, without organically locating it in society and the wider concept of the state. Ncube (2010) argues that the mainstream thinking is that the state is extremely bureaucratised therefore cannot efficiently deliver, which explains why resources such as development aid are diverted from the state to CSOs or Non-Governmental Organisations (NGOs). The implication is the creation of friction between the state and civil society. Consequently, instead of working to complement each other the Zimbabwean state and civil society have become adversaries which has led to CSOs working towards providing possibly alternative centres of political power. This has led to a tendency of branding and counter-labelling other groups as civil society and others as not. Equally important is that this is a function of the neo-liberal definition of a civil society as it was correspondingly promoted by the state discourse on civil society since 2000. The state has been excessively negative of some sections of CSOs as it perceives them to be unpatriotically anti-ZANU-PF (Ncube 2010).

Civil society is a slippery concept, decorated with a long range of definitions. What makes it slippery is its constantly shifting space, set of actors and set of rules of engagement making it a challenge to define (Raj 2004). This has resulted in multiple definitions. When scholars look at civil society they focus on organisations and resources that they mobilise (Tarrow 1998). Others look at civil society as a public space in which social engagements occur (Ehrenberg 1999, Raj 2004, and Kaldor 2003). The irony about civil society is that it envelops a huge array of activities and yet it is very hard to define.

Different writers emphasise different dimensions of civil society, whether material (Marx and Engels), organisational (Ferguson and Tocqueville) or ideological (Gramsci and Weber).

Gramsci, whose ideological framework is applied in this thesis particularly in chapter five, views the central role of the civil society as the contributor of the cultural and ideological capital necessary for the control of the hegemony of capitalism. He sees it as a site for problem solving. It is assigned a vital role in defending people against the state and the market and in asserting the democratic will to influence the state (Ehrenberg 1999 and Edwards 2004).

London School of Economics' Centre for Civil Society (CCS) defines civil society as an arrangement of diverse approaches that epitomises continuous contestability of how different groupings seek to deal with issues of the day. According to CCS,

“Civil society refers to the arena of uncoerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are complex, blurred and negotiated. Civil society commonly embraces a diversity of spaces, actors, and institutional forms varying in their degree of formality, autonomy and power” (2004: 4)

Somers (2008: 20) defines civil society as the site of citizenship and discusses it in terms of “the fragile centrality of the social”; whereas many empirical studies of civil society portray it as a status constructed out of a two-party relationship between the individual and the state. Somers (2008: 21) argues, by contrast, that:

“Civil society is essentially the name we use for a triadic assemblage of shifting institutional and discursive relationships and struggles for power among state, market and civil society”

Civil society is considered as the realm of association between the household and the state. Through its many functions and throughout its history some sections of civil society in Zimbabwe have put pressure on the government for policy reform and improved governance as well as explicitly monitoring the state's actions on development discourse. However, this has since changed with the introduction of the Private Voluntary Organisation Act (PVOA) of 1995 and the 2004 NGO Bill which changed the nature, character and political space of CSOs operating in Zimbabwe. The 2004 NGO Bill, states that it is “for the registration of non-governmental organisations to provide for an enabling environment for the operations, monitoring and regulation of all non-governmental organisations” (2004: 2). It is a far-reaching law clearly intended to exert full and complete control over the operations of CSOs and NGOs in Zimbabwe. The thesis discusses the PVOA in detail in chapter five.

According to Fratton (1992), civil society is the collection of institutions and networks whose existence is independent of the state and official organisations that are competent to develop their own impulsive visions on national or local issues. Fratton argues that views of these institutions do not essentially oppose the state, but exist in contrast to state organisation's guidelines and enjoy some degree of autonomy. Fratton (1992) further argues that civil society is neither benign nor harmonious, but constitutes a terrain of the struggle and resistance. It is seen as a private sphere of materials, cultural, and political activities resisting the incursions of the state.

Civil society is subject to “constant colonisation by the state” which strives to maintain its grip and maximising its own supremacy (Fratton 1992: 3).

Civil society is potentially a highly subversive space, an area where new norms and structures can seize the opportunity to challenge the existing state order (Ncube 2010). However, this is not to argue that civil society is essentially revolutionary, on the contrary it may be the prime institution and disseminator of the reactionary forms of information and codes of conduct that impound “subaltern classes either too old, unchanging behaviour, or too ineffective, disorganised patterns of collective resistance” (Fratton 1992: 6). This thesis aims to test Fratton’s hypothesis in the context of civil society in Zimbabwe.

Zimbabwe’s civil society is populated by parochial organisations such as registered charities, development NGOs, community groups, women’s organisations, professional associations, trade unions, self-help groups, social movements, business associations, the media and advocacy groups (Ncube 1993). Scholars concur, however, that civil society has an institutional core represented by voluntary associations outside the sphere of the state and the economy. The 2008 National Association of Non-Governmental Organizations’ (NANGO) directory lists over 1280 CSOs/NGOs that are operating in Zimbabwe (NANGO 2009). Sibanda groups them into three categories:

“Welfares CSOs providing free goods and services to the disadvantaged population, the developmental CSOs which aim to assist in the up-liftment of living standards of various sectors of the society, and the Environment NGOs that deal with natural resources” (Sibanda 2009: 8)

There are some CSOs that operate within all three categories. It is not possible to study all the organizations despite the fact that corruption is a phenomenon likely to crisscross all sectors. To this end, the study has chosen as its subject only CSOs which deal with corruption and/or the issues of good governance that may relate directly with corruption. And even so, not all such organizations will be the subject of study. It is those CSOs based in the cities of Harare and Bulawayo who are the subject of the study.

Since independence, Zimbabwe has experienced a profound series of political and economic changes that pose analytical difficulties when carrying out a study on civil society. It has not been clear, for instance, how to specify the contours of actors, terrain and rules of engagement within the field of civil society in Zimbabwe due to the political polarisation (Gumbo 2002, and Ncube 2010). This is due to the fact that since 2000 the ZANU–PF-led government imposed strict operational rules against NGOs and CSOs operating in the country, this is discussed in detail in chapter five. Robert Mugabe and ZANU-PF officials accuse the civil society constituency and NGOs of waging a hate campaign against a ‘democratically elected government’ over its policies, including the seizure of white owned commercial farms for redistribution to the landless blacks in which Bracking (2009) argues that the implementation process was abrupt and corrupt. Thus the imposed operational rules weakened the strength and coherence of civil society and created a state-civil society relationship which Gatsheni calls “a forced marriage ...” (2006: 3). Gatsheni argues that CSOs lost their powers and were left with no option besides following what the state wanted in relation to national rules, policies and development issues. Therefore, this

research aims to test to what extent Gatsheni is correct in this argument when examining the case of the state and civil society's relationship in combating corruption in Zimbabwe.

Fratton (2007) posits that the cultural model of civil society theory illustrates an understanding of Zimbabwean society that depicts a simple dichotomy between the state and civil society. It portrays a "decaying authoritarian state stuck in a deadly struggle against an emerging and democratic civil society" (Fratton 2007: 89). This understanding argues that the two realms are distinct, unconnected and antagonistic spheres of institutional and social activities. However, Moyo (1993) interprets the state-civil society relations differently arguing that as a starting point, the state-civil relations should be understood as intertwining parts of the same reality because both components belong to one public realm. On the other hand, Taylor argues that the dichotomy between the state and civil society "is based on a false dualism which negates the historical fact that civil society means the same thing as the political community" (1990: 98).

Bowden (2006) argues that civil society in Zimbabwe is not in isolation from the state; rather, it functions in a balanced inter-dependence with the state. Civil society was a creation of the colonial state, and governed by the state. As posited by Mamdani (2008), Zimbabwean civil society in its primary sense contains and constrains the scope and action of the state. The state and civil society relate to each other in what Antonio Gramsci called a "balanced opposition" (Bowden 2006: 158). In the same vein, this relationship is best captured by Mbembe who argues that the state-civil society relationship is:

“Not primarily a relationship of resistance or of cohabitation but can best be characterised as illicit cohabitation, a relationship made fraught by the very fact of sharing the same living space (1992: 4).

According to Mbembe (1992: 5), the relationship has resulted in the “mutual zombification” of both the dominant and those dominated. This means the state and civil society have robbed each other of their vitality and has left them both impotent. Mbembe argues further that it would be wrong to interpret the state-civil society relationship in terms of absolute domination of one institution by another. Therefore, this research aims to explore and examine the validity of the arguments by Fratton (2007), Bowden (2006), and Mbembe (1992) in relation to the state-civil society relations in Zimbabwe, and their collaboration in fighting corruption.

Civil society in Zimbabwe is most commonly considered in terms of political discourse of spreading democracy around the country (Baker 2002). It is defined internally and entirely by its associational social practices, and externally by its constituted opposition to state rule (Somers 2008). Somers (2008: 26) argues that the associational power of its institutions and practices “empowers it to continually resist and patrol against the invasive designs of the state into the site of the social”. Somers further argues that by contrast:

“A ‘triadic’ (third) approach to civil society is best characterised by those who include the market in the investigative model, while preserving civil society as the space of social solidarity and on-going non-contractual relations” (2008: 44).

The implication here is that civil society represents a “third sphere” in between both the state and the market, and is continuously engaged in

resisting and opposing 'forced' policies of the market in as much as they do with the state. Given that civil society is the only site in which people organise themselves as citizens and as "a people" (Somers 2008: 40) thus a strong and free civil society is necessary for situating the social movements that are called upon to defend society as a whole.

Kagoro (2005) argues that relations between the state and civil society in Zimbabwe have always been contentious. This dates to the Rhodesian era when the Ian Smith regime banned civic organisations that were advocating for democratic governance. This further reinforces the argument made earlier in this chapter that the post-colonial state inherited the colonial legacy.

Due to the nature of the post-colonial state, it is argued in this thesis that the imbalances between the state and civil society does indeed exist and persist in contemporary Zimbabwe (Fratton 1992), but Gatsheni (2004), Sibanda (2009), and Etzioni (1993) postulate that the respective large amount of literature has poorly theorised the state-civil society relationship.

Whilst Graham (2004: 147) argues that "the state and civil society's relationship is contradictory", Gatsheni (2004) and Sibanda (2009) argue that the state-civil society relationship highlight a broadly congruent paradigm that pits the two institutions together. However, since independence civil society in Zimbabwe has continued to face restrictions imposed on them by the ZANU-PF-led government (Dorman 2003 and Chene 2007). Zimbabwean state-civil society relationship is not in a much more integrated and interactional way, but a separate 'state versus civil society' framework which informs the traditional literature by scholars such as Fratton (2007).

The literature reviewed demonstrates that the Zimbabwean government and some sections of CSOs are not working together in development and policy issues. In fact, the state so far has displayed a repressive and authoritarian form of politics that has isolated certain CSOs from the political space. In 2004 the ruling ZANU-PF, through its Minister of Public Service and Social Welfare, Paul Mangwana, passed the NGO Bill that imposed the strict operational rules on NGOs and other civil society groups. He was quoted saying:

“Some NGOs and Churches are causing too much confusion in the country because they are converting their humanitarian programmes into politics The government cannot allow that to happen, so we are saying they should go under scrutiny where we revise all modalities of their operation in the country” (Kagoro 2005: 3)

Since the passing of the NGO Bill in 2004 there have been occurrences of intimidations and the state sponsored harassments on individuals and the rudiments of civil society. Goredema (2001) and Kagoro (2005) argue that some government Ministers have threatened certain sections of civil society groupings for political reasons. Examples of organisations threatened include the independent media and CSOs targeting human rights and good governance issues. Given the intense political polarisation, some CSOs were consistently forced to re-orient their programmes to make them more responsive to the requirements of the government. More importantly, some CSOs have been forced to shift their activities because of the limited and monitored operating space engendered by the 2004 Act. It is this government stance that forced many CSOs to pursue what Ncube, (citing

Raftopoulos 2000), calls the “entryist approach” (2010: 81) that evaded speculative politics by the government.⁶

Whaites (1998) argues that a democratic state is a prerequisite for civil society, in turn; civil society emerges to balance a strong and democratic state acting as a protective buffer for the people. Democracy is mandatory for the organisational frame of and activities of civil society. Whaites (1998: 243) contends that CSOs operating in undemocratic states have a slight opportunity to influence the government, “their interests are not likely to be served by state involvement in community involvement”. CSOs are not only more likely to serve the interest of the deprived but they are capable of initiating schemes that increase the organisational power and subsequently the political pressure that can be exerted by the poor people. In this regard the state becomes an incentive to civil society for groups to lobby, influence and secure policy changes.

Media in the early years of independence demonstrated that its freedom could play both an investigative and monitoring role particularly in combating corruption. Goredema (2001) argues that without the media the public would not have known about Paweni’s GMB fraudulent claims as a private contractor with the collusion of a Minister and public officials in respect of food deliveries during the 1982 drought. It was the media that exposed the

⁶ Many civil society organisations preferred to maintain a low-profile and complementary approach in dealing with the strong interventionist state to avoid direct confrontation

Willowgate car scandal of 1988 where Ministers were involved in an illegal acquisition and resale of motor vehicles for exorbitant profits. The media also played a major role in exposing the National Housing scandal in which funds for constructing houses for public officials were diverted to influential ruling elite such as judges and Ministers. The WVCF scandal with Ministers and former freedom fighters - including the president's brother-in-law exploiting loopholes in the claims system was also brought to light as a result of the media. This thesis develops the narrative and analysis of these scandals in chapter six. Under a censored platform, the media has played an active watchdog role which has further infuriated the ruling government, leading to the banning of all the independent media outlets.

By exposing corruption the media established itself as civil society machinery in the struggle against corruption. This has since then created a thin line between the independent media and the government. ZANU-PF has demonstrated intolerance towards free media and incapacitated its printing presses. Journalists have been subjected to physical violence, harassment, and do not enjoy easy access to information. Foreign journalists are required to apply for accreditation. This friction between the government and the media impedes the discovery and dissemination of useful information on fighting corruption, particularly when it involves government functionaries (Goredema 2001).

Drawing on an argument by Sibanda, if civil society can be reinforced, "and in some cases liberated from the chains of the autocratic government" (2009: 47) and its efforts at monitoring the state encouraged, it is hypothesised that this would contribute to the ultimate control of corruption (Khan 1998). While

it may be unrealistic to expect an immediate or total elimination of corruption in Zimbabwe, the involvement of the civil society in fighting corruption is argued in this thesis to be of vital importance in controlling endemic corruption.

This section has discussed civil society in Zimbabwe, and how deeply fragile and vulnerable the state-civil society relations are. That said the study proceeds to discuss the state-civil society Anti-Corruption strategies.

2.5 The state and civil society: Complexities of corruption control in Zimbabwe

In designing and implementing the national Anti-Corruption programme, the initial step of securing a strong commitment to fighting corruption is often the most difficult hurdle (Nicholls *et al* 2006). When corruption is widespread, particularly where it involves the political establishment, it comes with its severe political risks, despite popular support from cleaner government members – if ever there are any cleaner ones. Sibudubudu (2002) and Nicholls *et al* (2006) argue that the most powerful force in fighting corruption is the widespread resentment of corrupt practices and popular support for solid action from the government institutions. Double standards in Anti-Corruption management erode all efforts intended to control the phenomenon. Nicholls *et al* (2006) argue that the Anti-Corruption project needs to be designed in line with the expectations of the nation and with public participation. Anti-Corruption strategies are likely to be more effective when they are built on the foundation of popular empowerment, nationally owned and designed to meet the national circumstances.

Szeftel (2000a) argues that Anti-Corruption proposals are in most cases a threat to the state and its employee's dependency on state power and resources for access to personal wealth, opportunities for accumulation and an affluent lifestyle. Anti-Corruption initiatives undermine the capability of a corrupt government to distribute the patron-clientelist resources thereby affecting the very foundation of the state. It is in this sense that Anti-Corruption agencies are a threat to the positions of Zimbabwe's ruling elite and the political establishment itself. Subsequently, Anti-Corruption strategies become a casualty of the political process.

Scholars such as Mavuso and Merwe (2008) and Olowu (1999) suggest that since 1988 the government has been central in driving the Anti-Corruption programmes. The irony is that it is the same government elite who have also been allegedly implicated in one or more corruption scandals. Thus a contradictory situation exists, and why this is so is an interesting part of the research. Mavuso and Merwe (2008) argue that within ZANU-PF there are some incumbents committed to derailing Zimbabwe's Anti-Corruption project because they see them as a threat to their positions and benefits. This explains Makumbe's (1994) notion that some Zimbabwean incumbents are the major recipients of corruption.

The last two decades has seen a plethora of both national, regional and the international Anti-Corruption initiatives that culminated in the United Nations Convention against Transitional Organized Crime and Corruption held in Palermo (Italy) in 2000 (Goredema 2001 and UN 2004), the Southern African Development Community (SADC) Protocol Against Corruption of 2001 (TI

2006), and later the United Nations Convention against Corruption (UNCAC) of 2005 (Nicholls *et al* 2006). To compliment these regional and international Anti-Corruption tools, Zimbabwe has its own Anti-Corruption chapter, the Prevention of Corruption Act of 1996 (Government of Zimbabwe 2009). This Act paved the way for other local Anti-Corruption instruments such as the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption; and the ZACC of 2004 and 2011 respectively.

Zimbabwe committed itself to take steps to sanction the Conventions which protect the initiatives to develop effective Anti-Corruption strategies. The three Conventions set standards for the domestic regulations towards reducing and eventually eliminating the differences among national legal systems which impede co-operation in combating corruption (Nicholls *et al* 2006). The UNCAC has become an important project whose global support demonstrates the necessity for a systematic, worldwide effort to combat corruption in both the public and private sector. The UNCAC requires the state parties to establish and maintain their Anti-Corruption instruments. These are to enjoy the necessary independence and appropriate resources to enable them to carry out their functions effectively and free from any undue influence. Nicholls *et al* (2006) argue that the coming into force of the UNCAC and its approval by Zimbabwe had considerable implications for the fight against corruption in the country. The principle reason behind the Convention was to promote and strengthen measures to prevent and combat corruption, to promote, facilitate and support national cooperation and technical assistance in preventing and combating corruption including assets

recovery, promoting integrity, accountability, and appropriate management of the public affairs and public property.

Consequently, this has seen the genesis of some CSOs such as the TI-Z and ACTSA operating at national levels that are involved in an array of Anti-Corruption programmes. The accumulated expertise of these organizations has led to their active involvement in the development of several Anti-Corruption instruments such as research and surveys that inform the public on the causes, nature, effects and possible steps to curb the pandemic. The fight against corruption has been given the impetus by various developments, among them the formation of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption in 2004 and the creation of the 2004 and 2011 ZACC.

Goredema (2001) argues that the formation of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption had its own implications. Firstly, the capacity of institutions outside the central government to make an input into the formulation of the Anti-Corruption legislation was diminished. Secondly, the political neutrality in implementing and enforcing Anti-Corruption laws was compromised with the limited space for other actors such as CSOs. And thirdly, it is barely expected that a legislative body which is monopolized or governed by a monolithic group and insulated from the pressures of competitive politics would be an efficient watchdog on behalf of the public. This dangerously weakened the capacity of the government to deal with corruption particularly when it stems from or is associated with the functionaries of the government. The designing and execution of the Anti-

Corruption legislation has been dominated and monopolized by the central government as Mawewe and Merwe (2008) demonstrate. When the government determines the content of such legislation drawing on its perceptions, as is the timing and the way of implementation, consequently, the result is that in many cases the legislation fails to achieve the intended objectives. Successful and effective Anti-Corruption legislation requires inter-sectorial co-operation with institutions outside the central government.

The state's direction and success of the strategies to control corruption need to be linked to the degree of participation of civil society in designing and implementing Anti-Corruption strategies (Biti 2012 unpublished). Controlling corruption is more than a matter of creating the Anti-Corruption strategies, laws and policies of the state; it has to be rooted in the involvement *vis-à-vis* activities of civil society and its relations with the state.

Kagoro (2005) argues that separate from an unreliable judiciary system, other sectors would also be important in Anti-Corruption management. These would include an autonomous and functional free media, a network of institutions to monitor democratic accountability together with the Anti-Corruption agencies, and a vigilant and effective civil society.

Anti-Corruption strategies in other parts of the world (particularly the Western democracies) recognise the role of a vigilant civil society in preventing and exposing corruption (Nicholls *et al* 2006). However, in the case of Zimbabwe, this was nearly the same in the early 1980s when *The Chronicle* exposed the Willowgate car scandal and *The Herald* exposed the Grain Marketing Board (GMB) food distribution scandal before corruption became endemic. The

Palermo Convention (Goredema 2001) and the UNCAC (Nicholls *et al* 2006) may be directed at organs of the state, but implementing them involves other stakeholders such as CSOs. According to Goredema (2001) and Sibanda (2009) if CSOs are given the platform or political space for designing and implementation of the Anti-Corruption policy (which the state has not accorded them) they can play an active function in combating corruption.

Nicholls *et al* (2006) argue that the freedom of the press and other media contributes to the public awareness of corruption. The commitment of the government to the freedom of expression and association is therefore a critical factor in creating the conditions that are conducive for civil society to participate in Anti-Corruption projects, which could lead to effective corruption control.

The empowerment of CSOs in Zimbabwe is hostage to the current turmoil in the political and economic situation (Goredema 2001, Mhone 2001, and Kagoro 2005). The political environment is not ideal for the strengthening of some sections of civil society structures to participate in the Anti-Corruption strategy formulation and implementation because the ZANU-PF government sees them as agents of the imperial agenda whose objective is to overthrow the government (Mamdani 2008). In addition to the less conducive political restraint by ZANU-PF are the financial and administrative difficulties that limit the operation of organisations. Therefore paying attention to issues beyond immediate bread and butter matters such as corruption control is challenging. And more so, those that focus on corruption avoid confrontation with the government functionaries or individuals implicated in corrupt

practices for fear of victimisation. Furthermore, ZANU-PF has been generally critical to the emergence of a vocal civil society (Kagoro 2001, Mawewe and Merwe 2008). It is therefore argued in this thesis that the ruling government has obstructed the development of a strong and vocal civil society for fear of exposition. For these reasons, it would be tempting to suggest that civil society is put in a dysfunctional mode in the designing and implementation of the Anti-Corruption strategies.

Due to the influence corruption has upon the distribution of wealth, privilege and power within the society; it has presumably become a conservative form of influence. Since corruption depends on the use of scarce and unevenly distributed resources, the corrupt act in their own interests, and are therefore more likely to safeguard existing advantages than to change them (Fratton 1992). This scholarship explains why Anti-Corruption strategies have failed to take shape in Zimbabwe, even that which has taken shape fails to produce effective results.

Deininger and May (2000) argue that corruption in Zimbabwe has become a test-case of the neo-liberal Anti-Corruption policies, with the World Bank in particular determined to assert that despite the government's socio-economic and political dismal record, its representations about market-led Anti-Corruption reforms are the ones to which there is no alternative. The following section discusses the World Bank and IMF neo-liberal policies as instruments to ameliorate the skewed economic policies.

2.6 An assessment of the Economic Structural Adjustment Programmes (ESAP) and its implications for corruption

In this section the thesis examines the impact of ESAP on the living standards of the people and draws some parallels between the impact of ESAP and the rise of corruption. This section also captures the increase of CSOs, consequently because of the neo-liberal policies of the World Bank and IMF. The IFIs sought to use neo-liberal policies to contain corruption and improve economic development of the state. The IFIs and the bilateral donor community assumed that ESAP would promote good governance and democracy, which are vital conditions for tackling corruption (World Bank 1988). Accordingly, in 1991 Zimbabwe was driven to introduce ESAP. Therefore, this thesis seeks to test the validity of the IFIs' hypothesis whether ESAP was a remedy to the problem of corruption in Zimbabwe.

While the introduction of ESAP marked the temporary retreat of the state's role in determining the economic decision making, this phase witnessed the rise of more CSOs which temporarily became powerful before the state took over and co-opted some civil society institutions such as the ZNLWVA (war veterans association) (Kagoro 2000). This is particularly true for the period immediately after the failure of ESAP in the mid-1990s (Mhone 2001). Nyarota (2006) argues that the failure of ESAP coincided with national drought that led to substantial shortages of basic commodities with the bureaucrats seizing this opportunity to engage in corrupt activities.

Mawowa (2007) argues that Zimbabwe's first five years of independence saw an economic boom although this was not sustained. It recorded four per

cent average annual growth which was one per cent higher than the country's population increase. It is argued by Mawowa (2007) and Boafo-Arthur (1998) that during this time Zimbabwe enjoyed economic success with the population receiving free education, health support, and a subsidised agricultural and welfare system. Years following this boom witnessed a high population increase eclipsing the economic growth, lower export growth, shortage of foreign exchange and lower investments (Carmody 1998). According to Mawowa (2007), it is this retarded growth that tempted the state to succumb to the pressures and persuasion of the World Bank and IMF and eventually introduced the Structural Adjustment Programmes (SAP), known as ESAP. They were introduced as conditionality for the loans by the IMF and the World Bank. MaClean *et al* (1998: 345) argue that SAPs were "designed to restore macro-economic balance" which was thought to be a result of inappropriate policy choices by the government. Sibudubudu (2002) contends that it was believed by the IMF and the World Bank that SAPs would reduce the size and role of the public sector in economic issues and thus further help to control rent-seeking practices and corruption. However, this thesis argues that far from combating corruption, ESAP facilitated corruption during the privatisation process as many benefited from the bidding process and obtained valuable state resources at a lesser cost through collusion between the state officials and the private buyers. Privatisation led to resource capture and mismanagement of privatised companies by the ruling elite.

Major features of ESAP pursued included trade liberalisation and labour retrenchment that eventually saw unemployment rising to approximately sixty

per cent in the year 1992 due to massive retrenchment of labour in the public sector (Bond 1998). The budget deficit rose to above twenty five per cent of what it was at independence. It has been noted by Mhone (2001) and Mawewe and Dibie (2000) that ESAP led to record levels of local currency devaluation, government subsidy withdrawal and an increase in user fees which rendered the basic services like health and education unaffordable to the average worker. This resulted in a sharp shrinkage of income opportunities and simultaneously further marginalised the poor. According to Ncube (2010), Zimbabwe found itself trapped in the economic reform crossroads - between the World Bank and IMF requirements and the mass protests due to the overwhelming impoverishment aggravated by ESAP.

The thrust of ESAP and the negative effects thereof set in motion a trend towards a more informal mode of wealth accrual. According to Gibbon (1995: 24) the high levels of unemployment and the accompanying “liberalisation of production saw the redundant workers being accommodated into the informal economy” thereby widening the prospects of corruption. Many people reverted to informal trade for survival. This saw an increase of bureaucratic corruption as they capitalised on diminishing resources, particularly those who had access to allocating and awarding trading permits and business licences to family or relative vendors, the Immigration and Customs officers extorting bribes from the cross border traders, and eventually all those in offices extorting bribes to do what they are employed to do. The public fell prey to the corrupt practices by the officials and eventually accepted this as a way of doing business in Zimbabwe.

Mawowa (2007) demonstrates that the unregulated sale of consumer products in the informal markets was exacerbated by the persistent shortages of basic commodities as a result of manufacturing companies closing down. According to Mawewe and Dibie (2000), the closure of many small industries was due to high operating costs and interest rates on loans, consequently, the development of the grassroots and small business sector was constrained by high interest rates on bank loans and the high inflation leading to massive shortages of basic commodities. It would be beneficial at this point to illustrate how the economy of shortages in the period after the failure of ESAP years to post 2000 has contributed to the proliferation of corruption and the dominant mode of wealth accumulation it has produced.

The gradual swelling of the informal sector from the ESAP years noticeably increased what Mawowa (2007: 43) calls 'private acquisitive instincts' and the use of the state resources guided by the politics of patronage. This set the stage for the development of an accumulating class drawn mainly along patronage and clientele lines. It is therefore, noticeable that overcoming the legacy of ESAP is an intricate process.

The decision to liberalise in the early 1990s shifted the contours of the economy in favour of the import sector, neglecting domestic production and resulting in rising unemployment, falling wages and currency devaluation. This saw a massive rise in corruption activities and the steep rise of development and humanitarian and welfare NGOs and CSOs taking over particularly in welfare services where the state has been failing. Whaites (1998) argues that the effects of ESAP and the very weakness of the state in dealing with the ESAP casualties and its failure to provide services or to

engage in the local development process, stimulated a thriving voluntary sector and, with it, a strong and vocal civil society.

The effects of the structural adjustment reforms and the economic contraction were complex. It weakened the capability of the government to distribute the state resources to the party's clients, and thereby compromising the stability of the centralised-bureaucratic state (Allen 1995). The ruling elite needed sufficient resources to distribute clientelist resources to ensure regime acceptance as well as accumulating clients. In a way the neo-liberal reforms and economic crisis threatened the very political establishment of ZANU-PF as they "undercut the usual advantages of being the party distributing national resources to mobilise electoral support" (Burnell 1998: 13). This also threatened the nature of the state which functioned on the basis of patronage-client networks. ESAP undermined the ability of the state to distribute the clientelist resources. Thus the IFIs' neo-liberal policies were unlikely to be prolonged and supported by the ruling government whose systemic patronage is central to its survival. The neo-liberal programmes failed to attain the Western planned objectives of restoring macro-economic balance and controlling rent-seeking practices and corruption because of the intrinsic obstacles in the political system (Sibudubudu 2002).

MaClean *et al* (2000) interpret the SAPs as a manifestation of the established dominance of orthodox economic ideology and policy, and the hegemony of neo-liberalism in an era of intensified globalisation of institutions and relations. Some critics of ESAP such as Sydney Malunga (late MP) (cited in *The Financial Gazette*, 10 March 1994), Bond *et al* (2003)

and MaClean *et al* (2000) argue that the list of the problems which ensued from its implementation is not disputable. The economic reforms introduced by the World Bank and the IMF adopted by the Zimbabwe government spelled mass economic disaster, and exacerbated contemporary problems such as HIV/AIDS devastation of the most productive population of the society (Mawewe and Dibie 2000).

ESAP inflated poverty, worsened the conditions of the already poor, decreased the country's capacity to widen a vibrant diversified domestic economy and increased the exploitation of workers through deregulation. Bond (1998) argues that ESAP is listed as a cause of poverty and corruption in Zimbabwe. The combination of retrenchment on a large scale, with a sharp increase in the price of basic goods and having to pay for education and health drove many people into corruption. Among some of the outcomes of ESAP are disinvestment, de-industrialisation which consequentially decreased employment and increased social inequality (MaClean *et al* 2000). With these outcomes in mind, it is debatable whether this ESAP could have promoted sustainable economic growth in Zimbabwe.

Given these negative outcomes, it is equally unlikely that it was politically possible to implement ESAP. Many economic, academic and social observers such as Donna (1998), Bond (1998), Bush (2007), and Perry (2009) contemplate whether ESAP was morally justifiable, given that it was imposed by the already industrialised or developed countries on developing countries.

2.7 Conclusion

This chapter has discussed the political economy of corruption in the context of Zimbabwe. While this thesis focuses on the role of the state and civil society in combating corruption, this chapter examined literature on the contours and dynamics of corruption as a result of pre and post-independence politics that characterises continuities and discontinuities in the politics of Zimbabwe.

This chapter demonstrates that corruption is pervasive in Zimbabwe and Africa at large because it is a wilfully concealed activity, making it difficult to control and measure accurately. The thesis examined the perception of corruption in Africa which permitted an examination of corruption in Zimbabwe using indicators of TI-Z as a benchmark. Since 1996 TI-Z has conducted research and surveys to establish the causes, effects, nature and perception of corruption in Zimbabwe commonly known as the CPI. The chapter demonstrates that immoral conducts in the form of corruption have become one of the greatest challenges to Zimbabwe's Anti-Corruption initiatives, which threatens to undermine economic growth, democratic stability, sustenance and general development efforts.

The cost of corruption to Zimbabwe's progress was discussed. Literature assessed has argued that corruption has the effect of distorting public expenditures, increasing the costs of running business and diverting resources from national development projects to individuals. Corruption deters investment because it is a disincentive to prospective investors thereby inhibiting economic growth. It undermines programmes designed

specifically to aid the poor. The thesis identified the public sector particularly state institutions, being the largest employer as the pinpoint of most corrupt conducts.

Defining corruption raises theoretical and empirical questions as it means different things to different societies. Corruption is defined as the misuse or the abuse of public office for private gain (World Bank 1997 and UNDP 1999). It comes in a variety of forms and a wide range of illicit behaviour, such as bribery, extortion, fraud, nepotism, theft, embezzlement, falsification of records and kickbacks. While corruption is frequently attributed to the public sector, it also exists in other aspects of governance such as private business sector and political parties.

The thesis has defined the concept of civil society and how political environment influences the operations of civil society. A strong civil society is argued here to be a necessary entity that can check upon officials' conducts and accountability because transparent and accountability procedures mean little if no one outside the state can demand a meaningful accounting backed up by threats of legal or political sanctions. Without a vibrant civil society, institutions will not produce accountability. By contrast, where civil society is weak, fundamental social support for fighting corruption is lost. It should suffice for now to note that a free and strong civil society is important in fighting corruption

The chapter has demonstrated that consensus by scholars and socio-economic commentators have emerged regarding the harmful effects of ESAP on the life of the poor. An emerging parallel view in this thesis

although less than a consensus, identifies ESAP as having contributed to the proliferation of corruption. The IFIs had targeted liberalisation of the economy as the basic prescription for controlling corruption, instead ESAP essentially manifested corruption through privatisation as politicians and the ruling elite captured resources and companies, which they eventually mismanaged.

Chapter 3

RESEARCH PARADIGMS

3.1 Introduction

This chapter discusses the research paradigms, an uncommon change from the frequently employed *methodology* heading to show that a methodology is one of many primary aspects of a research project (Carter and Little 2007). Drawing on Guba's narrative, a paradigm is "a basic set of beliefs that guides actions" (1990:17), and such beliefs have been pointed out by Denzin and Lincoln (1994) and Crotty (1998) as making particular demands on a researcher. These demands guide and influence the research. This chapter places emphasis on data gathering methods, the analysis undertaken and the beliefs and empirical knowledge, that play an imperative role throughout the research. The chapter explains why and how decisions were taken and implemented, and with what results in order to answer research questions and achieve the objectives of this research.

This research is based on a qualitative case study. It uses semi-structured interviews, document analysis and observations as instruments for data collection. The choice of such an approach was made on the basis of the nature of this study, which sought to understand perception, beliefs and meanings attached to everyday experiences, of which the qualitative tools were most appropriate for understanding issues being studied. A case study approach is ideal for this research because it provides a systematic way of

collecting data, analysing and recording the results. The researcher gains a sharpened understanding of 'why' and 'how' incidences of corruption happen, and 'what' roles the state and civil society play in combating corruption. This involves an in-depth, longitudinal examination of a case (Tellis 1997).

This chapter is divided into five sections. Section 3.2 analyses the methodological perspective of the research. Section 3.3 discusses the research design and sampling strategy. Section 3.4 describes the methods and process of data collection, and the final section, 3.5 is reflections of the fieldwork experiences to highlight some limitations and other issues that need to be taken into account in interpreting the findings of this thesis.

3.2 Methodological Perspective

A qualitative approach was selected for the present study based on a number of ontological and epistemological influences. The qualitative research paradigm, a perspective that has gained unprecedented popularity and has secured a berth in mainstream methodology (Barbour 2001, Denzin and Lincoln 1994, and Guba and Lincoln 1994), has become a central element of the methodological repertoire of social research (Mckenzie *et al* 2005). Its reputation has greatly expanded and secured a strong position in conventional methodology (Barbor 2001).

The research draws on the context of Gramsci's theory of hegemony and his interpretation of ontology that views human thinking as a product of a conscious "organised collective will" (Gramsci 1971: 464) by people through hegemony in the superstructural sphere. Gramsci argues that the

superstructural sphere is dialectically interconnected to the dominant ideas about social reality in a given time, which is acknowledged with a conscious appreciation of how they were historically developed through human action.

Drawing on Marx and Angel, Gramsci argues that:

“In every epoch the ideas of the ruling class are the ruling ideas, that is, the class that is the ruling material power of society is at the same time its ruling intellectual power. The class having the means of material production, has also control over the means of intellectual production, so that it also controls, generally speaking, the class of those who lack the means of intellectual production” (quoted in Femia 1981:32)

Gramsci's interpretation of Marxism is ontologically interpretive. Social reality attached to it is, as Bryman (2001) and Blaikie (1993) argue, are linked to the actions of social actors. Bryman (2001: 13) argues that people “act on the basis of the meanings that they attribute to their acts and to the acts of other”. Therefore, to understand and interpret the fashion in which both the state and civil society in Zimbabwe maintain and transform a hegemonic social reality requires that the researcher understands the world view (Ncube 2010). To examine and comprehend the organisational determinants of counter-hegemonic politics in Zimbabwe and how it affects social actors' struggle for social change requires an in-depth discussion with the actors involved or observing the actors in action in their natural setting. Thus, the idea of how social actors act to maintain and resist hegemony is, in an interpretive ontology (ibid). Therefore, the Gramscian language of hegemony is employed in this thesis as the theoretical and analytical framework. The theory of hegemony is applied here in an inductive sense given that the inductive study does not always entail theory generating. This is applied to

permit the conceptualisation of the Gramscian theory of hegemony in order to understand the relationship between the Zimbabwean state and civil society in Anti-Corruption management.

Ontological views of the researcher influenced the assumptions about the nature of social reality being studied (Hay 2002). Ontology is defined by Blaikie as “the claims about what exists, what it looks like, what units make it up and how these units interact with each other” (1993: 6). This in turn influences the researcher’s epistemological views (Hay 2002). Blaikie defines epistemology as:

“The claims or assumptions made about the ways in which it is possible to gain knowledge of this reality, whatever it is understood to be; claims about how what exists may be known” (1993: 7).

Burrell and Morgan (1979) argue that different epistemologies and ontological opinions incline the researcher towards different methodologies. This embraces discussions of how theories are generated and tested, “what criteria they have to satisfy, what theories look like and how particular theoretical perspectives can be related to particular research problems” (Blaikie 1993: 7). In relation to positivism, the researcher aims to test universally applicable theories in a deductive manner. That is, one starts with theory, collects data and uses it to interrogate the same theory that informed data collection. If theory was animate, one could talk of it as attempting to self-regenerate so that it remains to have an instrumental value to the social world.

In contrast, interpretive research aims to create theory around the social world in an inductive fashion. The researcher starts with observations or findings and seeks to draw “generalisable inferences” (Bryman 2001: 10). The inferences by the researcher come at the backdrop of interpretations by the social actors being studied. In this case, “the social world is already interpreted before the social scientist arrives” (Blaikie 1993: 36). The difference between deductive and inductive methodology are however far from a strict dichotomy. As Bryman (2001) argues, it is still possible to use a positivist epistemology in an interpretive study. Furthermore, Bryman observes that interpretive studies do not always aim to generate theories. Instead, interpretive studies can also aim to test a theory, especially where existing literature on a topic is used as a proxy to theory. Bryman thus cautions against “hammering a wedge between them (approaches) too deeply” (Bryman 2001: 21).

Thus this thesis’ ontological position recognises the existence of a social reality only subjectively understood by social actors under study. Snape and Spencer (2003) argue that the position requires an open minded engagement with different perspectives about the subject. The importation of positivist features of objectivity and neutrality in data collection, reliability and validity, interpretation and presentation, and reflexivity are in congruence with the priority given to respondents’ interpretations and perspectives in interpretive research. The researcher’s focus is to be able to triangulate the respondents’ world views and analyse them in our own “language, conceptualisation and categorisation” (Snape and Spencer 2003: 21) without altering the projected sense.

A qualitative researcher studies phenomena and the processes in natural settings, giving due regard to meanings, experiences as well as participants' views (Hallberg 2006, and Pope and Mays 1995). The thoughtful concern is to understand what is being done or said by human beings (Schwandt 2000), qualitative research is in general taken to be "the world of individuals' experiences and their socially constructed realities" (Hallberg 2006: 141). In making sense of behaviour, it is ultimately an interpretation (Thomas and James 2006). As an interpretive practice, qualitative research does not privilege any methodology or any methods over others (Denzin and Lincoln 1994). Crotty (1998) argues that case study is a type of methodology with interviews, document analysis and observation being instruments of data collection.

The fundamental facets of research have a bearing on qualitative perspectives. Mantzoukas (2004) argues that whatever or whoever is represented in a qualitative enquiry has a direct correlation with ontological and epistemological assumptions of that researcher. The three facets are explained, thus:

"Epistemology asks 'How do we know the world? What is the relationship between the enquirer and the known'? Ontology raises basic questions about the nature of reality. Methodology focuses on how we gain knowledge about the world" (Denzin and Lincoln 1994: 99).

Qualitative methods are argued by Creswell (2003) to be best suited to the study of the meaning and purpose of human action because knowledge claims are derivative from the different constructed and interpreted perspectives of the research participants. These methods can enable a "delicate and responsive questioning" process (Ritchie 2003: 32) that

unpacks a complex phenomenon such as corruption. It is argued by Boulton and Hammersley (1996) that qualitative methods facilitate easier collection of perspectives from different people. It enables easier triangulation of data.

According to Miles and Huberman,

“Good qualitative data are more likely to lead to serendipitous findings and to new integrations; they help researchers get beyond initial conceptions and to generate or revise conceptual frameworks. The findings from qualitative studies have a quality of undeniability. Words, especially organised into incidents or stories, have a concrete vivid, meaningful flavour that often proves far more convincing to a reader – another researcher, a policy maker, a practitioner – than pages of summarised numbers” (1994: 1).

Moore (1993) argues that the qualitative research paradigm was established in the social sciences to permit researchers to study social and cultural phenomena. The inspiration to employ qualitative methodology as opposed to quantitative research derives from the observation that one thing that distinguishes humans from the natural world is their capability to talk. Thus researchers are enthused to use qualitative research by the desire to understand people, cultural and social context within which they live (Moore 1993). According to Priest (1996), when the researcher's aim is to understand people, the social and cultural context in which they live, one ought to use qualitative research methodology because it is an inductive and holistic approach which provides the opportunity to develop a rich understanding, descriptive and perception into the subject's or individual's lifestyles, beliefs, concerns, aspirations, and culture. This thesis preferred to use qualitative research paradigm other than the quantitative research paradigm given that quantitative research tends to view events from the outside and to impose empirical concerns upon social reality. Since this is a

study of people, their socio-economic and political environment, and how they influence events in the everyday business, qualitative research becomes more appropriate than quantitative research. This is because in qualitative research, actual talk, gesture and other social actions are the raw materials of analysis, which lead to an in-depth understanding of the phenomenon under study (Lindloff 1995). This is opposed to the quantitative research method, which rests its evidence on the principles of numbers, logic of mathematics, or the methods of statistical analysis.

3.3 Research Design

This section describes the research design and research methods adopted for this study. Research design is a “framework for the collection and analysis of data” (Bryman 2001: 29). A research method is a strategy of enquiry which moves from the fundamental philosophical assumptions to research design and data collection. Various philosophical perspectives inform qualitative research paradigms. The fundamental research philosophical assumptions and the epistemology that guide this case study research are imperative and interpretative research. While these research epistemologies are philosophically distinct, in the practice of social research these distinctions are not always clear cut (Orlikosky and Baroodi 1991). Consequently, Bryman (2001), Orlikosky and Baroodi (1991), and Denzin and Lincoln (1994) concur that these research paradigms can be housed within one study because they are not certainly divergent.

3.3.1 The case study approach

A case study is defined by Gerring (2007: 20) as “the intensive study of a single case where the purpose of that study is – at least in part, to shed light on a larger class of a population”. According to Yin (2003: 13), it is an empirical inquiry that “investigates a contemporary phenomenon within its real-life context, the boundaries between the phenomenon and context are not clearly evident ...” Yin further argues that a case study “relies on multiple sources of evidence and prior development of theoretical propositions to guide data collection and analysis” (2003:14). The methodology places emphasis on detailed contextual analysis of a limited number of events or conditions and their relationships. This research method is mostly used in examining contemporary real-life situations and provides the basis for the application of ideas and extension of methods. A case study can therefore be described as an in-depth investigation into the lives of individuals and is used to reconstruct the major aspects of that case. Thus according to Yin (2003), a case study is frequently answered by ‘why’ and ‘how’ questions. Robson (2002) argues that the ‘what’ questions also play a part, especially in an investigative approach. The researcher has no influence over events. Lewis (2003: 51) argues that in a case study, methods of collecting data such as interviews, documentary analysis and observation are of a qualitative nature. Thus to understand the practice, it is necessary to use a case study research method because it is a detailed examination of a single example which can also provide reliable information about a broader class.

Drawing on Yin’s definition of a case study, one of the research questions of this thesis is set as a ‘what’ question in an investigative way, while the other

is set as 'how'. Sub-questions have the 'how' and 'why' questions that support to answer the two main research questions of the thesis. This allowed the researcher to describe, analyse and provide investigative explanations that are critical in explanatory research. The use of a case study permitted this researcher to examine deeply and evaluate how the state-civil society relations in Zimbabwe facilitate or impede the Anti-Corruption management and analyse strategies employed by the state and CSOs to combat corruption. Using a case study, this thesis aims to examine the role of the state and civil society in combating corruption in a 'real-life (Zimbabwean) context'. Following on from Yin's definition, it is therefore necessary to point out that there are contested 'boundaries' between the state and civil society as will be shown in chapter five of this thesis. The selection of the state and civil society as representatives of a larger population is in line with Gerring's definition of a case study, that a case study can be viewed as a small case that mirrors a larger population. Burns (2000: 461) argues that a case study such as this one has a potential for "assisting in refocusing the direction of future investigations in the same area" while setting a stage for potential forthcoming comparative study.

Interviews, document analysis, and observation as data collection methods reinforce Yin's definition of employing multiple qualitative methods in a case study. The methods allowed the researcher to collect data from various sources using various data collection methods. This played a key role in triangulating data collected through interviews with evidence collected through document analysis and observation. The term triangulation originated from the term "multiple operationalism" coined by Campbel and

Friske meaning multiple measures (cited by Huberman and Miles 1994). According to Neuman (1994: 141), triangulation is the use of two or more “data collection techniques in order to examine the same variables” and then apply the evidence collected “to build a coherent justification for themes” (Creswell 2003: 196) such that findings can be compared (Bryman 2008, and Mays and Pope 2000). Thus Denzin and Lincoln argue that triangulation in qualitative research is a strategy “that adds rigor, breadth, and depth to any investigation” (1994: 2). Critics such as Barbour (2001) and Mays and Pope (2000) are in agreement that triangulation is a means to ensure that data is comprehensive since different qualitative methods produce different data that defies direct comparison, such as interviews and observation.

Case study research methodology has had its critics who have claimed that it is subjective and it gives too much room for the researcher’s own interpretations and therefore lacks validity. Some of the general limitations associated with the case study approach are outlined in the following subsection.

3.3.1.1 Limitations of a Case Study Approach

A case study has its own weaknesses like all other research design approaches. However, Flyvbjerg (2004) argues that these weaknesses are misunderstandings about case study research. These misunderstandings are that the case study contains a bias towards verification, thus a tendency to confirm the researcher’s preconceived notions. It is often difficult to summarize and develop general propositions and theories on the basis of specific case studies, one cannot generalize on the basis of an individual

case and as such the case study cannot contribute to scientific development. This criticism levelled against the case study research method by natural scientists that one cannot generalise on the basis of a single case has been dismissed on the grounds that it is very possible to generalise from a single case as this depends upon the selection of the case and how it has been selected. Giddens (1997), a critic of the case study research method, argues that apart from the fact that one cannot generalise from a single case, the case study method maintains a bias towards verification and can be understood as a tendency to confirm the researcher's preconceived notions and as a result the study lacks scientific value. Flyvbjerg (2004) however, contends that the case study is useful for generating hypotheses, that is, in the first stage of a total research process, while other methods are more suitable for hypotheses testing and theory-building.

Yin identifies numerous weaknesses of a case study approach such as a lack of rigor as a result of a researcher's bias and use of unsystematic procedures, and "little basis for scientific generalisation" (2003: 11). It is argued by Yin (2003) that one of the criticisms of a case study research method is that it takes a long time to get the results which come in incomprehensible documents. Critics such as Tellis (1997) argue that a case study is intended to enhance time and understanding of the case studied, thus it should not be confused with prolonged research strategies such as ethnographies. Yin (2003) argues that these criticisms are unsurprising because they are a common feature to other research strategies. The issue of a lack of rigor arises out of the misunderstanding that exists between the use of a case study as a teaching instrument and the use of a case study in

research. Tellis (1997) argues that if goals and methodology of the study are set from the onset rigor and validity of the study cannot be doubted. Flyvbjerg (2004) traces the use of case study research method to successful teachings and researching, and dismisses these misunderstandings arguing that the case study is important for the development of a nuanced view of reality, including the view that human behaviour cannot be meaningfully understood as simply the rule-governed acts at the lowest levels of the learning process. A research grounded within an interpretive philosophy targets at generalising theoretical propositions and therefore should not be confused with studies that aim to enumerate scientific frequencies. These criticisms are based on the debate between qualitative and quantitative research methods. In addition, they are about the extent to which a case study research can be “scientifically generalised beyond producing a microscopic study” (Yin 1993: 13). On the basis of this understanding, and of alternative research designs, this study adopts the case study approach, and then sets out to design and define the sample population.

3.3.2 Sampling

Mason (2002) and Ritchie *et al* (2003) argue that sampling is identification and selection of appropriate sources of data for the research such as people, organisations and settings giving reasons for choosing them. A researcher cannot study all cases that make up the study population (Kitzinger 1994), therefore, it is necessary to design a sample population to be representative of the study population. An important way for designing and identifying a sample population is that the procedure must “stand up to independent

scrutiny” (Ritchie *et al* 2003: 80). Sample population are chosen due to their key characteristics which are imperative for the exploration and understanding of the fundamental themes researched.

The thesis employed the purposive sampling model to select the sample population. It is criterion-based sampling or strategic sampling (Kitzinger 1994). The research questions and the objectives of the research determine the criterion for choosing samples. It is important to mention here that purposive sampling has been used to select sample population owing to such factors as the individual or organisation’s responsibility and knowledge of Anti-Corruption issues. This has also been used against the background that this is a case study research and the aim is to generate an in-depth analysis of the researched issues. According to Priest, the intention is to:

“Gain a ‘window’ on a particular worldview, whether represented by one or a few human informants or by a limited set of media messages selected by the researcher” (Priest 1996: 114).

As a result, fifty eight candidates were sampled for interviews in Harare and Bulawayo. Social players representing the state, political parties, civil society, social and political commentators (particularly the academia) were selected to be the research respondents. Actors from these groups constitute the main players in the project of Anti-Corruption. Other organisations such as service delivery NGOs were not drawn into this research because they do not necessarily work towards combating corruption or any of the good governance issues.

Some state actors were drawn from government institutions such as the ZACC, and the Ministry of Public Service, Labour and Social Welfare. This

Ministry was selected because it regulates the institutional channels that are vital for the legal operations of CSOs. In many and different ways, it oversees the operations of civil society in Zimbabwe. Other state actors sampled include the Ministry of Finance, Ministry of Home Affairs, Ministry of Higher and Tertiary Education, and the Ministry of Local Government, Rural and Urban Development. Interviewing these organs was helpful in answering the research questions. This also reflected on the state's discourse concerning civil society's role in wider policy formulation and implementation.

Some of the social and political commentators are University lecturers from the University of Zimbabwe (UZ) and National University of Science and Technology (NUST) sampled for their particular knowledge and understanding on the subject of corruption. Most of these academics have their feet in both civil society and in academia. For instance, alongside their lecturing roles some of them hold senior positions in CSOs such as Professor John Makumbe, a Board of Trustees member of TI-Z, and Professor Lovemore Madhuku, chairperson of the National Constitutional Assembly (NCA). This had an advantage of providing this researcher with a balanced and critical interpretation and understanding of the role played by CSOs in policy formulation, implementation and Anti-Corruption initiatives.

Other respondents were also drawn from political parties and politicians representing ZANU-PF, MDC-T, MDC-N and PF-ZAPU. Although there are over one thousand five hundred CSOs registered and operating in Zimbabwe, thirty two of them were interviewed alongside eight government Ministries, eight state organs and six individuals deemed knowledgeable within the area of research. Of these thirty two CSOs, TI-Z, ACTSA,

Zimbabwe Congress of Trade Unions (ZCTU), NCA, and the independent media sector (both print and broadcast) emerged as organisations with direct interest and to a greater extent linked to Anti-Corruption policy and implementation.

The people and organisations interviewed were chosen for their positions of authority and specific knowledge on Anti-Corruption management. The purpose of interviews was to gain opinions of, or perceptions on Anti-Corruption initiatives *vis-a-vis* the role of the state and civil society in combating corruption, and challenges they face in controlling corruption. Data collected through interviews was recorded and supported by the taking of field notes, as some respondents preferred not to be recorded.

3.3.3 Data collection instruments

While this thesis embodies an analysis of a wide range of secondary work on corruption, much of the information presented in this thesis was obtained mainly from primary sources, both written and unwritten. The written primary sources of information assessed are listed in the bibliography of the thesis. Unwritten primary data was collected mainly through face-to-face interviews using semi-structured interviews as a guide (see Appendix 5 for the questions used). Secondary data, in the form of published books and journal articles informed the conceptual framework of chapter two, the analysis of the role of the state and civil society in combating corruption, and in clarifying the ontology and epistemological positions of the researcher. Primary data which included interviews, documentary analysis and observation were

engaged to empirically examine the two research questions and objectives of the thesis.

3.3.3.1 Semi-structured interviews

Strongly claimed to be the most used research method by Fielding and Thomas (2001), qualitative interviewing purportedly aims to gain access to the participants' feelings, experiences and their interpretations of their social worlds (Hewitt 2007). An interview can be perceived as a neutral process or an interpretive process in which the researcher identifies 'objective truths' by being objective (Hand 2003). The basis of it is the interaction between the researcher and participant (Hand, 2003). The ontological and epistemological positions of a case study that informs this research requires a researcher to situate his thoughts in contemporary thought in both qualitative research and interviews (Mills *et al* 2006). Tellis (1997) takes the researcher and participants as co-constructors of meaning through the emphasis put on subjective meanings and interpretation of social reality by research participants. Interviews are conversations which attempt to uncover people's lived world prior to scientific explanations (Kvale 1996). Semi-structured interviews allow interviewer-interviewee interaction that has great potential to generate new revealing data on a subject (Legard *et al* 2003).

Within the realm of case study, interviewing is the primary data collection method (Creswell 2013 and Stern 2007). Different forms of interviewing exist (Fontana and Frey 1994), however this research used a face-to-face semi-structured interviews, a strategy used in numerous case study researches (Chiovitti and Piran 2003 and Charmaz 2007). Data was collected through

one-to-one semi-structured interviews because they have predetermined questions which can be re-worded, modified, clarified to the respondent, or left out if suitable to do so (Robson 2002: 270).

This thesis used qualitative semi-structured interviews to understand concepts from the sample population's points of views (Kvale 1996). The use of semi-structured qualitative interviews is important to this research in that the researcher and respondents were allowed flexibility because qualitative interviewing tends to be flexible, responding to the direction in which respondents take the interview and perhaps adjusting the emphasis in the research as a result of fundamental issues that arise in the course of interviews. Interviewers have the flexibility to use their knowledge, expertise, and interpersonal skills to explore interesting or unexpected ideas or themes raised by participants.

This study deploys qualitative interviews because they allow the interviewee to describe what is meaningful or important to him or her using his or her own words rather than being restricted to predetermined categories such as in surveys and as a result participants may feel more relaxed and therefore willing to talk. It also provides highly credible results and also allows the evaluator to probe for more details and ensure that participants are interpreting questions the way they were intended.

Since the issue under investigation in this study is sensitive, face-to-face individual interviews become more appropriate as opposed to, for example, focus group interviews because they allowed the interviewees to speak in confidence and say even controversial things without fearing what other people present might say afterwards about what one said. It is also vital to

mention that there are ethical issues that one has to consider when undertaking qualitative interviews. Patton (1990) says that the very personal, conversational nature of interviews makes it mandatory to consider ethical issues like confidentiality. Precisely because the subject under discussion is sensitive, it is important for the researcher to consider issues of confidentiality and assure the respondents that the material collected is for scholarly purposes only.

In qualitative research, the interview is usually recorded and transcribed. According to Heritage (1984: 238), tape recording and transcribing is done so that it helps correct the natural limitations of our memories and the instinctive glosses that we might place on what people say in interviews. Recording also allows repeated examinations of the interviewees' answers and it also opens up the data to public scrutiny by other researchers who can evaluate the analysis. The other advantage with the recording of interviews is that it helps to counter accusations that an analysis might have been influenced by the researcher's values and or biases. It also allows for the data to be re-used in other ways different from those intended by the original researcher. The procedure of recording and transcribing is, however, time consuming and expensive as this involves the use of good and expensive equipment if quality of sound is to be achieved. Whilst recording is good for this research in that it frees the interviewer so that he is alert to what is being said so as to make follow up questions rather than concentrating on noting down what the interviewee is saying, the use of recorders may disconcert respondents who might become alarmed or scared at the prospect of their

words being preserved. This was evident in my research as some of the respondents were very unwilling to be recorded.

Like any other types of interviews, semi-structured interviews as a data collection technique have their own disadvantages. One of them, according to Mikkelsen (1995), is that small sampling can distort the objectivity of a wider population as a result of a prejudiced selection of respondents. Mikkelsen argues that in some situations the researcher may misinterpret data given by informants owing to his or her preconceived viewpoint about the subject of research. The second disadvantage as argued by Creswell (2003) and Legard *et al* (2003) is that there is the risk of the researcher asking leading questions which may compromise the quality and validity of the research. To guard against these disadvantages Robson (2002) argues that the researcher should be professional and follow strict interviewing techniques. To overcome the problems identified above, the researcher of this study used the 'topic guide' approach during the interviewing process. An interview 'topic guide' is a framework that identifies a subject or broad topics to be examined (Arthur and Nazroo 2003). The importance of this is that it ensures that appropriate topics, concerns and issues are systematically attended to with some uniformity "while still allowing flexibility to pursue the detail that is salient to each individual participant" (Arthur and Nazroo 2003:115). To recompense the use of semi-structured interviews, the researcher also used documentary sources due to their importance in aiding a critical analysis and exploration of the political and socio-economic exposition that shapes the nature of the political space, state-civil society

relations and the position of civil society in Zimbabwe. The following section discusses documentation as data gathering instrument.

3.3.3.2 Document analysis

Published and unpublished documents served as both primary and secondary sources of data for the present study. These sources of data were particularly imperative for the identification of the state-civil society's documented activities and strategies for combating corruption. The researcher assessed episodic type of secondary data relating to the role of the state and civil society in combating corruption and the challenges encountered by some CSOs in fighting corruption. Episodic documents comprised of published academic literature. As primary sources of information, running documents such as speeches by politicians, Parliamentary debates (Hansard), official records, policy papers, pamphlets and manuscripts, news from mass media sector and other mass media material such as newspapers and radio broadcast played a major role in this research. The analysis of political statements and speeches helped the researcher to interpret the sampled individuals' and institutions' role and strategies of combating corruption. Some of the episodic documents were accessed during fieldwork whilst most of them were accessed during the initial preparatory phases of the study through the online services and various libraries within the UK.

As Howarth (1995: 115) argues, an analysis of "the role of meaningful social practices and ideas in political life" as expressed in the political discourses of various actors is crucial in unpacking the salient structures of the struggles for social change. Documentary sources of data used in this thesis allowed

access to data usually impossible to reach through interviews. According to Johnson and Joslyn (1995) the use of documentary sources is important in saving time, particularly when they are available and easy to access. The combination of episodic and running documents allowed the researcher to empirically advance theoretical statements which further shed light on the details of continuities and discontinuities on the role of civil society in influencing policy.

According to Johnson and Joslyn (1995), the use of written documents as sources of data has its shortcomings. They point out that there is a process of “selective survival” (Johnson and Joslyn (1995: 187) that determines what material to read and what not to read. Thus issues of bias of the contents of documents cannot be ruled out (Creswell 2003, and Hay 2002). Therefore, there was need for critical selection of documents and information to use in this thesis.

3.3.3.3 Observation

Observation as a method of gathering data is an unavoidable process, particularly when the researcher engages directly with research subjects. Yin (2003) argues that by visiting the site of the study the researcher situates himself in an observing position on what he/she intends to research. While on fieldwork in Zimbabwe, the researcher was able to observe state institutions and their employees and civil society actors for significant Anti-Corruption organisations, which were validated or further interrogated during interviews. The researcher attended public discussions, meetings and seminars organised by several CSOs such as TI-Z and Bulawayo Agenda with an objective of observing the tone of Anti-Corruption discourse. These

groupings brought together representatives from different CSOs, private sector, political parties and the general public. The debates and discussions were focused on the political and economic challenges that emanated from the economic and political crisis that began in 2000. Interesting for this research was that corruption frequently featured in the debates and discussions as the cause of the crisis. The discussions were very informative in terms of how different participants rationalised the effects of corruption in slowing down sustainable development in ways that clearly positioned them within Anti-Corruption discourse. This, as direct observation, was very important as the researcher was able to interpret the opinions of different people and organisations on Anti-Corruption programmes, the role of the state and civil society and strategies employed to combat the phenomenon.

According to Robson (2002: 310), observation is not so much a distinct data collection method that requires planning, designing and executing; rather it is a “technically in-built” process that happens parallel and simultaneously with data collection techniques such as documentary analysis and interviews. The importance of this is that issues that relate to the research study can be identified or acknowledged as they occur and then implied to illuminate on-going interviews as concrete referral points or themes.

Ritchie (2003) argues that observation as the method of gathering information is often associated with ethnography and anthropology researchers when the objective is to observe people’s behaviour or way of life over a long period of time. Since this research is a case study, time accorded ethnography and anthropology designs were not accorded the researcher of this thesis.

3.4 Fieldwork Reflections

This study was conducted over a period of six months from September 2011 to February 2012. This period coincided with a peaceful phase in Zimbabwe's otherwise volatile political situation. However, in December 2011 political parties and some sections of CSOs' attention was focused on ZANU-PF's annual conference (held in December 2011 in Bulawayo). They were concerned with what ZANU-PF has achieved or how it has undone the economy, and their assessment of corruption was potentially influenced by these realities.

Researching corruption in Zimbabwe can be a complex academic mission, particularly when examining the performance of the state in fighting corruption. While researching corruption is often seen as integral in the discourses of good governance and democratisation processes, it renders the phenomenon and the research alike a politically sensitive subject. It can be difficult to get access, let alone gaining permission to carry out the research of relevant government information that reveals corrupt government activities and the effectiveness of the state sponsored Anti-Corruption programmes. Being a sensitive issue, the public and organisations with vital information were not willing to give out as much information as they perhaps could have done. However, the assurance given to research participants that this research is apolitical and is about the development of Zimbabwe, although very critical of the political system which is allegedly responsible for the proliferation of corruption, made the interviewees more willing, opening up, and giving as much information as they could. Much of this research

focuses on corruption by the state, senior government employees and politicians despite claims by Tendai Biti the Finance Minister that everyone is corrupt in Zimbabwe (Moyo 2010).

The researcher had a pre-arrangement with the TI-Z to use its offices as an operation base, and the University of Zimbabwe (UZ) agreed to let the researcher use its library facilities. The use of both institutions was very helpful to the researcher given that TI-Z is the Anti-Corruption civil society which informs this thesis, while the UZ is an academic institution. The TI-Z created an email account for the researcher and allowed this researcher to use the office telephone to arrange interview appointments. The researcher was given an official letter by the TI-Z (Appendix 3), which was supported by another official letter from the University of Central Lancashire (UCLAN) (Appendix 2). Both letters identified the researcher as a registered student with UCLAN and an attaché of the TI-Z during the time of fieldwork. The letters explained the purpose of the research. They were important in building trust with the respondents and convinced them to agree to be interviewed given the sensitiveness of the study and often harassment and intimidation of civil society by the state security organs. Trust was established with research informants, and interviews became a good source of in-depth information.

While being housed by the TI-Z could raise issues of bias, the researcher had to maintain neutrality and research professionalism such as adhering to research ethics. The researcher was better off with the TI-Z than elsewhere; it would have been difficult to visit CSOs and the government institutions as

an independent researcher. CSOs and key government organs that are main informants in this research trust institutions such as the TI-Z, hence the choice to be housed by the TI-Z. It must be emphasised that the use of the TI-Z offices permitted easier access to numerous CSOs, civil society meetings and seminars where it became possible to be an observer. This could have been difficult if the researcher was coming in as an independent researcher or coming from say the UZ. However, the use of the UZ also allowed the researcher access to lecturers deemed knowledgeable and active within CSOs. The other importance of these bases was that it presented the researcher with an opportunity to meet and network with different people and organisations, some of them eventually became respondents of the research or directed the researcher to people knowledgeable in the study. This draws on the notion of 'snowballing' where those already known research participants direct the researcher to other knowledgeable participants (Mason 2002). Seventy three interview requests were sent by email (see Appendix 1), telephone and through physical visits to the offices of some CSOs, government institutions or offices and individuals identified as key informants (see Appendix 4). Of the seventy three interview requests sent fifty four agreed to be interviewed, and a further five were interviewed through telephone upon returning to the UK. The interview topic guide was also attached with emails to give the respondents an idea of what the research was all about (see Appendix 5).

Those who turned down interviews gave various reasons, some of them citing issues of security given the sensitivity of the research topic, while some

turned down the invitation citing that they had limited time given that it was towards the end of year arguing that they were busy rounding up their work. For example, five individuals refused to be interviewed citing fear for their life after the interviews despite the assurances of anonymity. However, the researcher was able to replace the five individuals with other informants from the same organisations. People have a history of loss of freedom after speech – even on corruption given that the state does not have a whistle blowers’ protection policy. Perhaps being at TI-Z presented the researcher (to some CSOs) as an ‘undercover state agent’ or (to state institutions) as someone representing the interests of the Western governments, people may not have been very free to talk to the researcher.

Prior to interviews with the respondents consent of all those sampled to be respondents was obtained by giving as much information with regards to the study and the researcher in order to meet the UCLAN’s ethical code of conduct. Consent to record interviews was sought. Guarantees of anonymity and confidentiality in the use of information were professionally observed in order to protect both the respondents and the researcher from harm or ill-effects (Ritchie and Lewis 2003). This was important particularly given that corruption is a sensitive area of debate.

Although the researcher had introductory letters issued by UCLAN and TI-Z, there were always suspicions that the researcher could be a state agent camouflaged as an academic researcher, given the fact that the state was suspicious of the activities of some sections of CSOs. This was a major

challenge that the researcher experienced. However, on numerous occasions some organisations and individuals had to telephone the TI-Z to verify my identity and research. The use of the TI-Z offices and the letter was very helpful in this regard.

Notwithstanding these challenges, the researcher managed to collect sufficient data for the research from the sampled participants. Despite public perceptions that Ministers and senior government officials are corrupt (discussed in chapters two and five), the researcher got a good level of cooperation from political parties, Ministers and senior government officials who also expressed their interest in the research and were willing to share their opinions with regards to causes, the nature of corruption, its effects, and the role of both the state and CSOs in combating corruption, and Anti-Corruption strategies.

Given the sensitive nature of the subject of corruption, especially with regards to top government officials, it was not always possible to obtain directly the names of the perpetrators and figures associated with scandals, but the meanings and interpretations of what was happening was sufficient to understand and illuminate the complex nature of the problem. These challenges should be taken into account when one considers the conclusions of this thesis. The next three chapters are results obtained from the field study.

Chapter 4

4.1 BACKGROUND OF ZIMBABWE

Zimbabwe is a landlocked country situated in the Southern part of the African continent between the Zambezi River on the North and the Limpopo River to the South. It is surrounded by South Africa to the South, Mozambique to the East, Zambia in the North West, and Botswana to the South West (figure 4.1). Zimbabwe has a subtropical climate that experiences occasional droughts and floods, which have in the past led to food shortage and created the 'perfect' opportunity for those in power to monopolise production and distribution system. The border posts to South Africa and Botswana have witnessed the proliferation of corruption by Immigration and Customs officials as cross border traders seek to evade tax and the related bureaucratic procedures (Tizor 2009). Figure 4.1 below is a map of Zimbabwe and its neighbouring countries.

Map of Zimbabwe and its surrounding countries



Figure 4.2: Map showing Zimbabwe and its neighbouring countries

Source:

<http://www.google.co.uk/images/mzimbab.infoplease.com/atlas/country/zimbabwe.htm>

Area: 390,757 sq. km (150,872 sq. mi)

Population: 12.5 million (Government of Zimbabwe 2011). Note: more than 4 million Zimbabweans are now estimated to live outside the country

Capital City: Harare (population of Greater Harare: 1.4 million)

People: Shona, Ndebele, Others

Languages: English (official language), Shona, Ndebele and others

Religion(s): Christian (various) indigenous, small Hindu, Muslim, Jewish communities

Currency: Multi-currency, predominantly the US\$ (dollar) and South African Rand (the most widely used currencies) the Botswana Pula, British Pound are also used. The Zimbabwe Dollar was suspended indefinitely by the Zimbabwe government in April 2009 following a period of hyper-inflation.

Head of State: President Robert Mugabe, ZANU-PF (since 1980)

Prime Minister: Morgan Tsvangirai, MDC-T (since February 2009).

Zimbabwean society has heterogeneous social organisations, tribes, cultures and languages. Ethnic differences existed among the indigenous people even before the arrival of the British settlers. Frantz (1961) argues that these served as outstanding criteria for organising social relations. Historical analysis by Gatsheni (2002), Nyathi (1996) and Ranger (2004), show that these social and ethnic divisions were used by the colonial settlers to 'divide and rule' the population. This legacy remains and dominates the political system of Zimbabwe.

Zimbabwe has three official languages, English, Shona and Ndebele. It has a population of around twelve and half million with eighty five per cent of this coming from the Shona population, a broad ethno-linguistic group who are concentrated mainly in the north and eastern regions of the country, while fourteen per cent being the Ndebele speakers from the South and West of Zimbabwe, and one per cent being other ethnic groups (Government of Zimbabwe 2011). Harare is the capital city; Bulawayo is Zimbabwe's second

capital and critical urban centre for the predominantly Ndebele-speaking and grossly marginalised south-western region of the country. These two cities are areas of focus for this research. According to Mawowa (2007), sixty five per cent of the population is rural based. The country is partitioned into ten provinces, each of them administered by a senator who is appointed by the President.

State media services in the shape of newspapers and radio have traditionally been the main source of information for many Zimbabweans. The state owned Zimbabwe Broadcasting Corporation (ZBC) runs the only television and radio stations in the country. All transmitting media from Zimbabwe as well as the main newspapers are state-owned. There are no private radio and television stations in Zimbabwe, however, overseas-based operations broadcast into Zimbabwe, accessed through online services.

The Herald and *The Chronicle* are the state owned daily newspapers controlled by the Ministry of Media, Information Publicity. Independent publications, which have been vocal in criticising ZANU-PF, the ruling government, have come under severe government pressure and sanctions. Between 2000 and 2002, a number of newspapers including *The Daily News*, *The Daily Mirror*, and *The Zimbabwean Independent*, were banned by the government, being accused of supporting the opposition. These newspapers had all reported corrupt government sanctioned activities such as the post-2000 commercial farm invasions, human rights abuses and other good governance concerns.

The independent newspapers have played a key role in denouncing, exposing, and criticising the corrupt behaviours of the ZANU-PF ruling elite. For example, on the 5th of August 2001 *The Daily News* ran a story of four ZANU-PF Ministers who had each acquired more than three farms repossessed from the white commercial farmers. On the 2nd of October 2001 *The Zimbabwean Independent* exposed the looting of the War Victims Compensation Fund (WVCF) when huge sums were awarded to the incumbent Police Commissioner, Augustine Chihuri, who was deemed 90% disabled by the war. Other independent newspapers ran various stories about the ruling party's corrupt tendencies. These and other corrupt practices by the government officials will be discussed in chapters five and six.

Through the control of the media, ZANU-PF has kept political opposition and the challenge by CSOs at a minimum. Chinaka (2009) argues that this monopoly over the media has been instrumental in promoting political corruption by the ruling elite given that the state owned media protected corrupt politicians and those close to the ruling party.

Zimbabwe is a Parliamentary state with the Executive President Robert Mugabe as the head of the state and head of government. He has been in power since the country gained its independence in 1980. The political power is centralised in and around the Presidency, with a weak Parliament, which for the last three decades until the end of 2008, was mostly dominated by the ZANU-PF ruling party. The government comprises of the Prime Minister Morgan Tsvangirai, who in 2009 formed a coalition government, the Government of National Unity (GNU) with ZANU-PF and the other faction of

MDC led by Welshman Ncube, and a bicameral legislative body (House of Assembly and Senate). The latter consists of 210 members elected from single member constituency by plurality. The country's main political parties are: ZANU-PF the ruling party, the MDC-T established in September 1999 led by Morgan Tsvangirai, MDC-N led by Welshman Ncube, and PF-ZAPU.

Moyo (1993) argues that between 1980 and 1990 ZANU-PF has been driving for a one-party state and has actively sought to diminish the political space for opposition parties. By the end of the 1990s, Zimbabwe began to witness a period of substantial political and economic upheaval. Opposition to Mugabe and the ZANU-PF government steadily built, in part due to deteriorating economic, political, and human rights conditions. This will be discussed further in chapters five and six.

Zimbabwe's judicial system comprises of the Supreme Court, the High Court and subordinate courts. The Supreme Court is the final court of appeal, headed by the Chief Justice; the High Court consists of the Chief Justice and the Judge President. Members of the Supreme Court are appointed by the President in consultation with the Judiciary Service Commission. Consequently, the judicial has failed to hold the executive (and Cabinet Ministers) accountable when implicated in corruption scandals.

Zimbabwe's wide variety of natural resources made agriculture and mining the major pillars of the economy alongside industry and manufacturing. In 1990 agriculture accounted for about thirty five per cent of the GDP, while industry accounted for twenty nine per cent (Chemhuru 2010). In the years between 1982 and 1998, Zimbabwe was a major tobacco producer in

Southern Africa. Cotton, timber, tea, and wheat have been other major agricultural products exported to other countries. This strong agricultural background made Zimbabwe the 'bread-basket' for surrounding countries.

However, the forced seizure of almost all white-owned commercial farms by the ZANU-PF government between 2000 and 2005 with the stated aim of benefiting the landless black Zimbabweans resulted in sharp decreases in the agricultural production and precipitated a collapse of the agriculture-based economy. This led to economic decline and subsequently saw an increase in corruption as politicians and bureaucrats competed for the declining public resources (Bracking 2009). The ruling elite and the war veterans were the first to scramble for the dispossessed white-owned commercial land.⁷ For example, Ministers such as Kembo Mohadi, Joseph Hungwe, Joseph Made, Border Gezi, Didymus Mutasa among others, pioneered the invasion of white-owned commercial farms.

Zimbabwe has rich mineral deposits, including gold, diamonds (recently discovered), platinum, copper, coal, and asbestos. The largest industries in the 1980s to the late 1990s were metal products, food processing, textiles and furniture manufacturing. However, between 2000 and 2009 most manufacturers have scaled down operations due to the poor operating environment and shortage of foreign currency (Luebker 2008). In 2010 the government introduced the controversial Indigenisation and Empowerment

⁷ War veterans are a group of former nationalist soldiers who participated in the liberation struggle.

Act that forces all foreign companies operating in Zimbabwe to hand over fifty one per cent stakes to the Zimbabwean entrepreneurs (ACTSA 2012). This created corruption opportunities for the ruling elite and those close to the ruling party as the process only benefits the ruling party elite (Bratton and Masunungure 2011). Consequently, some industries and firms have closed down or relocated.

Zimbabwe's major trading partners are Botswana, China, the Democratic Republic of Congo (DRC), Malawi, Mauritius, Namibia, and South Africa (Sande *et al* 2009). The country is highly dependent on primary commodity export and import from and to these countries for economic survival. China plays a leading role in supplying industrial machinery and equipment and large scale purchasing of raw materials, including tobacco and diamonds (Manyeruke 2012).

Zimbabwe is under economic sanctions imposed by the Western powers as a result of human rights abuses and failure to comply with Western standards and expectations as far as democracy is concerned. These sanctions have led to preferential trade with the East, particularly China. An interesting point here is that Chinese aid or trade partnerships are perceived to be 'stringless' and therefore do not enforce mechanisms for managing corruption compared to the conditions attached to Western aid. Sanctions have created room for corruption given that many industries have shut down due to a lack of foreign currency. Sanctions have created shortages in basic commodities, which bureaucrats and politicians have taken advantage by

selling available (and limited) resources and commodities at inflated prices. The next section discusses the political economy of corruption in Zimbabwe

4.2 The context of the study: The political economy of corruption in Zimbabwe

Zimbabwe's current development cannot be understood without taking into account the historical context. This thesis formulates four historical epochs that need to be understood as shaping Zimbabwe's current political, economic and social settings and development. These are: the pre-colonial, the colonial, nationalist liberation war, and the post-colonial epoch. The post-colonial epoch can be further divided into two phases, firstly, covering the period from 1980 to 1999, and secondly, from 2000 to 2008 when the Movement for Democratic Change (MDC) emerged as a challenging political party. This section will unpack each of these four epochs to develop an understanding of how the prevalence of corruption in Zimbabwe got to where it is today. This thesis critically analyses the status of corruption in Zimbabwe in terms of policies and decisions taken in the past and present by the ruling government. In this section this thesis argues that the best approach to comprehending the present day manifestations and the nature of corruption in Zimbabwe is to properly situate it historically and politically within the broader terrains of the political economy from the colonial age to the post-colonial period.

According to Gatsheni (2009 and 2011), colonialism survived by violence and fragmenting black people into the irreconcilable tribes. It divided the Zimbabwean people administratively into tribal fiefdoms of Matabeleland (for the Ndebele), Manicaland (for Manyika) and Mashonaland (for the Shona). The common experience of exploitation and oppression of these tribes by the colonial settlers played a significant role in mobilising them to fight for independence. This saw the birth of Zimbabwe in 1980 with an extremely bad ethnic birth-mark. In addition it influenced the proliferation of forms of corruption. Issues of ethnic factionalism (Mauro 1995 and Tanzi 1998) were borne out of this tribal fragmentation. This ethnic divide has led to nepotism, in which employment, contracts, business permits, services and goods are attained on tribal lines (*The Zimbabwe Situation*, 23 July 2010, and Matikiri and Mapira 2012). Colonialism played a role in this characterisation. Countries that are ethnically diverse such as Zimbabwe, Nigeria, Sudan and Ghana are likely to be more corrupt than those of low diversity such as Botswana and Mauritius. Botswana and Mauritius are homogeneous states, consequently making them less corrupt. Chances of 'favouritism' are higher in states with too many tribes.

Shana (2006) argues that at independence Zimbabwe presented a number of interesting paradoxes. Having survived the international sanctions between 1965 and early 1980, as well as the burden of the protracted liberation war and its consequences on human and natural resources, Zimbabwe emerged with the most sophisticated and diversified economy in Sub-Saharan Africa outside South Africa. While the manufacturing industries and the delivery services had survived years of economic sanctions, at

independence in 1980 Zimbabwe took off at a phenomenal rate. For the following ten years Zimbabwe had the fastest growing economy in the Southern Sub-continent (Donna 1998). From the early 1990s the economy began to deteriorate rapidly. Political and economic analysts such as Makumbe (2011 and 2009) Bratton and Masunungure (2011) and Shana (2006) argue that the political turmoil and poor management of the economy led to this considerable economic decline.

Much literature has been written by historians and political scientists on the negative effects of colonialism in Zimbabwe. For example, Arrighi (1966), Ranger (1977), Bhebhe (1998), Mulinge and Lesetedi (1998), Gatsheni (2009), Raftopoulos and Mlambo (2009), all argue that the effects of colonialism have continued to be felt long after decolonisation. Corruption and other economic evils that bedevil Zimbabwe today are directly attributed to this historical past (Gatsheni 2009). As argued by Munyae and Lesetedi (1998) and Gatsheni (2009), the nature of corruption in post-independent Zimbabwe is largely a response to the character of colonialism. Gatsheni gives the corrupt land redistribution programme between 2000 and 2005 as an example that echoes the colonial Land Apportionment Acts of the 1930s which were also corrupt in their nature.

It is important in this instance to dissect the patterns of corruption or “primitive accumulation” (Mawowa 2007: 38) in Zimbabwe. To do this the thesis will analyse different development strategies in the context of colonialism, its systematic use of material inducements to compel Zimbabwean administrators to collaborate with the settlers in the pursuit of their colonial project of dominating and exploiting their own people.

To occupy Zimbabwe the settlers used various concessions and treaties between Cecil John Rhodes and his British South Africa Company (BSAC) and Lobengula (King of the Ndebele state) and the wars in the 1890s. It is argued here that the Rudd Concession in which the British bribed Indunas (Chiefs) such as Lotshe Hlabangana to convince Lobengula to sign an unfair treaty that led to loss of power and resources is an early record of corruption. This gave white settlers both political and economic space to gain ascendancy that allowed them to introduce the capitalist economy to the black society (Frantz 1961). Once their colonial society was established, the British settlers occupied the dominant economic, political, and social status positions. To assure themselves of the political and economic stability they controlled the Zimbabweans and regulated the processes of economic, social and cultural changes (Frantz 1961) through legislations such as the hut tax, maize tax and cattle levy, all aimed at protecting the interests of the white settlers.

Having briefly looked at the pre-independent Zimbabwe the thesis turns to focus on the post-independence epoch, and analyses how colonialism informed Zimbabwe's economic, political, and social factors that explain the prevalence of corruption today.

The transition to independence in 1980 virtually coincided with the international debt crisis and the resurgence of the political right in western politics (Donna 1998). Most of the first decade of independence took place during a renewed Cold War and the most intense period of direct intervention by the International Financial Institutions (IFIs) into African economies (Chemhuru 2010, Dansereau 2000, Donna 1998 and MaClean *et al* 1998).

However, for a decade after independence Zimbabwe was able to maintain a greater freedom from interference by the IFIs for longer than most other African countries because of its strong and diversified economy (Dansereau 2000). Donna (1998) has argued that the new government of Zimbabwe African National Union (ZANU) (a political party that formed the government after independence) remained pragmatic in its approach to foreign investment and at the same time remained less vulnerable to the economic and political interference from the international donor community than any other African countries. Donna attributes this to Zimbabwe's economic success at the time. The period between 1980 and 1990 can rightfully be portrayed as one of economic boom years and stability in Zimbabwe.

Although Zimbabwe had a strong economy, its first footing as a post-colonial state started by way of social and political crisis. To understand the crisis and how the post-colonial state interacted with the economic challenges immediately after gaining independence, it is necessary to identify a few benchmarks. Mawowa (2007) argues that one of the major factors facing the new state was the Lancaster House Constitutional arrangement. The compromise taken meant that the constitutional manoeuvres to redress matters of historic economic injustices, especially in the first decade of its independence, could only go so far as long as they did not threaten the white bourgeoisie. For its economic ends, the new Constitution had to maintain the "colonially bequeathed interventionist economic regime" (Mawowa 2007: 45) that largely favoured local white capital. It is argued by Hatchard (1991) that the Constitution was essentially imposed upon the Zimbabweans by the

British government and therefore contained a degree of special protection for the white minority.

During the liberation struggle ZANU and Patriotic Front-Zimbabwe African People's Union (PF-ZAPU) (another grouping that fought in the liberation struggle), had campaigned on promises to reduce the extreme inequalities that were the legacy of the racist policies of the Rhodesian regime (Ncube 2010). Therefore, the government asserted in its first economic statement 'Growth with Equity' that it would strongly support the redistribution of the productive sector while also meeting the basic needs of the white settlers and the poor. Donna points out that:

“At independence a strategy of Growth with Equity; a policy of land reform, including massive levels of re-settlement; increased workers' rights; and the need for accessible mass education and health provision, all had to be balanced against the need to avoid the disastrous situation so many other countries had found themselves in after the debt crisis” (1998:168).

Moreover, a political reconciliation with the white settler community at independence left the latter's control of the heights of the economy - the most successful commercial farms and the largest and most competitive industries, virtually intact. Although the new ruling elite was careful to accommodate the interests of the white business leaders (MaClean *et al* 1998), it was also sensitive, at first, to the needs of the subordinate classes of black peasants and workers who had fought beside the new rulers in the liberation struggle and had provided ZANU-PF with its electoral victory.

The government was immediately confronted with daunting problems, the most intractable being the social inequalities as a result of the colonial

juxtaposition of class and race; a dominant class of the white-settler owners of production and a subordinate class of the black workers and the marginalised poor (MaClean *et al* 1998). One such challenge for the government since independence has remained the necessity to meet this very high level of the black people's expectations after the end of colonialism.

Zimbabwe's precarious economic situation has drawn the attention of scholars for example, Makumbe (1994), Szeftel (1998 and 2000), Mamdani (1997 and 2008), Kagoro (2000), and Gatsheni (2010) in an attempt to discern and explain Zimbabwe's pattern of economic development. Over the first decade, focus by academics and social commentators in Zimbabwe were on historical events such as its political and colonial heritage and on the importance of the sound economic institutions instrumental in creating and sustaining economic growth.

Until the late 1990s, the crisis of corruption was, however, widely neglected by the state, civil society and academics as the ZANU-PF regime became widely corrupt and entrenched. Makumbe (1994) argues that the problem of corruption in Zimbabwe is interconnected to the climate of unethical leadership and bad governance, which in turn has generated a situation in which corruption has flourished. Makumbe argues that the national leaders are 'unethical' due to their roles and conducts in plundering national resources meant to benefit the state and its people. Good examples of such plunder include the Grain Marketing Board (GMB) Scandal of 1982, the National Railways Housing scandal of 1986, the Willowgate scandal of 1988, the War victims' Compensation scandal of 1994, the VIP Housing scandal of

1996, and the invasion of white-owned commercial farms in 2000. All these scandals mentioned saw the ZANU-PF political elite and their relatives directly implicated.

Whilst corruption could be argued to be endemic in all societies to varying degrees (Rose-Ackerman 1999, and Szeftel 1998), Zimbabwe has experienced the severe repercussions that corruption can have upon the development and the consolidation of good governance and democracy (Shana 2006). Corruption has undermined the already precarious economic growth and reduced the resources available for the development of infrastructure, the public sector, and has weakened anti-poverty programmes.

In response to the corruption crisis, several Anti-Corruption strategies have been promoted by the state and other Anti-Corruption agencies such as the transparency International-Zimbabwe (TI-Z) since the 1990s (David 2002). Among the state's numerous and significant measures has been the creation in 2004 of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption, and the Zimbabwe Anti-Corruption Commission (ZACC) of 2004 and 2011. This thesis seeks to examine the strategies deployed and the roles played by these and other organs in fighting corruption. Judging by the decreasing CPI score of Zimbabwe (2012), it would seem that the corruption crisis is far from being eradicated, not in the predictable near future despite the proliferation of the Anti-Corruption institutions (as will be discussed in chapters five and six).

Combating corruption requires a holistic approach that brings together different agents, including the public, private, local, regional and international bodies to tackle the phenomenon. At the forefront of the Anti-Corruption paradigms are the widely agreed views by IFIs such as the International Monetary Fund (IMF), the World Bank, and the bilateral donor community, that good governance and democracy are vital conditions for tackling corruption. In its 1988 report, the World Bank argues that too much state involvement in the economy contributed to Zimbabwe's development malaise (World Bank 1998). The World Bank and the IMF argue for the state to be rolled back from economic intervention and consequently pushed Zimbabwe into their neo-liberal policies. And, in 1991 Zimbabwe was pushed into the Economic Structural Adjustment Programmes (ESAP) to implement the neo-liberal policies meant to limit the state's participation in economic decision making with an eye towards controlling the state's influence in economic decisions that create opportunities for corruption (Mhone 2001 and Bond 1998).

Dovetailing the World Bank's argument are Mohan and Zak-Williams (2004) and Obayelu (2007) who argue that the expansion of the role of the African states in the economy after independence contributed immensely to the growth of corruption. Just as in Zimbabwe, the state elite got access to the state resources and easily manipulated policies to facilitate their corrupt activities. In the Zimbabwean context, this is particularly true for the period immediately after the failure of ESAP in the early to mid-1990s (Mhone 2001). The introduction of ESAP marked a temporary reduction in the state's role in determining economic decision making and further witnessed the rise

of civil society bodies that briefly became powerful before the state reasserted its power, co-opted some civil society institutions and suppressed the vocal civil society constituency (Kagoro 2005). It is argued by Gatsheni (2006), Mawowa (2007) and Moyo (2002) that this set the stage for bureaucratic corruption to thrive.

The rise in corruption was further exacerbated by the decline in the state's economy as a result of the effects of ESAP. Following this, the country experienced continual shortages of essential commodities such as fuel and maize. The shortages created a breeding ground for corrupt activities such as the hoarding of basic commodities by the manufacturers and traders who later resold them at exorbitant prices on the black market. There was also the externalisation of foreign and domestic currency to neighbouring countries for purposes of speculative profit making by senior government officials such as James Makamba the former ZANU-PF Central Committee member, Gilbert Muponda, Francis Zimuto and the former Minister of Finance Chris Karuneri (Moore 2007). Nyarota (2006) also argues that the failure of ESAP led to shortages in basic commodities. Consequently, the bureaucrats seized the opportunity to engage in corrupt activities. From being 'widespread' as suggested by Shana (2006) and Munyae and Lesetedi (2008), corruption became a way of doing everyday business, which Nyarota (2006) argues has reached a stage that may take a long time to reverse or remedy, and today, it has a demonstrably negative impact on the development of Zimbabwe.

Between 1980 and 1986 the state enjoyed high levels of integrity with only two known court cases involving corruption such as the state versus

Paweni.⁸ From 1987, however, Zimbabwe saw a steep rise in court cases for corruption, from two publicised in seven years to an average of four court cases a year (Shana 2006). Between 1990 and 1998 the number of corruption cases at court rose to over 580 a year (Doig 2006). Doig argues this to be 'a paradox' that underlined the increasing hegemonic grip that the state exercised on the country where corruption was increasingly not tolerated. This thesis argues that given that the number of corruption cases was significantly higher than say in Somali and Nigeria which have higher corruption (according to TI 2008), demonstrates that the Zimbabwean state could investigate and take corruption cases to court - if it wants to.

The year 1987 saw the first well-known grand corruption case, the Willowgate car scandal. Government officials, many of whom escaped official censure, bought new cars from the state's Willowvale car enterprise for 'government business' only to resell them at inflated prices (Government of Zimbabwe 1989 and Nyarota 2006). The scandal was exposed by the state owned newspaper, *The Chronicle*. This thesis will explore and examine the role of newspapers, both state owned and private, in serving a watchdog function in controlling corruption.

By definition, corruption as a sensitive transaction is difficult if not impossible to measure with certainty (U4 Anti-corruption resources centre 2005). But

⁸ Businessman Samson Paweni was arrested for cheating the government of some Z\$5million in foreign-sourced famine relief during the 1982-4 drought. Though Paweni was convicted and jailed for the offence, most of the high-ranking government officials implicated in the fraud (including a Minister, Kumbirai Kangai) escaped the net (Bratton and Masunungure 2011).

nonetheless, estimates of the cost of corruption to Zimbabwe are a window on the scale of its seriousness and prevalence. To demonstrate the prevalence of corruption in Zimbabwe, TI-Z annually produces figures of the phenomenon. Established in 1996, TI-Z is the Zimbabwean Chapter of the global CSO TI leading the fight against corruption and is the primary CSO working in the area of Anti-Corruption. It aims to combat corruption in the private and public sector through networks of integrity. The organization is involved in a variety of programmes that are meant to raise awareness against corruption as well as to assist victims and witnesses of corruption. It advocates for a society free of corruption, and is committed to an all-inclusive approach to tackling corruption at different levels of the socio-political and economic divide.

TI-Z concentrates on a variety of initiatives such as policy and research that focuses on generating new perspectives into corruption through knowledge products such as surveys and indices, global reports, country studies, tool kits, working papers, policy positions and expert briefs (TI-Z 2011). This has been very informative and useful in informing this thesis as a source of guidance on issues related to combating corruption.

The TI report for 2008 states that twenty three of the thirty five most corrupt countries in the world were found in Africa with Nigeria ranking worst and Botswana the least (TI 2008). With the exception of Botswana, Cape Verde and Mauritius, TI's 2008 CPI ranked all African countries below forty eight; a ranking below fifty suggests high corruption. Zimbabwe's current score is relatively low (twenty), ranked one hundred and sixty three out of one hundred and seventy four surveyed countries in 2012 (TI 2012). The

country's CPI scores have been falling since the beginning of the economic and political instability in the late 1990s. Interestingly, even before Zimbabwe's economic and political turmoil heightened in post-2000, its CPI score still ranked below half, at forty two in 1998 (TI 2008). Consequently, corruption in Zimbabwe has received greater attention from both international and local communities (Nyarota 2006) as a crucial indicator for sustainable development. The monitoring of corruption and the ranking of Zimbabwe based on the perception of levels of corruption by TI and other interested organisations such as the World Bank and the UNDP has raised awareness of the problem of corruption. The analysis of the role of CSOs such as TI-Z in controlling corruption is discussed further in chapter six.

In a politically polarized and suppressive governmental environment such as the one ensuing in Zimbabwe (Dorman 2003), it is more likely that CSOs will proactively express their energies and resources towards fighting bureaucratic corruption as opposed to political corruption. This is because it is politically less sensitive compared to grand corruption. Bureaucratic corruption is the "implementation end of politics" where public administration officials interact more frequently with the public (Goredema 2003: 26). Grand corruption involves huge amounts of resources and funds usually involving senior politicians. The notions of bureaucratic corruption together with grand corruption have been discussed in chapter two. The next section outlines the perception of corruption in Africa. Africa is developing and therefore there are ample opportunities for contracts, and thus corruption is to be expected.

4.3 The perception of corruption in Africa

Corruption exists within all societies, albeit with varying degrees of intensity. In Africa, however, concerns about corruption are amplified. The extant high levels of poverty, slow growth in economies and weaker institutional frameworks for managing public and private enterprises are argued to be a result of corruption (Hope 2000, Robinson 2004, and Mbaku 2007). This was discussed in chapter two. It is widely believed in both the academic and policy arena that impacts of corruption on development have been felt more in Africa than in any other continent (Chikulo 2000, Riley 2000, Devine 2010, and Uneke 2010, and Kpunde 2000b).

While poverty is on the rise in Sub-Saharan Africa (BBC 2009, Salih 2011, Ake 1991, and Williams 1987), various forms of corruption threaten to undermine the impact of investment made to meet the Millennium Development Goals (MDGs) in the continent. Africa has been the centre of efforts to implement the MDGs set by the world leaders in 2000. Although countries are at different phases of development, evidence suggests that some countries are highly likely to miss the development targets by 2015 because of corruption (UN 2012). Among others, the MDGs include reducing poverty and curbing epidemics such as HIV/AIDS by 2015. Many of the Sub-Saharan African countries still fare poorly on the World Bank Development Indicators (World Bank 2010, and Murphy 2010). This is attributed to the prevalence of corruption as resources meant for public projects are siphoned or diverted to private or individuals' projects. Murphy (2010) cites the TI's CPI released in 2010 that identifies Africa as a generally corrupt region in the

world, with Sub-Saharan Africa the most corrupt and underdeveloped. Developed countries commit large sums and aid to address the plethora of the development problems hindering economic growth on the continent, but corruption remains a major obstacle to achieving the much-needed progress (BBC 2009).

Corruption in Africa is argued by Riley (2000: 18) to be “part of a syndrome of de-development or underdevelopment which destroys the life chances of the poor majority” and that its “short-term and longer-term developmental effects are both of them disastrous”.

Cox and Negi (2010) argue that the weakness of the African states and the correlative failure of the representative institutions explain the prevalence of corruption. The fundamental issue with the African states is the failure to structurally differentiate the state from the ruling government. The perception emanating from the political ignorance views the ruling government as the state. Thus this explains why public, appointed and elected officials treat the state as a private resource which breeds corruption in the form of fraud, nepotism, bribery, and embezzlement of state resources, to list a few. Fundamental to this assertion is what Chabal and Daloz (1999) view as ‘cultural’ with specific reference to Africa’s pervasiveness of patrimonialism. Bureaucrats hang on to their positions and their legitimacy through the development of personal networks with clients, which are structured by considerations of ethnicity, kinship, and communal affiliation. They perceive themselves and are regarded by their clients as a ‘big-man’ in return for a distribution of the resources they are able to divert to themselves through occupying the state positions.

Chabal and Daloz demonstrate that the problem of corruption in Africa is not confined to a few individuals, selected institutions or organisations as they argue that:

“Corruption is not just endemic but an integral part of the social fabric of life. For those at the bottom of society, like lowly civil servants, the sale of a limited amount of power they possess is virtually their only means of survival. Higher up, extortion is one of the major avenues of enrichment; it facilitates the social advancement and the upholding of one’s position ... it enables the political elites fulfill duties to meet the expectations of their clients and, hence to enhance their status” (1999: 99).

It is in this sense that incumbents and bureaucrats perceive the state as a source of their extra-legal income.

Since the beginning of the 1990s the perception and discourse of corruption as a fundamental crisis facing contemporary Africa has become widespread (Uneke 2010). Corruption has turned out to be a subject of critical magnitude of the African political and economic debates in the last part of the 20th century. The destructive nature and the effects of corruption on the political systems, economic development and the states in Africa has become a broad concern of scholars and policy makers. While Kpunde (2000b) and Mbaku (2007) concur that corruption in Africa has grown to be associated with the deep-rooted crisis of economic development and political instability, Szeftel (1999a and 2000), and Munyae and Lesetedi (1998) argue that this is a direct consequence of the poorly developed and inappropriate institutional arrangements. It is indeed tempting to lay a blame on these weakly developed institutional arrangements for the current African woes as several observers have done, but such analysis is so one sided that it lacks a great deal of explanatory power detailing the prevalence of corruption in Africa.

Corruption as a guarded operation is complex, and impossible to measure with certainty due to the illicit nature of transactions and imprecise definitions (Uneke 2010 and Langseth 2002). Even though it is difficult to measure, estimations of the cost of corruption in Africa give a general picture of the seriousness of the problem. Figures show that in the year 2000 the African Union (AU) estimated that corruption cost African economies about forty billion dollars (US\$) in one year (BBC 2009), and approximately nine hundred billion dollars (US\$) from the year 2000 to 2008 (Uneke 2010). This cost was not only limited to sums of money lost, but also costs of the retarded development, deterring investment, increasing cost of goods, consequently holding back development. Murphy (2010) argues that in 2008 developed countries gave forty two billion dollars (US\$) in aid to Sub-Saharan Africa, but a third of it was lost through corruption. These high figures show that corruption has severe consequences for Africa, and highlight the need to combat the problem. As argued by Sibudubudu (2002), this has led to destructive consequences for Africa's public reputations and the integrity of the state institutions. For the reason that corruption has such devastating effects in Africa, combating corruption becomes a main concern and a development challenge.

In response to the changing political and economic factors, Africa has exhibited variations in the form and incidences of corruption over time. According to some historical analysts, the legacy of colonial rule is an important aspect in elucidating variations in the intensity and pervasiveness of forms of corruption in the continent. It is argued by Little (1996) and Szeftel (1998) that corruption in Africa has been an endemic feature since

the end of the colonial period. This mirrors the deep socio-cultural traditions that are opposed to change. Robinson (1999) concurs that the colonial regime left an institutional legacy that has shaped the subsequent form and extent of corruption practices in the continent. Yet others like Kong (1996), Little (1996), Szeftel (1998), and Gatsheni (2006) argue that the origins of corruption could be linked to the historic dominance of the state in economic and political affairs, a circumstance which has produced opportunities for rent-seeking and destabilised the capacity of the public to hold the politicians and the state officials accountable for their actions.

One striking aspect of the perception of corruption in Africa is that it is widely portrayed as having “reached cancerous proportions” (Harrison 2004: 136). This perception is misplaced and comes mainly from the international donors and the West who do not realise that corruption in Africa is understood at the scale of the individuals such as bureaucrats or political leaders, yet in the west it is the corporations who are highly corrupt but little is put forward as corruption. For example, firstly, in 2008 the Lehman Brothers Holdings brought the global economy to a stand-still (Benos *et al* 2012), which ironically was called ‘financial mismanagement’ rather than corruption. Secondly, the western powers are involved in corrupting African leaders and businesses. For example, powers such as Britain, France, and the United State of America (to mention a few) have bombed countries such as Libya (in 2011/12) and Iraq (in 2003) and later took part in rebuilding them, which this thesis argues to be a corrupt way of generating their Gross Domestic product (GDP) that the countries have been using to recover from economic slowdown. It may not be that Africa is so corrupt, but a phase of development

that the present developed countries passed through many years ago. It is therefore, unfair to put African countries on the same scale with the developed countries. The CPI used to measure corruption particularly in Africa is useful but flawed, the difference in the scales of analysis, direction of flow of corruption should all be considered if accurate deductions are to be made. Africa is developing and therefore there are ample opportunities for contracts, and therefore corruption is to be expected. In fact, others have pointed out that corruption takes 'two to tango' (Onyango 2012), it is Africa and the other parties involved are Western businesses and governments working in Africa. Western businesses bribe African leaders and bureaucrats in return for lucrative contracts and tenders (Nichols 2012). Researchers and academics such as Chabal and Daloz (2010), Mbaku (2010) and Smith (2008) label and criticise Africa as being corrupt without taking a close look at the role played by Western businesses in promoting corruption in Africa.

To understand an analytic discourse of corruption analysts have formulated theories that explain how corruption sustains itself in various environments. The following two sections discuss theories of corruption.

4.4 Theories of corruption

Although many analysts such as Kpunde (2000a), Rose-Ackerman (1997), and Khan (1996) agree on the definition of corruption as the abuse of public office or resources for personal benefit, there is little agreement on the causes and nature of corruption. This disagreement originates from the choice of analytical framework employed because the discourse of corruption can be analysed through a variety of approaches drawing on different

disciplines. This thesis identifies institutional and public choice theories as suitable approaches to explain corruption in Zimbabwe. To explain the importance of these theories with regard to combating corruption in Zimbabwe, this thesis draws on three schools of thought such as: The Rochester School associated with William Riker, The Chicago School or The American Institutionalists' School associated with William Niskanen that concerns the role of the bureaucracy in corruption activities. The third one is The Indiana School of Vincent and Elinor Ostrom that deals with coercion and voluntary cooperation whose perspective will also be discussed further in chapter five. All these schools of thought apply to politics and public institutions, in particular, how politicians and bureaucrats interact with the market to increase their own wealth at the expense of the public. The following section discusses institutional theory as perceived in Africa.

4.4.1 The Institutional theory

The institutional theory focuses chiefly on weak institutional structures, processes and capacities of the state. Khan (1996) argues that institutional theory, which is grounded in political economy, rests on the power and resources allocated to different institutions by the state. This theory tends to be grounded in the rent-seeking approach where institutions are weak and prone to corruption. Harris-White (1996) and Philip (1997) argue that according to the institutional theory corruption arises from interactions between public officials and politicians who are assumed to be narrowly self-seeking in their behaviour and clients who could be business people or the

public. Falola argues that the state functions more through informal structures and processes with an:

“Economy of affection that allows for flexible and manipulative rules of political and economic transactions in which negotiations through bribery are a major means of securing agreements, contracts and political consent” (Falola 2008: 17).

According to this theory, the rule of law is weak, the government is corrupt, the judiciary system is incapacitated, and procurement systems are compromised and “Institutions are either themselves havens of corruption or ineffectual” (Falola 2008: 17). Makumbe (1994) argues that theoretically, undemocratic institutions offer the potential for the public and the private sector to participate in corrupt activities. If the rule of law is weak and the judiciary is incapacitated there is very little to discourage corrupt activities. The lack of effective institutions can be explained primarily as a function of the ruling elite’s capture and control of the state and governmental bodies (Kpunde 2000a).⁹ This capture of state institutions by the ruling elite has led to a proliferation of systemic corruption as political leadership and or other powerful forces are not constrained by the state’s institutions. From an institutional perspective, corruption arises when public officials have wide authority and little accountability.

In the Zimbabwean context, high-value national resources such as the Zimbabwe Iron and Steel Company (ZISCO) (a steel iron industry) and the

⁹ In this thesis, the term ‘elite’ is defined as that “small group of leaders who occupy positions of authority and power in public or private organisations” (Leftish 2009: 2).

recently discovered Chiyadzwa diamond deposits are either nationalised or monopolized by the ruling government. Corruption of patronage and political cronyism is rampant, and ruling governments dominate all facets of the economy. Such domination has created a climate for systemic exploitation in the form of illegal income and rent-seeking opportunities by the public officials. Hellman *et al* (2000) argue that in Africa corruption thrives because state institutions are unable to protect property and contractual rights, or to support the organs that enforce the rule of law, rather, governments participate in invading and plundering private property as evidenced by the invasions of white owned commercial farms between the years 2000 and 2005 where the state failed to provide protection to the commercial farmers and their properties. This will be discussed in chapter six.

Scholars such as Gerring and Thacker (2004) argue that there is a link between institutional corruption and poor governance in both the private and public spheres. When this is combined with, for example, low wages, huge income disparities and accountability and transparency shortcomings, the drive for private economic gains can be stronger within institutions than the concern for the well-being of the society in the form of providing services and sustainable development.

Engelbert views the African institutions as an assemblage of "... ghostly institutions lacking legitimacy" (2000: 47) while Makumbe (cited in TI-Z 2011: 6) labels them as "sick institutions". Both commentators argue that as trust and respect for these institutions diminishes, corruption spreads. Bratton *et al* (2005) argues that higher levels of corruption result in lower levels of individual trust in state institutions. When the public loses trust for its

institutions the drive for corruption rises. Although the causes of corruption may be debatable, there is less disagreement about the pernicious effects of institutional corruption.

4.4.2 The Public Choice Theory

Public choice theory can be defined as a theory that analyses politics from an economist's perspective (Sandstrom and Sandstrom 2005). In this perspective, individuals and groups such as bureaucrats and politicians are regarded as rational egoists mainly concerned with benefiting their own interest. The Rochester School argues that at the heart of public choice theory is the notion that an official at any level be they in public or private sector, "acts at least partly in his own self-interest, and some officials are motivated solely by their own self-interests" (Felkins, 1997: 3). The Chicago School argues that the politicians use the political process in decision-making to win themselves monopolies and privileges that consequently breed corruption.

Public choice theory is a system within institutions (Hope 2000 and Mbaku 2007 and 2000). It is perceived as an attempt by individuals or groups to subvert existing rules and generate extra-legal income and wealth for themselves. Falola (2008) argues that this theory is well suited for examining and explaining the corruption in African states. Public choice theory interlaces with the institutional theory and is effective in explaining post-colonial opportunism. In this perspective, the over-bloated nature of African governments provides incentives for corruption in which public officials, in the

absence of restraining powers behave as rational actors who exploit the system for their benefit.

Public choice theory concerns the behaviour of public sector bureaucrats, which is at the centre of the theory. While they are supposed to work in the public interest, putting into practice the policies of government as efficiently and effectively as possible, public choices theorists see bureaucrats as self-interested and motivated by benefiting themselves (Niskanen 1973). The realisation that government employees are driven by self-interest is an extremely serious conclusion in understanding manifestation of corruption in Zimbabwe.

Public choice theory is rooted in the neo-liberal paradigm.¹⁰ Policy makers manipulate macro-economic policies for pecuniary ends and promote various forms of rent-seeking activities. Public officials exploit the system to their advantage because of the weak restraining institutions. Robinson (1999) argues that this theory tends to be premised on a simplistic view of the public which assumes that the state organisations and the public officials are exclusively motivated by self-interest, and leaves little room for active and conscious intervention by the state actors in curbing corruption.

¹⁰ Neo-liberal paradigm is sometimes called by some scholars as the Washington Consensus referring to a set of economic policies advocated by neo-classical economic theory. It is a doctrine that encourages the implementation of reforms to promote the operation of markets that includes economic and political reforms that trigger a process of revolutionary social change (Bazan, C. (2009), *The neoliberal paradigm: What is neoliberalism?* New York; Cambridge University Press)

In explaining the public choice theory, Hope (2000) contends that in most cases corruption has permeated virtually all institutions in Africa as is the case in Zimbabwe. The public, private sector, the governmental and non-governmental organisations (NGOs) rely on it as a way of life and a principal method for the accumulation of private property. The practice is not restricted to one particular group as pointed out by Chabal and Daloz (1999) earlier. It involves people from all levels of life including the professionals for whom the vice has made it impossible for them to regulate themselves through their professional bodies. The application of public choice theory in this thesis is important in giving us an insight into the nature of corruption in state institutions.

4.5 Conclusion

The purpose of this chapter has been to describe the background of Zimbabwe. It explained the geographical position of Zimbabwe and examined how its geographical position has been influential in the proliferation of corruption. The chapter further explained how Zimbabwe is governed. In this chapter it is argued that the ruling government – ZANU-PF, has borrowed some colonial corrupt tendencies that have persistently manifested themselves in the socio-economic and political set up of the state. The next chapter (chapter 5) is a presentation and analysis of data from fieldwork findings.

Chapter 5

STATE, CIVIL SOCIETY AND DONORS' RELATIONS: AN EVALUATION OF STATE-CIVIL SOCIETY INTERFACE IN ANTI-CORRUPTION PROGRAMMES

5.1 Introduction

This chapter adopts Gramsci's concept of hegemony to assess state and civil society relations with regards to Anti-Corruption policy formulation and implementation in Zimbabwe.¹¹ This hegemony is realised in and by the state via the use of coercion, force and persuasion. The chapter examines how hegemony was forced on, and subsequently challenged by civil society in Zimbabwe since 2000. This is important in terms of the thesis' first research question namely to assess how the state-civil society relations influence Anti-Corruption programmes. The chapter examines how this relationship has changed over time, and its influence upon the fight against corruption. Empirical evidence based on people's perceptions and documentary data gathered during fieldwork in Zimbabwe between September 2011 and February 2012 is employed to evaluate the contentious state-civil society

¹¹ Gramsci used the term hegemony to denote the predominance of one social class over other. This represents political and economic control, and the ability of the dominant class to project its own way of seeing the world so that those who are subordinated by it accept it as natural

interface and how this “shapes the organisational make-up and operations of civil society” (Ncube 2010: 110).

Therefore, this chapter analyses the status and evolution of the state-civil society relationship and its implications for Anti-Corruption management by focusing on an analysis of several important CSOs such as the ZNLWVA, the TI-Z, the independent media, and the ZCTU. Other CSOs such as the National Constitutional Assembly (NCA), the NANGO, the Media Institute of Southern Africa (MISA), as well as political parties will be drawn into the following analysis in order to provide both context and evidence.

As a starting point, the contours of post-independence state-civil society linkages, which define the continuities and discontinuities in the composition of the relationship, advocacy issues and strategies of state-civil society engagement, are discussed. This chapter is divided into six sections. Section 5.2 is a discussion and an assessment of state-civil society historical linkages in the first decade of independence. This section explores how and why the state coerced and/or co-opted civil society organisations into party politics, thus forming a hegemonic alliance or ‘forced marriage’, and the implications for Anti-Corruption initiatives. Section 5.3 explores the state’s construction of hegemony over CSOs and opposition politics. Section 5.4 examines the contentious nature of state-civil society relations and within that context how the relations strengthened and/or weakened the agentive civil society’s role and influence in combating corruption. The goal is to evaluate the dialectic role of civil society in nationalist politics and the counter-hegemonic civil society struggle for democratic and policy space. Section 5.4.1 explores the war veterans and TI-Z’s relations with the state

and how the relations influence Anti-Corruption strategies. Section 5.4.2 examines anti-state civil society challenges in combating corruption. Section 5.5 summarises the key findings and assesses the implications for our understanding of these issues and for combating corruption in Zimbabwe.

5.2 An examination of post-independence state-civil society relations in Zimbabwe

Immediately after independence certain civil society organisations (CSOs) voluntarily chose to ally with the Zimbabwe African National Union-Patriotic Front (ZANU-PF) - led government, while some sections of CSOs were coerced by ZANU-PF into joining the ruling government. Consequently, the relationship between the state and civil society in the first decade of the independent Zimbabwe had overarching consequences for Anti-Corruption management, and was controversial and problematic for several reasons.

Firstly, allegiance to the ruling party allowed access to state resources and political recognition. As recounted by one respondent from the Zimbabwe Human Rights Association, while at independence organisations “expected a share of political spoils” from the state, they were disappointed to miss out as the ruling government amassed all the power leaving them voiceless.¹² This strategy was consistent with ZANU-PF’s hegemonic notion that to be a

¹² Zimbabwe Human Rights Association representative (Interview 25, 16th December 2011) argues that those CSOs who expected government recognition in building Zimbabwe had no input or influence in reconstructing the country as the government shut them out of policy formulation and implementation

beneficiary of the liberation struggle one had to follow ZANU-PF's ideology namely that the party had exclusive ownership of power. This is reflected invariably through ZNLWVA's violent tendencies, something this chapter will return to later.

However, some organisations such as the ZCTU, student unions, and religious groups opposed and were critical of some civil society alliances with ZANU-PF in the 1980s. These organisations had genuine concern with regard to civil society-ZANU-PF alliance arguing that the relationship compromises the roles of civil society, particularly when they are to criticise the ruling government. This later turned to be correct when some sections of CSOs remained quiet when the state engaged in corrupt practices and abuse of human rights.

At independence in 1980 CSOs expected the colonial attitude towards them to change. Trade unions and student movements that had operated underground during the era of the settler government, expected to attain legitimacy after independence, but "were left bleeding" as a consequence of ZANU-PF's tactics and suppressive tendencies of silencing its critics (Moyo 1993: 8). This is reflected in the discussion with one respondent from the ZCTU:

"This reflected indebtedness to the previous tradition of political thought Some civil society groups bled to death as they failed to find any political space for independent policy action arising from self-management and self-organisation without state tutelage" (Interview 17, 18th November 2011)

Some of the organisations that survived unfortunately found themselves following ZANU-PF's political agenda, promoting the ruling party's policies.

This meant that their watchdog role was compromised as they could not criticise activities of the state even when corruption was evident such as in the Willowgate scandal. Those civic groups who were forced or voluntarily cooperated with the ruling party squandered their watchdog roles in exchange for resources, survival and recognition.

Several interviews showed that the state sought alliance with CSOs in order to stop them from criticising its corrupt practices and abuses of power. For instance, a respondent from the Catholic Commission for Justice and Peace (CCJP) argued that the state hijacked and forced some civil society organisations into party politics to prevent them from monitoring the party's activities. The respondent stated that:

“ZANU-PF tried to force a relationship that was not going to work forever. It is known that civil society is set up to monitor the government not to work within it. These two formations are not complimentary forces. How did those civil society organisations who joined ZANU-PF define their roles?”
(Interview 17, 12th December 2012)

This supports the notion that one of civil society's roles is to monitor functions of the government, and challenge its abuses of authority (as discussed in chapter one) (Diamond 1997). ZANU-PF's co-option of civil society into its structures became an effective apparatus to contain the demands of civil society. Given this, this thesis argues that certain sections of civil society were deprived of their autonomy after independence and consequentially have struggled to divorce themselves from the marriage of convenience. Therefore, the state and some parts of civil society relationship have become one of a dialectical nature rather than diametric opposite.

The implication for this development is that whilst in theory and Western conceptualisation, civil society is separate from the state and seeks to act as checks against authoritarian tendencies of the state. The relationship is one of a “balanced opposition” (Bayart 1986: 112). Given the absence of this process of ‘balanced opposition’, in the Zimbabwean context, civil society only performs this role so its function differs from similar organisations elsewhere. This enables us to understand more clearly the nature of the interface and interdependence between the state and civil society in Zimbabwe. It further demonstrates how problematic it has been for some post-independence CSOs to influence policy formulation and implementation. This was demonstrated in an interview with a Zimbabwe Commercial Farmers Union (ZCFU) representative who argued that ZCFU was co-opted by the ruling government (Interview 21, 07 December 2011). However, while the above respondent argues that some CSOs were happy with the state; this thesis argues that they did not challenge the state because they were benefiting from this relationship, and even when they saw the need to challenge the state, the nature of the relationship prevented any forms of effective opposition or criticism. Criticism could have meant effectively the end of the particular CSO.

This analysis of post-independence state-civil society relations evinces a similarity between the ZANU-PF government and the colonial administrators, particularly in weakening civil society. The colonial political administrators actively discouraged the formation of a Zimbabwean civil society (Gatsheni 2010). Civic organisations were criminalised and legislated out of the political space. The ZANU-PF government has continued the legacy of colonial

oppression by suppressing vocal organisations. This thesis argues that it is from this standpoint that post-independence civil society has had little or no influence on policy issues and partly explains the underdevelopment of civil society in Zimbabwe.

It is worth noting that ZANU-PF has destabilised and frustrated the development of civil society by excluding them from policy formulation and implementation, mainstream politics, and confining them to positions of party structures where they would define themselves in terms of the party organs as opposed to civil society (Ncube 2010). A good example is the ZNLWVA, who became the party's instrument of instigating violence particularly in the period after the formation of the MDC in 1999, in which they harassed the opposition party members, and violently invaded white commercial farms between 2000 and 2005.

Secondly, the other reason behind the state-civil society alliance emanates from their umbilical link during the liberation struggle when some CSOs played an important role in supporting the nationalist parties, ZANU-PF and Patriotic Front-Zimbabwe African People's Union (PF-ZAPU), by using their extensive networks to raise money and resources for the liberation struggle, and in disseminating information abroad about the human rights situation in Zimbabwe. Such a role should have led to the sharing of the spoils but clearly did not. Using their extensive networks and influence they were able to smuggle nationalists out of the country and ensured that those who left received military training and education. On the one hand, the problems of Rhodesia remained firmly placed on the international agenda via the support of the former Communist states like Soviet Union (Russia) and China. Other

newly independent countries (e.g. Ghana, Egypt, Mozambique, Tanzania and Zambia) also supported the liberation struggle through liaising with civil society constituents with regard the situation in Rhodesia (Gwakuba-Ndlovu 1981). It is from this historical background that CSOs envisaged a 'marriage' (Moyo 2010) with these political parties they assisted during the liberation struggle that culminated in independence in 1980.

On the flip side, ZANU-PF embraced certain CSOs and Non-Governmental Organisations (NGOs) to fulfil its own goals. Firstly, the ruling government wanted to destroy any forms of opposition which could hinder its 'one-party state' ideology. The Matabeleland Gukurahundi genocide is testament to this doctrine.¹³ Characteristically, the government neither tolerated nor accepted any form of power within the society other than the party and government structures. It viewed itself as the only 'people's organisation'. Several interviews showed that the ruling government was not comfortable with the existing forms of power other than the ruling party structures, therefore, embarked on destroying what it perceived as potential threat to its power. For example, at an interview with the CCJP official, it was asserted that, because ZANU-PF and PF-ZAPU often clashed with each other during the liberation struggle, there was a shared suspicion within ZANU-PF that PF-

¹³ Gukurahundi was a violent campaign in which over twenty thousand people in the PF-ZAPU dominated Matabeleland were massacred by a brigade owing allegiance to ZANU-PF government (Sokwanele 29/05/07 and 15/09/11, and CCJP 1997).

ZAPU would attempt a *coup* or rebel against the ruling party.¹⁴ This assumption is captured in the interview with a Zimbabwe Congress of Trade Unions (ZCTU) official who had this to say:

“ZANU-PF set up itself to be the representative association of all (social) movements and downplayed all oppositions and civil society organisations in the name of the revolution, look at what happened to Matabeleland, ZANU-PF thought that people from Matabeleland will not accept its government and the army went on to kill the people in the region as a way of forcing them to support them” (Interview 17, 18th November 2011).

Secondly, ZANU-PF co-opted some parts of civil society groups (such as the media) for the role they played in the liberation struggle. This was highlighted by the Minister of Justice and Legal Affairs who stated that: “We fought the liberation struggle with some parts of civil society, now we are saying to them ‘Let’s stick together’...” (Interview 33, 5th January 2012). Thirdly, the ‘marriage’ was influenced by certain civil society’s ability to attract international funders and donors for development projects. Given that Zimbabwe had just attained independence, it needed foreign aid for reconstruction, which the United Kingdom (UK), United State of America (USA), and Australia among others, channelled through CSOs and NGOs. A University of Zimbabwe lecturer interviewed argued that civic institutions were tolerated only as long as they adhered to the state’s definition of

¹⁴ Catholic Commission of Justice and Peace (CCJP) (Interview 15, 11th November 2011),

development or existed to provide alternative conduits of foreign aid.¹⁵ For example, the Zimbabwe Commercial Farmers Union (ZCFU), and Confederation of Zimbabwe Industries (CZI), whose composition was mainly white commercial farmers, were seen as targets for multi-lateral and aid organisations such as the World Bank and International Monetary Fund (IMF) in support of agricultural and industrial development. Although Zimbabwe had a relatively strong economy, donors played a fundamental role in the economic development of the country as Zimbabwe's manufacturing industries, agriculture and welfare services relied on foreign aid. However, dependence on foreign donors later began to strain the state-civil society relations, particularly when donors channelled aid through CSOs and NGOs rather than through the state. This clearly created issues between the state, CSOs (who were recipients of the aid) and donor community, and cracks of the soured relationship started to appear in the early 1990s when CSOs started criticising the government for its oppressive tendencies (Ncube 2010). It pitted the state and civil society into opposing positions. This point will be discussed further in the following section.

While some CSOs were willing to work with the government of the day, ZANU-PF was never willing completely to share the political space with them on issues such as governance and policy formulation and implementation.

¹⁵ Given that Zimbabwe was coming from a protracted war of liberation, it needed foreign aid to rebuild infrastructure and industries, NGOs and CSOs such as ZCFU and CZI who were mainly white bourgeoisie were considered to be influential in attracting this foreign aid, therefore ZANU-PF cherished a relationship with these organisations (Interview 5, 28th October 2011)

Some sections of civil society such as the ZCFU largely abandoned the thinking of opposing or challenging the government on national issues. The state adopted the colonial administrators' tendencies of suppressing civic groups (Interview 17, 18th November 2011) and never freed the political and policy formulating space (Interview 39, 10th January 2012), possibly as a way of preventing any political opposition and curtailing criticism from civil society. Consequently, the state became corrupt and authoritarian because civic groups that should have provided checks and balances were muted by the suppressive tendencies of the state.

Despite the state's oppressive tendencies towards CSOs, some have remained imbedded to the ruling party's politics. This is witnessed by their silence despite the ruling government's abuse of human rights and corruption scandals. Civil society's silence had implications for corruption. For example, when there were widespread reports of systematic and escalating violations of human rights by ZANU-PF in Matabeleland (Gukurahundi genocide), some CSOs remained quiet and denied the precise details that were emerging. It appears that some CSOs believed in the ZANU-PF ideology of the one party state, and remained firmly in support of the ruling party. Although other CSOs and religious groups such as the CCJP questioned the state's worst recorded human rights violations in the country (CCJP 1997) other civil society organisations remained silent or chose to ignore the government's actions. Silence by CSOs meant that there were no effective voices or watchdogs to monitor, question and criticise the conduct of government, particularly on corruption which proliferated in the absence of checks and balances.

Ncube (2010, citing Raftopoulos 2000) argues that between 1980 and the mid-1990s, certain CSOs became entrenched in the tutelage politics of ZANU-PF. This is evident when senior government officials got involved in corrupt practices early in the 1980s such as the Willowgate scandal (see chapter two), and once again most CSOs did not question the corrupt conduct of some Ministers, either because they (civil society) saw themselves as part of the ruling government, or simply because ZANU-PF discouraged CSOs from criticising the ruling party elites. This compelled them to remain silent on all corruption scandals of the time such as the Grain Marketing Board (GMB), National Railways Housing Scandal, the Willowgate scandal, and human rights violations orchestrated by the ruling party between 1980 and early 1990s. The implication is that while for the most part CSOs were assimilated into the politics of the ruling party, it became a challenge for them to criticise the state as they were powerless in terms of criticising the government's corrupt practices, or opposing the ruling government chiefly to prove their revolutionary allegiance. When ZANU-PF came into power in 1980 it took advantage of an underdeveloped civil society by declaring that it was the solitary and legitimate representative of the people of Zimbabwe. This is supported by one interviewee from the CCJP who pointed out that:

“In the 1980s civil society acted as if they were the ones who voted ZANU-PF in power. They never questioned the authoritative rule and autocratic behaviour of the state...., they witnessed corruption at its grassroots when ministers stole vehicles and food meant for those in need but they chose to remain silent until corruption became a system and a way of life in the countryThey wanted to prove their comradeship by remaining silent” (Interview19, 11th November 2011).

Certainly, certain CSOs are as guilty as the ruling party for letting corruption become widespread. They have not dealt with corruption because the state has coerced them into party structures (while some voluntarily joined the state) making it rather difficult for them to effectively criticise corrupt tendencies by the ruling government. Even those that questioned the ruling party's corrupt conduct, such as student unions and trade unions were subsequently silenced through arrest and detention of its leaders (Moyo 1993). CSOs failed to deal with corruption issues because of the hegemonic, coercive and repressive nature of the state, which makes relations not conducive for certain parts of civil society organisations to tackle corruption since they have not been accorded the political space to operate. Consequently, the hegemonic and repressive nature of the state played a major role in preventing some CSOs from combating corruption.

The interview with the CCJP representative (above) echoes the position of most donor countries at the time. By then Mugabe was a darling of the West and Zimbabwe was being positioned as a model of progress that other African countries should follow. Western powers remained silent on human rights abuses and corruption scandals by Mugabe's government (Moyo 2010, and Gatsheni 2010), yet the donor governments continued to provide aid to CSOs allied to the ruling party. Therefore the state, CSOs, and the donor community should share the blame for the proliferation of corruption in Zimbabwe, because firstly, the state did not put mechanisms to control corruption. Secondly, some of CSOs did not play a watchdog role against government corruption as they became allies, nor did they question the state's corrupt practices. They are guilty by association. Thirdly, the donor

community continued channelling funds to the state and civil society despite human rights abuses and corruption scandals. All this played a major role in strengthening the state's hegemony over civil society.

The following section examines how the state constructed its hegemonic grip over civil society and opposition politics. Evidence from fieldwork demonstrates that civil society's relations with the state (including combating corruption) continue to be in a state of 'chronic underdevelopment' as an outcome of the state hegemony, and historical factors related to pre-independence and post-independence politics. The question that arises is: How has the state managed to suppress civil society? The next section interrogates this question in order to examine how state hegemony influenced civil society's Anti-Corruption management.

5.3 State's construction of hegemony over civil society organisations and opposition

ZANU-PF's capture of CSOs was based on the deployment of the themes of reconciliation, nation building and unity for a new country undergoing socio-economic and political recovery and reconstruction following a protracted liberation struggle. Moyo (1993) argues that the ruling party challenged all 'legitimate' associations to join ZANU-PF in order to show their patriotic and revolutionary commitment in the process of reconstruction. Between 1980 and the early 1990s, the ruling party succeeded in confining civil society to a limited political space and to silence the human rights and governance discourse in the public sphere either through harassing them or restricting their activities and operations. This process gradually consolidated the one-

party state. Some CSOs and political challengers believed to be potential impediments to a one-party state ideology, such as PF-ZAPU were either weakened or destroyed through assimilating its members into state structures or imprisoning its leaders. For example, members of the PF-ZAPU leadership including Dumiso Dabengwa, now leader of the resurrected PF-ZAPU, were detained for four years without trial allegedly on treason charges (Interview 54, 14th February 2012). This was followed by the Unity Accord of 1987 signed between PF-ZAPU leader Joshua Nkomo and ZANU leader Robert Mugabe which effectively dissolved PF-ZAPU into ZANU-PF.¹⁶ While in the past, scholars have tended to view the 1987 Unity Accord as a peace building project between two party leaders, this thesis argues that this was a ZANU-PF's tactic used to build a one party state. It aimed to destroy PF-ZAPU because it presented a political threat to ZANU. This was highlighted by Robert Mugabe when he said:

“You can vote for them [PF-ZAPU] but that would be a wasted vote. I am telling you. ... There is no way we can allow them to rule this country, never ever. We have a job to do, to protect our [ZANU-PF] heritage, no one can rule this country, and we will never allow it” (cited in Gatsheni 2011b: 3).

Having eliminated PF-ZAPU from politics through the 1987 Unity Accord, ZANU-PF remained with no political threat or challenge up until the formation of the MDC in 1999.

¹⁶ The 1987 Unity Accord ushered peace between ZANU and PF-ZAPU following Gukurahundi in Matabeleland and Midlands which left thousands of civilians dead.

Whilst the ruling party adopted a more comprehensive policy of embracing all the pre-independence organisations, historians such as Nyathi (1998) and Moyana *et al* (2000) argue that the Unity Accord was a reconciliation strategy between the nationalists. However, while some historians view this as reconciliation, this thesis argues that the ZANU-PF-led government manipulated the discourse of reconciliation, nation building and peace to create a hegemonic project that gradually destroyed political legitimacy and led to the methodical eradication of its opponents, particularly PF-ZAPU. The implication this had for corruption is that while the state had already assimilated some sections of CSOs into party politics, the elimination of PF-ZAPU meant there was no political opposition in Parliament to put pressure on the ruling government when cases of corruption emerged.

According to Moyo (1993: 7), between 1980 and 1990 those groups which questioned, criticised, or attempted to oppose ZANU-PF's "tactic of exclusion by inclusion under the guise of one state, one society, one nation, and one leader" were criminalised and labelled as 'sell-outs' working for the 'enemy of the state' as the ruling party reinforced its commitment to a legislated one-party state.¹⁷ This had an effect of diminishing the capacity of civil society and legitimating autocratic tendencies of ZANU-PF government.

¹⁷ The state has continued to call CSOs 'enemies of the state' because of their association with the MDC and links with the international donor community who the state allegedly accuses for sponsoring the idea of change of government, thus these CSOs and NGOs have struggled to disassociate with this tag.

Consequently, it silenced some sections of CSOs, particularly on corruption practices by the ruling party.

However, while scholars like Moyo (1993) and Dorman (2001) argue that ZANU-PF coerced CSOs into joining the state, this thesis argues that some sections of CSOs voluntarily subordinated themselves under the party patronage system by complementing and pursuing policy advocacy under ZANU-PF's politics because they enjoyed and benefited from a financial and material relationship with the state. Such organisations include the ZCFU, CZI, and later the ZNLWVA. Commercial farmers were aware of the need for land redistribution, and their alliance with the state was intended to delay the project of land acquisition and redistribution. The motive was to protect their self-interest, which coincided with the ruling party keeping power. Consequently, it was a 'win-win' situation for both the state and commercial farmers. It is important to note that relations between the ruling party and the ZCFU broke down when the state started embarking on a compulsory land acquisition and redistribution project in 2000. White commercial farmers subsequently shifted their allegiance to the newly formed MDC hoping that the land redistribution programme would be reversed if the MDC won the elections that followed. It is this ZCFU-MDC association that ended the ZCFU and the ruling government relationship.

The land issue is both significant and critical in explaining the state-ZCFU relations. After independence, Zimbabweans expected the government to carry out a swift land redistribution programme but several factors militated against this shift. Firstly, the 'willing-buyer, willing-seller' policy adopted under the Lancaster House Agreement, and to the need to address the land

issue, proved to be an obstacle for the government to quickly designate white owned farms for redistribution.¹⁸ In an interview, a ZCFU representative argued that three factors prevented the government from quickly acquiring white owned farms for redistribution:

“Firstly, the agreement at the Lancaster House was that the distribution project will begin a decade after independence, secondly, the state did not have money to fund the land redistribution programme, and thirdly, farming was the backbone of the economy and the state was very cautious if not in dilemma” (Interview 21, 7th December 2011).

Secondly, co-optation of certain CSOs by the government in the early 1980s meant that there was no formidable counter pressure on government from CSOs to make land reform more urgent (Ncube 2010). Therefore, in the first decade of independence the government’s public discourse on land redistribution was simple rhetorical politics in order to retain power by appeasing voters because commercial farmers were the backbone of the economy. For example, in 1985 the President announced that a quarter of a million people were to be resettled within the following two years. The President announced that:

“The biggest single problem it is yet to resolve is that of land distribution. It is the most vital question we face today in our economic development activities. The government must simply move effectively, speedily and decisively with the land question by the end of 1987” (quoted in *The Herald* 1989)

¹⁸ Lancaster House Agreement was the agreement signed in December 1979 between the British government and the Patriotic Front delegation led by Joshua Nkomo (ZAPU), Robert Mugabe (ZANU) and the Zimbabwe Rhodesia government led by Bishop Abel Muzorewa. The agreement covered among other things a cease-fire agreement, the independence constitution, and to wait for ten years before instituting land reform (Lancaster House Report 1979)

However, land distribution did not happen and the policy remained rhetorical for the decade. As argued by the respondent from the ZCFU, given that the state was in a phase of socio-economic and political recovery, early land redistribution would have interfered with the national development agenda (Magaisa 2010). The fact that when the Lancaster provisions on land acquisition expired in 1990, the state did little to quicken the process of land acquisition, redistribution or resettlement validates the point that the question of land distribution was ZANU-PF's mere rhetorical political speech. Furthermore, when the Land Acquisition Act (LAA) of 1992 was enacted for the fast compulsory acquisition of white owned commercial farms for redistribution, the government designed it in such a way that the process would take up to ten years to complete. The government was aware that, firstly, compulsory acquisition of white commercial farms would destabilise the economy, which relied on agriculture. Secondly, this would affect relationships with ZCFU.¹⁹ Therefore, the delay benefited both the government and ZCFU.

Brown and Tandon (1992) and Lipsky and Smith (1990) argue that although organisations such as the ZCFU benefited from a marriage with the ruling party, they were subjected to pressure to work with the party. Thus while the ZCFU enjoyed relations and certain benefits, they were obliged to ignore the

¹⁹ Eventually, when the government started embarking on compulsory acquisition of white commercial farms in 2000 relations between the government and ZCFU were stained, leading to ZCFU turning to support the opposition MDC with the hope that a win of MDC will reverse ZANU-PF's compulsory distribution of commercial farms

early signs of government corruption that involved a land redistribution programme or land allocation process that favoured ZANU-PF senior members. For example, between 1980 and 1990, ninety eight ZANU-PF senior members had corruptly acquired one or more farms each (Sokwanele 2006), while the majority of Zimbabweans remained landless.

On the other hand, the silence of some CSOs on corrupt tendencies of the ruling party was evidently influenced by the politics of polarisation that existed in post-colonial Zimbabwe. For instance, several interviews showed that some sections of civil society's capacity to influence policy depended on the nature of their relationship with the state, or on issues being addressed, and how they were understood and interpreted within the ZANU-PF regime.²⁰ For example, if the ZANU-PF government felt that an organisation's influence threatened the security of the party or the state, the regime quickly blocked or suppressed its activities, the destruction of PF-ZAPU political party is one example. Leadership of organisations perceived to be a threat to the ruling party faced intimidation, harassment and violence. Such organisations include the ZCTU, NCA, the independent media, and human rights campaigners. Violence, intimidation, and harassment intensified after the formation of the MDC opposition party as the ruling government considered them to be a threat to state security because of their allegiance with the MDC. For example, in 2008 activists such as Jestina Mukoko were abducted

²⁰ Interview 15, 11th November 2011 with the CCJP respondent; Interview 17, 18th November 2011 with the ZCTU representative; and Interview 21, 7th December 2011 with the NCA respondent

and tortured for their public criticism of the government for human rights. The arrest of human rights activists was intended to instil fear in CSOs and their leaders. It also exposed the ruling party's intolerance of opposition and abuse of human rights. This situation set the state and some parts of CSOs on a collision course and created a challenging and controversial relationship, which the state in due course capitalised on to eliminate civil society from the politics of governance and human rights discourses. It was challenging in so far as civil society was not in a position to criticise the state, and controversial in the sense that ZANU-PF portrayed civil society as an extension of the ruling party. Consequently, this damaged the reputation of some CSOs as the general public lost confidence in them, especially those that are meant to defend them from the increasingly violent state such as the Zimbabwe Human Rights Association.²¹ Public opinion survey carried out by TI-Z in November 2011 shows that the public were of the opinion that CSOs concentrated on supporting the opposition (MDC) while negating their roles as civil society, and was not doing enough to put the state under pressure to reform on governance issues (TI-Z 2011). While this thesis argues that the public lost confidence in CSOs for their lack of power in influencing change, it is worth noting that the state had closed them out of policy space. The next

²¹ Public opinion survey carried out by Transparency International-Zimbabwe in November 2011 shows that the public were of the opinion that civil society organisations concentrated on supporting the opposition (MDC) while negating their roles as civil society, and was not doing enough to put the state under pressure to reform on governance issues (TI-Z 2011)

section will examine how those CSOs responded and challenged state hegemony.

The next section evaluates how and the extent to which the pro-democracy and human rights CSOs broke away from the state and claimed their own political space, and how the state reacted. In particular it will assess how this has shaped state-civil society relations, how it has strengthened and/or weakened them, and in turn influenced civil society's Anti-Corruption strategies and activities.

5.4 Civil society challenges state hegemony in combating corruption

The previous section explored post-independence state-civil society relations, how the state co-opted some civil society organisations, voluntarily or via coercion, into its party structures, and implications this had for corruption control. Here we will assess the responses of CSOs to the state's hegemonic tendencies and the implications for these responses on the state and civil society relations and for combating corruption.

The oppressive tendencies and corrupt conduct of the ruling government, together with the negative impact of the International Monetary Fund (IMF) and the World Bank backed Economic Structural Adjustment Programme (ESAP) in the early 1990s, led some sections of CSOs to break away from the ruling party patronage, and contested their legitimacy. The post-1990 period witnessed more civil society organisations joining the ZCTU, student unions and religious groups in criticising the state for its corrupt and

oppressive tendencies, consequentially breaking away from the state's servitude and adopting different radical strategies to engage with the ZANU-PF government. Unlike in the period between 1980 and early 1990s when CSOs were silent on the ruling government's corruption scandals, the period after this saw some CSOs beginning to act as watchdogs of the state and questioning the governments' corrupt conduct. It is this time that some CSOs begin to come out in open criticising the state because between 1980 and 1990 incidences of corruption were not reported or brought to court, and Anti-Corruption initiatives were not a government's priority, it could have been for CSOs, but for reasons explored above, it was not. Comparative literature demonstrates that in some democratic countries (such as South Africa), where the state cannot deal with corruption, CSOs have taken responsibility to combat it (DFID 2012), but in the case of Zimbabwe they are not able to do this due to the nature of the state as discussed earlier in this chapter.

More recorded incidences of corruption emerged during or after the failure of the ESAP in 1993. Civic organisations began to question the nature of privatisation processes that profited the ruling elites. In essence, ESAP was a top-down economic process, in which the ruling elites acquired loans to support ESAP, but squandered the loans through corruption and mismanagement (Coltart 1992). In the process of privatising companies, the ruling elites corruptly acquired companies and businesses without putting them to tender notice boards. Privatisation was caught in the web of already deeply entrenched patron-client politics of ZANU-PF (Jenkins 1997). Several interviewees pointed out that privatisation worsened patronage politics and

the attendant vices of corruption. For example, a respondent from the Local Government Authority points out that:

“By 1993 corruption within ZANU-PF officials had reached seemingly epidemic proportions, and political office was extremely used for private benefits from this privatisation process” (Interview 41, 25th January 2012)

Unlike in neighbouring countries such as Malawi, where privatisation programmes were guided by a specific plan (Zhou and Masunungure 2006), in the Zimbabwean context, there was no such concrete planning. Thus the absence of coherently defined policy on privatisation demonstrates how vulnerable the privatisation process can be to corruption and political manipulation. Alongside the questioning of privatisation was the growing call for democratisation among CSOs. The failure of ESAP amplified divergent political views. Pro-democracy and human rights CSOs grew rapidly. These organisations challenged ZANU-PF’s political legitimacy, autocratic tendencies and monopoly of power, and challenged entrenched corruption.

By the end of 1999 most civil society groups were confronting towards the authoritative nature of the ruling party. The breaking away was a result of the ZCTU and student movements criticising civil society for representing the interest of the ruling party rather than of the public. Criticism also occurred because of scholarly concern about the impact of civil society elsewhere in the world. Data collected from interviews with civic groups and documents showed that this change was further aided by two factors. Firstly, the availability of funds from international donors which meant that civil society could cease relying on the government for funding. This was captured in an interview with the ZCFU representative who argued that while ZANU-PF

threatened to take commercial farms for redistribution, Britain promised commercial farmers more funding to oppose the land redistribution process, an option which angered and further radicalised ZANU-PF (Interview 21, 7th December 2011). Secondly, it was the absence of a holistic legislative structure to organize and manage the registration and operations of international NGOs despite the fact that ZANU-PF had reacted by tightening and denying civil society the operational space through the PVOA of 1995. As previously noted, this included a statutory requirement that any private voluntary organisation intending to operate in Zimbabwe had to apply for registration with the relevant Ministry. The registration process had stringent requirements meant to frustrate CSOs and NGOs.²² While the government claimed that the PVOA was purely for accountability reasons, this thesis argues that the PVOA enabled the state to monitor (via surveillance) and intervene in the operations of non-state organisations. Research findings demonstrate that the PVOA gave Ministers the power to de-register CSOs and the authority to interfere in internal operations under the guise of “inspecting aspects of the affairs and activities of civil society organisations” (Interview 39, 10th January 2012). The government targeted certain CSOs

²² Local organisations intending to register were required to submit their applications through the department of Social Services Offices who made initial assessment and interviewing the applicants. This was followed by supplying the Ministry of Public Service, Labour and Social Welfare with proof of public advertisement, copies of organisations’ constitution, curriculum vitae of the executive committee, police clearance and proof of notification to local authorities of intent to register. International organisations were to sign a Memorandum Of Understanding (MOU) with the government ministry prior to application. Signed MOU was to be submitted to the Registrar of PVOA head office together with the curriculum vitae of executive committee members, Interpol and local police clearance certificates, and proposed area of geographical coverage.

(such as the independent media and human rights associations) for surveillance and de-registration as they posed greater threat to state hegemony. An interview with the NANGO representative highlighted the fact that despite the state's intention to monitor NGOs and civic groups, it did not always follow this up because the appropriate Ministry had limited resources to monitor the activities of these organisations and, could not cope with the high numbers of organisations registering with the PVOA. So ironically, resource constraints proved useful to CSOs because government did not get things its own way. The NANGO interviewee argued that:

“Although PVOA had strict registration requirements, the state never checked on who has registered for what, who is funding whom, and for what purposes resulting in many organisations and international funders changing their interest from what they had registered for to advocating for a change of regime. The government could not cope with the proliferation of CSOs; they had not anticipated this from us. They have no idea of how they want us to operate” (Interview 36, 9th January 2012)

In the next section I draw comparisons between two pro-state civil society organisations – ZNLWVA (war veterans) and the TI-Z. This comparison is important because both CSOs adopted an outright engaging approach cooperating with the state. The section examines how their cooperation influenced Anti-Corruption management.

5.4.1 An examination of the war veterans and TI-Z's relations with the state and the implications for Anti-Corruption programmes

Chapter one demonstrated that there are different senses of the concept of civil society. One of them is what Moyo (1993: 35) calls the “minimal sense” in which there is free associations which can be empirically shown to be free from direct control by the state. In Zimbabwe this includes the ZNLWVA, Zimbabwe liberation War Collaborators (ZILWACO), and Zimbabwe Political Detainees and Restrictees Association (ZIPDRA), which included ZANU-PF party officials who participated in the liberation struggle. All these groups are called ‘war veterans’. These groups are technically independent but aligned to the ruling ZANU-PF. Rather than playing a role in combating corruption, they have participated in corrupt activities. The war veterans used “struggle credentials to legitimate themselves and delegitimise others in competition for power and resources” (Kringer 2006: 111), as we shall see later in this section.

This thesis argues that the relationship between the war veterans and the state has historically been a continuous process of confrontation, cooperation, and engagement, which was purely driven by self-interests. In contrast, the TI-Z's cooperation was driven by national interests as this section will show. War veterans' confrontation was particularly noticeable in 1996 when they had protracted confrontation with the President demanding to be compensated for the role they played in the liberation struggle (Sadomba 2008). The President gave in and eventually compensated them thus paving the way for a more cooperative relationship. They eventually

opted to engage with the state, particularly for the benefits that came with the alliance, which are discussed below. This prompted mainstream civil society organisations to argue that the war veterans joined ZANU-PF out of greed. For instance, a ZCFU representative argued that:

“War veterans are working with ZANU-PF purely for personal reasons; it's not that they share the same thinking”
(Interview 21, 7th November 2011).

However, it is important to note that while a ZCFU representative and other mainstream CSOs interviewed argue that the relationship was based on self-interests; the connection is the result of their historical link dating back to the period of the liberation struggle as demonstrated in chapter two.²³ However, this does not justify their violent tendencies, and this thesis acknowledges that this relationship has compromised their civil society role.

The ZNLWVA joined the ruling party's policies, particularly the land distribution project, and never questioned the corruption that marred the distribution process and the contradictions in the ZANU-PF government because the alliance meant notable benefits such as patches of land dispossessed from white commercial farmers, free education for their children, free access to health facilities, monthly pensions, and immunity from state prosecution (Bracking 2009). In 1997 the President conceded to the war veterans' demands and were given a war gratuity pay-out of fifty

²³ War veterans were the military wing of the liberation parties (ZANU-PF and PF-ZAPU). They fought in the liberation struggle under the Zimbabwe National Liberation Army (ZANLA), the armed wing of ZANU, and the Zimbabwe People's Revolutionary Army (ZIPRA), the military wing of PF-ZAPU.

thousand dollars each as part of a compensation package (Sadomba 2008: 91). The state paid a total of three billion dollars (Z\$) in unbudgeted funds to pacify them. With these benefits, one war veteran pointed out that they were bound to 'protect' the pay-master against the MDC opposition and other CSOs who they call "appendages of colonisers" (Interview 30, 3rd January 2012). They became indebted to ZANU-PF for the benefits they received and continue to enjoy. It was after these rewards that the war veterans adopted a positive or an outright engagement approach with the state, becoming instrumental in promoting ZANU-PF's allegedly corrupt land repossession and distribution agenda, and playing a very active role in all post-2000 elections as they violently campaigned for ZANU-PF through beating and coercing the electorate to vote for ZANU-PF. This is captured in an interview with the war veterans' representative who argued that:

"We liberated the country from the colonial masters and we cannot let these appendages of colonisers (civil society) take our resources (land) back to the British. We will do all we can to get our land and prevent agents of Britain from recolonizing our country. We cannot stand aside and watch those spreading lies about our government.... We are here to protect our party and resources against these unpatriotic groups..." (Interview 30, 3rd January 2012).

This suggests that the government and the war veterans have aims in common such as preventing the return of colonial powers (not that Zimbabwe was to be a colony again), but because it was ZANU-PF's political propaganda meant to discredit the opposition, which was allegedly supported by Britain to change the regime. However, given the above assumption by the war veterans' representative, we are also compelled to conclude that this relationship is based on a patronage and clientelism doctrine rather than on an ideological association.

The ZANU-PF-led government empowered the war veterans' constituent elements to operate with a sense of impunity while orchestrating violence against any formations that opposed or criticised the government. Even when they engaged in corrupt practices such as unlawful occupation of commercial farms and looting property, the state did not take action against them. The ruling party used war veterans as its instrument for harassing, intimidating and violence against its political opponents and civil society groups opposed to its corrupt and authoritative tendencies.

The relationship of the war veterans and the state is viewed with suspicion by scholars such as Bracking (2009), Bowden (2006), and the mainstream civil society organisations who rarely accepted the war veterans as a genuine part of the body of civil society in the neo-liberal sense. These scholars tend to conceptualise civil society monolithically as a counter-hegemonic movement. This one-dimensional understanding of civil society risks presenting most CSOs as 'anti-state'. Therefore, one of the contributions this thesis seeks to make to the debate is to widen the discourse on civil society within Zimbabwe by going beyond the dominant moderate view of civil society as situated only within the anti-state bloc.

This thesis rejects Bracking (2007), Bowden (2006) and the mainstream civil society's perception, which doubt the status of the war veterans because at registration (with PVOA) the organisation acquired a civil society status despite the ruling party subsequently assimilating them into party politics. However, while ZNLWVA is a legitimate and genuine CSO, it viewed itself as an organ of ZANU-PF, which is why the aforementioned scholars and the mainstream civil society doubt its 'civic' status. In addition, with regard to the

point that war veterans are aligned with the 'illegitimate' ZANU-PF government, research findings from interviews with a wide range of civic groups demonstrate that other civil society networks such as NANGO, ZCTU, NCA, independent media and human rights groups, have continued to debate their civic status and adopted a non-engagement approach towards the war veterans, isolating them from all activities involving CSOs while the war veterans relegated themselves from the rubric of national civil society discourse. Indeed, associating with the allegedly oppressive ZANU-PF government means risking losing comradeship with other civil society networks. This problem was raised in several interviews. A ZCTU respondent argued that civil society does not trust war veterans because of their violent character and association with an 'illegitimate' government which views civil society as agents of imperialism and therefore fights hard to destroy alleged anti-state groups (Interview 17, 18th November 2011). While the war veterans use the label of 'agents of imperialism' to fight the opposition and other CSOs, this study argues that their alliance with the government is largely based on the benefits of party patronage rather than shared ideology as we shall see later.

Given the above thinking, an alliance with ZANU-PF automatically excluded the war veterans from the rubric of civil society in Zimbabwe. This view has split social and political commentators with regard to the civic status of the war veterans who under the given circumstances are a CSO that has remained loyal (to ZANU-PF) since being compensated and subsequently co-opted by the state. It is instructive to note that the ZNLWVA was registered as a non-partisan member organisation in terms of PVOA to cater

for the well-being and needs of war veterans. From ZNLWVA's perspective its alliance with the ruling government has allowed it to fulfil its goals and meet the needs of its constituency. This sounds pragmatic, although there are also negative overtones to its activities. It is from this perspective that the study of civil society in Zimbabwe is a challenge because some entities such as the ZNLWVA can easily dissociate themselves from the rest of the civil society cluster for their own benefits and narrow aims.

The war veterans are an organisation driven by self-interests, and do not pay attention to the problem of corruption. In fact, research findings from fieldwork interviews and document analysis demonstrate that rather than playing a role in combating corruption, war veterans have participated in corrupt practices, particularly during farm invasion. For example, an interview with the ZCFU representative showed that war veterans looted some farming equipment from the white owned commercial farms and sold them to those who had occupied the farms while some machinery were destroyed or not put to use (Interview 21, 7th December 2011). This is further pointed out in *The Daily News* (22nd August 2000) that: "several cattle were missing from commercial farms as war veterans continue to steal and sell them"

With the influence they had over the post-2000 elections, particularly in violent campaigns for ZANU-PF, war veterans amassed massive power and acquired immunity from state prosecution as they harassed and terrorised the MDC party supporters and other civil society organisations who opposed the ruling party's policies. Mhanda (2011) argues that during all post-2000 elections war veterans had the capacity and ability to mobilise rural constituencies against the opposition (MDC) and other civil society coalitions

in favour of the ruling party through intimidation. For instance, in the 2005 Parliamentary elections, ZANU-PF gained seventy eight seats (out of the one hundred and twenty contested seats), of which forty seven were allegedly from rural constituencies, where war veterans operated (*The Herald*, 2 April 2005). This further strengthened their relations with the state. In support of the ZNLWVA's violent conduct against the opposition and the anti-state civil society, the President articulated that:

“The boys (war veterans) will not tolerate those people and their party who wants to sell the country back to the British We told them to use their experience in preventing a second invasion by the agents of imperialism, and we will not stop them ...” (quoted in *The Herald* 23rd April 2002).

The President's speech had several implications. Firstly, while the war veterans were acting without some restraint before this speech, it assured them that whatever they were doing had the backing of the head of the state, therefore, they became more corrupt and continued to loot private property unabated knowing very well that they were immune from state prosecution. This eliminated them from the equation of the Anti-Corruption movement as they had no role to play in such development programmes. Secondly, war veterans became the fortress of ZANU-PF (Bracking 2009), standing against the opposition and CSOs dealing with human rights and governance issues particularly those funded by the West such as MISA, NCA, ZCFU and ZCTU (Interview 18, 21st November 2011). Their role in defining the nature of Zimbabwe's politics after 2000 has been instrumental in shaping the political landscape of Zimbabwe vis-a-vis ZANU-PF's authoritarian, repressive and corrupt tendencies. ZANU-PF would have had challenges in winning some parliamentary seats without the influence of the war veterans given the way

they coerced the rural electorate to vote for ZANU-PF. It is from this angle that this thesis has an interest in the part played by the ZNLWVA in shaping and influencing the state-civil society interface in Anti-Corruption management. It is problematic to envisage how war veterans could play a role in combating corruption because they are a corrupt organisation. Research findings from interviews with informants drawn from different levels within the government and CSOs, and Parliamentary Debates documents revealed that some of the members of the ZNLWVA claim to be war veterans yet they are not. They fraudulently and corruptly received gratuity pay-outs of fifty thousand dollars, and continue to receive a monthly pension. Some of them are too young to have participated in the liberation struggle (Parliamentary Debates, 13 July 2010). What makes this a challenge is that the state is aware of these claims, but has never investigated them simply because they are the defenders of the ruling party. Corruption within the ZNLWVA has become a strategy of survival, and this explains why they have no interest in the Anti-Corruption movement.

However, while the war veterans cooperated with the state for the above selfish reasons, TI-Z successfully managed to build and maintain a productive partnership with the state, mainly for the national interest. TI-Z has been cooperative with the ruling government while some sections of CSOs such as MISA, NCA, ZCFU, ZCTU, and independent media (to mention a few) have been unable to build good relations with the state. The TI-Z is one of such civil society organisation that has been sharing limited political space with the state in policy issues relating to the Anti-Corruption programmes. It is essential that the TI-Z, as an Anti-Corruption institution

maintains good relations with the state for the purpose of combating corruption. One respondent from the TI-Z's Advocacy and Legal Advice Centre (ALAC) emphasised the importance of their relationship with the state because the state provides the space for the articulation of their Anti-Corruption activities. The interviewee noted that they needed to build a strong partnership with the state because:

“There won't be effective Anti-Corruption strategies without engagement with the government. Fighting corruption needs the state's power for the fight to succeed. Corruption is a complex phenomenon that calls for the state and other concerned stakeholders to work together. ... At some stages the state has applied some Anti-Corruption strategies which we have been involved in ... The government provides the social space; granting us the permission to hold public meetings and forums. All these road shows and conferences we hold every time are a result of effective dialogue and our negotiated relations with the state... We cannot do [it] without the state.... We try by all means to forge good relations with the government but in some cases ZANU-PF appears to be not willing to work with us” (Interview 2, 26th October 2011).

Important and critical questions that need to be asked and explored for the purpose of this thesis are: How did TI-Z create a space for themselves when certain CSOs failed to work with the state? How has TI-Z managed to engage with the state and the implications this has for the state and other CSOs in building workable and effective relations? TI-Z's approach is an example of good practice and a potential model which other CSOs can follow in order to resolve the deadlock and reduce confrontation with the state. TI-Z realised that a solely confrontational approach could not create good relations with the state. Its success has come through compromise and effective negotiations with the ruling government.

While some civil society organisations adopted an outright non-engagement approach, TI-Z adopted a principled engagement approach which avoided confrontational politics with the state. This is essentially a consultancy relationship (Interview 1, 24th October 2011). Crucially, this kind of engagement does not question the contradictions within the state. Whilst TI-Z remains committed to its broad agenda of combating corruption, it has managed to succeed with the government by staying away from the national politics and justice related issues, issues which cost some of CSOs their operating space and rights.

One government Minister representing ZANU-PF summed up the state-TI-Z relationship this way:

“Since its formation in 1996, Transparency International - Zimbabwe has been particularly very active in promoting the ratifications and implementation of Anti-Corruption Conventions liaising with the government and also conducting workshops to raise public awareness about corruption issues, and also promoting transparency and accountability. We never have problems with Transparency International that is why they are our good friend because they are concerned with the development of the country. They do not manipulate the state for selfish purposes ...” (Interview 15, 23rd November 2011)

This implies that the government is willing to work with CSOs who do not criticise them, a pathway followed by TI-Z in its Anti-Corruption programmes. This demonstrates how TI-Z has managed to score success where other CSOs have failed. A discussion with the TI-Z representative showed that TI-Z was prepared to compromise its watchdog role for the political space to articulate its Anti-Corruption programmes. This has resulted in the TI-Z enjoying a political space

not enjoyed by some CSOs, particularly in combating corruption. TI-Z became the only CSO to deal with corruption without facing state repression, backlash and lawsuits from senior government officials (as we shall see in chapter six). The next section takes a look at how some CSOs have responded to the state's repressive and suppressive tendencies.

5.4.2 An analysis of anti-state civil society's challenges in combating corruption

Given the undemocratic and suppressive tendencies of the ZANU-PF government, most of the civic groups preferred and adopted an outright non-engagement strategy arguing that the ruling government was illegitimate due to the lack of fair and free elections after 2000. Among these CSOs were the ZCTU, NCA, the independent print media such as *The Daily News*, *The Independent* and *The Financial Gazette*, and a number of human rights campaigners such as Zimbabwe Human Rights Watch (ZHRW), and International Crisis Group (ICG). They argue that ZANU-PF rigged the elections via vote buying, violence and deployment of intimidating tactics, which coerced the electorate to vote for ZANU-PF.

During interviews with different civil society organisations the study established that a number of different strategies of engaging the state were adopted. The ZCTU and NCA expressed their discontent through forms of civil disobedience such as street demonstrations and strikes. Adopting these strategies had two major consequences for civic actors. Firstly, they suffered the consequences of blocked policy spaces. Secondly, it demonstrated the

violent nature of the ZANU-PF government. One respondent from ZCTU pointed out that:

“Whenever there were demonstrations or job stay away ZANU-PF responded by narrowing our space either by deploying police force and the army to where there are demonstrations, and shutting us out of policy issues through ignoring our contributions on governance or development issues. Many civil society organisations found themselves excluded from national development issues, some civil society leaders were arrested and beaten” (Interview 17, 18th November 2011).

This had two implications, firstly, those civic organisations who participated in demonstrations and strikes continued to operate under extremely difficult circumstances as the state tightened its powers to narrow the right to public space and freedom of the press and of expression through the POSA and AIPPA laws of 2002. These laws militated against civil society conducting civic activities, and required CSOs to gain police clearance to hold activities such as public meetings. For instance, a MISA representative pointed out that the twin laws meant that CSOs were “criminalised for their activities while some were not able to operate at all” (Interview 39, 10th January 2012). Secondly, the world was alerted of ZANU-PF’s illegitimacy, human rights abuses, oppressive character and its corrupt tendencies, particularly following the fraudulent 2000 land invasions and election results, which allegedly occurred under corrupt circumstances. Criminalising some of CSOs for criticising the state’s corrupt tendencies compromised the sector’s watchdog roles as corruption increased.

What is important here is to understand that the authoritarian tendency of ZANU-PF regime forced civil society networks to become more radical in

response to the state's repressive laws such as POSA and AIPPA. For example, while discussing these, a MISA representative pointed out that:

“The police often refused to grant permission for such meetings citing threats to order and security, and in most cases civil society organisation got used to this and learnt to ignore the police orders. Put differently, POSA and AIPPA were instrumental in preventing civil society organisations from engaging in good governance activities. They were employed as instruments to suppress freedom of civil society and draw them out of national policy space” (Interview 39, 10th January 2012).

With POSA and AIPPA in place, many CSOs shifted their interest to issues beyond their immediate concerns such as human rights, democracy and good governance because donors and funders were willing to fund projects on governance issues. Nevertheless the Zimbabwean state castigated Western funded organisations accusing them of plotting against the government and therefore viewed some CSOs as a threat to state security. This further explains the reasons why the ZANU-PF led government have isolated certain NGOs and CSOs from national policy formulation and implementation processes (even though it does not justify it), which to a greater extent led to social, political and economic paralysis. This paralysis led to the emergence of a more proactive and vibrant counter-hegemonic civil society in Zimbabwe which further widened the gap between state and civil society.

Given this collision, it became a challenge for CSOs to work with the state in good governance issues such as fighting corruption because the state could not work with the ‘agents of imperialism’ as they called them. One interviewee, a politician from PF-ZAPU pointed out that because of this mistrust, the state became occupied with monitoring what civil society is

doing, with state security agents and war veterans spending time and resources tracking senior officials from CSOs, assessing and analysing their objectives, what they do, say and think about the ZANU-PF rather than concentrating on development issues (Interview 54, 14th February 2012). For this reason, a lack of trust creates challenges for both the state and civil society to work together. Similarly, in an interview with a Zimbabwe Human Rights Association official it was highlighted that its activists also face serious problems. They cited the case of Jestina Mukoko of Zimbabwe Peace Project who was kidnapped and tortured by security agents for her activism on human rights abuses (Interview 42, 25th February 2012). The kidnapping of activists is further evidence of the regime's repressive response on civil liberties perceived to be anti-ZANU-PF.

The attack and violence against the humanitarian and governance civil society institutions and their officials by the ruling government on trumped up charges of being 'pro-neo-colonialism' and appendages of the Western powers trying to unconstitutionally remove the 'democratically elected' ZANU-PF amounts to removing civil society from the democratic space (this thesis uses the phrase 'democratically elected' loosely given the contested post-2000 election results). This onslaught by the government mirrors the state's sustained aversion to participatory governance, making it a challenge for civil society organisations to participate in issues such as Anti-Corruption. This has compromised the independence of various organisations to institute and promote a culture of tolerance and participatory politics. With Zimbabwe's politics visibly characterised by repressive political tendencies, the capacity of civil society to influence Anti-Corruption policy becomes a

contentious issue. This is validated by a respondent from the ACTSA who argued that:

“The government does not want any challenges, even if the challenge is a positive one focusing on development issues of the country, [so] our voices are suppressed. We are trying to participate in formulating Anti-Corruption policies but we face hurdles from the government, who always isolate and exclude us from policy formulating processes” (Interview 4, 27th October 2011).

Interview data gathered during fieldwork study demonstrates that while the state continues its crackdown on civil society for their role in advocating good governance leading to their isolation from policy formulation, it becomes a challenge to envisage lasting solutions to the problem of corruption in Zimbabwe. Some CSOs such as religious groups and student unions will not deal with corruption because of the state’s tendencies to victimise critics of its corrupt conduct. Thus although the main hypothesis of this thesis is that civil society, working hand-in-hand with the state might serve as an effective instrument in dealing with corruption, the state-civil society interface, at present, is not well developed and largely conflictual, so Anti-Corruption strategies have been ineffective because they have barely got off the ground.

Furthermore, civil society has hardly had an input or influence on good governance issues, and the significance of this thesis is in analysing why this problem has arisen. Of course Zimbabwe’s socio-economic institutional situation in post-independence has influenced the swings and nature of state-civil society relations. The ruling party relied on a relatively strong economy in the first decade of independence to create the basis for its hegemonic politics. A strong economic situation also influenced shifts in civil society advocacy issues in response to both hegemonic politics and the

impact of macro-economic policies on people's lives. Given people's improved living standards, the state became popular with the masses, and it used this popularity and uncontested rule to legitimise hegemonic politics and to demonise civil society (Ncube 2010). Despite the strong economy, some CSOs remained recipients of international aid which angered the Zimbabwe state who accused the West of channelling the aid through civil society rather than through the state.

Whilst the increase of international donor funding in the early 1990s intensified the authoritarian nature of the ruling government, the view advanced in this thesis is that the approach pursued by the donor community enabled some parts of civil society to gradually break away from the state patronage and thereby engage in promoting good governance, albeit under stringent regulations. This asserted civil society's political role and led to the formation of strong MDC opposition, with its executive coming from mainstream CSOs such as ZCTU and the NCA. The formation of the MDC opposition party served to expose ZANU-PF's intolerance of opposition adding a political dimension to the crisis. It provoked the rise of reactionary authoritarianism in ZANU-PF.

The formation of the MDC in 1999 by the ZCTU and NCA increased the level of outside funding geared towards "regime change" (Ncube 2010: 197), with donors such as the European Union (EU) becoming more active in sponsoring advocacy and research institutions such as MISA and private media outlets such as *The Daily News*, which became the mouthpiece of the opposition and certain CSOs giving them the opportunity to articulate an

alternative democratic politics, and expose corrupt government practices such as Ministers taking more than one white owned commercial farm each against the one man one farm policy. The government had argued that commercial farmers had several farms each therefore needed to share the land with the landless, but senior government officials such as Obert Mpfu, Ignatius Chombo, and Kembo Mohadi (among others), acquired more than one farm each (ACTSA 2012). It would appear the state condoned these corrupt practices as senior government officials continued to acquire several farms while victimising organisations and individuals vocal against the accumulation of farms by Ministers.

The situation created an uneasy relationship between the state and Anti-Corruption organs, and some donor organisations and between pro-democracy civil society and the state, making it impossible for the sides to complement each other on governance issues, in particular on Anti-Corruption programmes.²⁴ For instance, while discussing Ministers who accumulated farms, interviews with a Crisis Coalition of Zimbabwe (CCZ) employee and the TI-Z representative revealed that while government Ministers are being implicated in corruption activities it became a challenge for Anti-Corruption organs, particularly for CSOs to combat corruption given that they cannot publicly criticise them because of suppressive laws such as

²⁴ Donor community such as the European Union, Canada International Development Agency (CIDA), United States Agency for International Development (USAID) were primarily responsible for funding 'anti-state' organisations in Zimbabwe, this created tension with the state

AIPPA. Furthermore, the formation of an MDC opposition party, consisting of a coalition of CSOs such as ZCTU and NCA, in part sponsored by the West heightened ZANU-PF's sensitiveness towards land acquisition criticism from rivals to the state or rising power outside the state structures (Interview 28, 23rd December 2011). This has further increased repressive and oppressive tendencies, which has made it difficult for CSOs to combat corruption.

Regarding the oppressive nature of the ruling party and implications for civil society, this thesis offers new insights. A consensus has developed between the more radical CSOs such as the ZCTU and student movements, and the liberal scholars such as Mamdani (1996), Raftopoulos and Phimister (2004), Gatsheni (2002 and 2006), and the ZANU-PF guardians. The radical wing points to the state as having not fulfilled its revolutionary mission of transforming and shifting the political platform to accommodate non-state institutions, on the one hand, and satisfied the poor, landless and oppressed civic groups on the other. The liberal scholars argue that the state has tried to play a central role in promoting economic growth and democratise the political space but did not live up to the expectations the people and CSOs had for an independent Zimbabwe because of corruption within the ruling elites. In this context, both radicals and liberals' views unite against ZANU-PF in proclaiming that the ruling government has failed to live up to expectations. However, the contribution which this thesis makes to the debate centres on the fact that while Zimbabwe had its pressures to adopt a strong developmental policy framework to actualise political freedom and growth and welfare for the masses, the state leaders concentrated on corruptly enriching themselves while suppressing the rights of civic groups to

prevent Anti-Corruption vocal voices from CSOs. In order to be able to criticise corrupt tendencies of the ruling government some sections of civil society had to end their relationship with the state.

ZANU-PF characterises parts of civil society's break away from the state as an act of betrayal. For example, a government Minister from ZANU-PF pointed out that civil society's coalition with the state in the first decade of independence helped the state's socio-economic development through donations and funding from the international community (Interview 15, 11th November 2011). The implication here is that CSOs were useful to the state and that they both worked together, even if indirectly, for the benefit of Zimbabwe.

The failure of the government has led to a proliferation of CSOs, international NGOs, and the mushrooming of alliances and networks to engage in the various policy issues relating to socio-economic, political, human rights and governance issues, and particularly in welfare service provision such as in education and health sectors where the state has demonstrably failed. However, these organisations have also failed to effectively address the problem of corruption in their fields of operation.

Raftopoulos (2000: 21) argues that the ruling party, by its failing and weak capacity, "stood in contrast to the strengthening capacities of civil society organisations as they increasingly became the favoured conduit for international aid". As I have established in this chapter, it was the issue of international aid that tied the state to some CSOs, except for some such as the war veterans who were sponsored by the state. It was the need for

international aid which widened the already strained state-civil society relations as ZANU-PF over time viewed these CSOs as 'sell-outs' or 'disciples' representing the interests of the West to undermine the ZANU-PF government. The donors, as an external factor, fuelled state-civil society divides as they became instrumental in shaping Zimbabwe civil society's self-conceptualisation of their roles and relations with ZANU-PF.

Whilst such an argument is credible, according to the research findings, the initial donors' motive for backing CSOs and NGOs was geared towards reforming the state institutions and promoting good governance and democracy rather than engineering a "regime change" as suggested by some of the respondents such as the war veterans (Interview 30, 3rd January 2012), Minister of Justice and Legal Affairs (Interview 33, 20th December 2011), the ZRP Commissioner (Interview 45, 5th January 2012), and some members of the ZANU-PF leadership as well (Parliamentary Debates, Tuesday 14 July 2004, Wednesday 15 September 2005, and Wednesday 12 March 2008). The notion of changing the regime occurred after the fast track land reform programme in 2000 and when civil society contested post-2000 election results accusing ZANU-PF of rigging the elections. This point was further made by a MISA interviewee who argued that government's chaotic land reform programme and its violent tendencies against opposition parties and CSOs during elections influenced United Kingdom (UK), United States of America (USA) and Australia, and funders such as Friends of Zimbabwe

(FOZ), Commonwealth, and EU to call for a change of government (Interview 39, 10th January 2012).²⁵ It is from this moment, rather than at an earlier stage that the state perceived civil society and NGOs as agents of the West who wanted to remove a democratically elected government.

The period after 2000 witnessed greater interest, both journalistic and academic, in state-civil society relations in the context of resistance to ZANU-PF's repressive and authoritarian politics as well as due to the influence of the neo-liberal framework that was promoted in the early 1990s, which perceives and portrays civil society as being anti-state. Rather than working to complement the state, CSOs, according to this perspective, seek to provide an alternative space of political power. It is this rivalry that has created animosity between the state and certain CSOs. The formation of the MDC party by the Labour Movement and the NCA in 1999 is in line with such a viewpoint. Within this context, Ncube argues that:

“Civil society is theorised in a Gramscian institutional sense as entities, institutions or organisations that oppose the authoritarian state, without organically situating it in society and broader notion of the state” (Ncube 2010: 232).

The formation of the MDC was meant to function as the 'political face' of some civil society organisations. The MDC's projected agenda was to fight for political power from ZANU-PF via its diverse members, “of which CSOs were its core institutional members” (Ncube 2010: 191). As a result, some

²⁵ FOZ is an organisation started by the diplomatic service of the European Union's European External Action Service (EEAS) represented among them by countries such as United States of America, United Kingdom, Canada, Australia, Germany, Netherlands.

civil society organisations became more of a 'consultative committee', some of them campaigning for the MDC. This relationship benefited the MDC rather than the counter-hegemonic civil society's watchdog role. CSOs such as the ZCTU, and NCA among others, concentrated on supporting and strengthening the MDC structures while negating their mandated roles of representing the general public, workers, and the electorate on national development issues, particularly such as monitoring the state's corrupt practices. In terms of corruption, this means that corruption within the ruling government proliferated in the absence of effective watchdogs.

The MDC-civil society relationship is, in this thesis, viewed as problematic in the same way the ZANU-PF-civil society relationship of the 1980s to early 1990s was because firstly, this also compromised the autonomy of certain sections of civil society. When CSOs are allied to a political party it becomes a challenge to envisage how they can fight political corruption when they are part of the organisation. For instance, a respondent from the Ministry of Justice and Legal Affairs pointed out that parts of civil society's friendship with the MDC led the state to treat any political input emanating from civil society (apart from those sections linked to the state) as suspicious and a threat to state security (Interview 33, 5th January 2012). This demonstrates the problems facing those sections of CSOs that allied themselves with the opposition party in the hope of influencing policy. This implies that civil society organisations were intentioned, but backed themselves in a corner and consequentially failed to deal with the problem of corruption.

Secondly, the situation compelled the state to restrict or ban civil society groupings working on good governance and human rights issues. To restrict

the political space, the state passed laws such as PVOA, NGO Bill, POSA and AIPPA that effectively restrained their activities. Commentators such as Banisar (2006) have suggested that the POSA and AIPPA further widened state-civil society divide and reinforced the state's authoritative nature over civil society while, in turn some CSOs, such as the independent media that include *The Daily News*, grew more radical and fought against the state's repressive tendencies. The POSA and AIPPA laws were aimed particularly at the independent media. It justified the hard-line stance by making accusations that they wrote lies about the government or were unduly critical of government policies. Such laws also targeted human rights activists and restricted their access to information while preventing them from discussing governance and development issues (Banisar 2006). This had overarching consequences for some Anti-Corruption programmes as some CSOs such as the media were banned from reporting about corrupt government officials. Several interviews with the mainstream CSO (Interview 17, 18th November 2011, 20, 7th December 2011, and 36, 9th January 2012) and evidence from document analysis demonstrate that without media reportage corruption increased to catastrophic proportions.

Banisar (2006) carried out a global survey on the freedom of information and access laws to government records around the world in over fifty African countries (including Zimbabwe) that have Freedom of Information (FOI) laws. He concluded that Zimbabwe's POSA and AIPPA constitute anything but a FOI law, noting that:

“While the title refers to Freedom Of Information and Privacy, the main thrust of the law is to give the government extensive powers to control the media by requiring the registration of

journalists and prohibiting the ‘abuse of free expression’ (2006: 96).

This demonstrates that the laws’ prime function has been to suppress the freedom and activities of certain parts of civil society, the public, journalists and newspapers opposed to President Mugabe’s ZANU-PF party, if they raised any concerns about human rights abuses and corrupt activities within the party. The laws required the independent media to register with the state’s Media Commission, which had stringent requirements. Successful registration gave state authorities the right to interfere in the internal affairs of the particular organisation. Those that failed to register, such as *The Daily News*, were closed down with journalists subsequently arrested under the two Acts.²⁶ One interviewed journalist noted that:

“Many journalists and independent newspapers that acted as whistle blowers have regularly experienced severe damages to their career. Journalists have much worse to fear beyond mere career repercussions as many amongst us have been both physically and psychologically harassed, arrested and tortured by the police and the state security agents for blowing the whistle on government corruption and other stories” (Interview 3, 27th October 2011).

Interviews with members of several civic coalitions revealed that while these laws were directed at civic organisations working on human rights and good governance issues, they also affected other associations with only an interest in broader policy issues such as environment or humanitarian needs. They found themselves under state surveillance and interference too.

²⁶ The arresting of journalists led to an international outcry about the POSA and AIPPA, consequently leading to the increase of funding for anti-government CSOs and NGOs by outside funders

Consequently, some CSOs were unable to carry out their activities, especially those concerned with pressing for democratisation of the public institutions, putting an end to an authoritarian government, ending corruption, and adopting transparent electoral and governance practices. This led to the arrest of several CSOs leaders for their involvement in governance issues as highlighted earlier in this chapter.

The government interpreted some civil society responses as political intending to undermine its sovereign power thereby threatening its stability. As a result, while certain CSOs did not achieve any of their goals, as the state tightened its laws against them, organisations such as the ICG, Crisis Coalition of Zimbabwe (CCZ), and MISA were still nevertheless able to draw international attention to the actions of the Zimbabwean state.

Some parts of the civil society sector responded to the state's hostility by emphasising the illegitimacy of the regime, agitating for a change of the ruling party, and pushing for the exclusion of ZANU-PF-led regime from the international community. This was achieved by exposing the ruling party's widespread violations of human rights, the illegal confiscation of white owned commercial farms, and violence against organisations, opposition supporters and individuals that denounced the state's corrupt nature. According to Manheru (cited in *newzimbabwe.com*, 10 September 2011), a mouthpiece of ZANU-PF, some civil society organisations such as the ZCFU, Legal Rights Foundation (LRF), ZCTU, and NCA, openly agitated for international punitive sanctions hoping to compel ZANU-PF to be more 'democratic'. This resulted in the Commonwealth, EU and the USA imposing economic sanctions which included travelling bans on selected individuals within the political

establishment, organisations and institutions that were allegedly creating or supporting a culture of autocratic rule, violence, and violation of human rights. These sanctions also obstructed Zimbabwe from accessing international capital markets. This worsened the economic challenges faced by the nation as investors pulled out of the country. Sanctions led to sustained disinvestment and de-industrialisation (*The Herald*, Thursday 7 July 2011) that severely weakened the economy with negative consequences for the public's welfare and well-being. This led to a collapse of service delivery systems and shortages of basic commodities (Parliamentary Debates, Thursday 25 November 2010). Sanctions had serious implications for the proliferation of corruption in Zimbabwe as the public and bureaucrats resorted to corrupt means of accessing services such as health and acquiring basic commodities such as food and fuel.

Several interviewees criticised CSOs for advocating sanctions. For example, interviews with two respondents from different government Ministries representing both ZANU-PF and MDC-T revealed similar critical sentiments of those civil society organisations involved in influencing Western powers to impose sanctions, which this thesis argues to have fuelled the dichotomous nature of state-civil society relations. A respondent from the Ministry of Justice and Legal Affairs (ZANU-PF) pointed out that:

“ZANU-PF views civil society as unpatriotic and representing colonial masters. As long there are sanctions the state will not collaborate with some of these known organisations. I don't think that even if these sanctions were to be removed there will be any kind of cohabitation between the state and some of these organisations. We are waiting to see what happens in the near future whether there will be some compromise from the state...” (Interview 33, 5th January 2012).

The other respondent from the Ministry of Local Government Rural and Urban Development echoed similar sentiments in relation to sanctions and state-civil society relations arguing that:

“Some of civil society organisations were literally forced to oppose ZANU-PF for financial gains; they were even given projects with programmes meant to remove the ruling government. When this failed they agitated for sanctions. The sanctions have also failed to change the regime, which is why there is this bad blood between the Western sponsored civil society and the state. All these civil society organisations you refer to are externally sponsored. Given the history of the regime change agenda, ZANU-PF will never allow these organisations to operate freely in the country” (Interview 16, 16th November 2011)

While these opinions, criticisms and accusations by the above respondents are built on their individual perceptions, they carry substantive truths. The thesis argues that the economic crisis and the struggle for day-to-day survival influenced civil societies to engage international community in imposing sanctions. They were not guided by principles and values but by cash flows from funders. The Zimbabwean economic crisis led to the rise of a scenario called “bending the analysis” (2008: 391), in which civic campaigners amplified the crisis in order to sustain a crisis industry for donor funding. This demonstrates that some CSOs are also corrupt. Exaggerating a crisis in order to maintain supply of funds is a form of corruption. Given this, it will always be a challenge for CSOs to combat corruption since they too are corrupt. This is supported by an interviewee representing ZIMRIGHTS who criticised some CSOs for encouraging sanctions as a betrayal of the national struggle against colonialism for personal gains. This advances the point that some civil society groups were motivated by greed

rather than by the socio-economic and political crisis because by campaigning for the removal of ZANU-PF government they received support in the form of funding from many international funders. For example, the respondent pointed out that the doctrine on the change of government:

“Was a lucrative source of income for many people because international funders were happy to fund them as long they advocated for a change of government” (Interview 28, 23rd December 2011).

A respondent from the Ministry of Higher and Tertiary Education (MDC) was also critical of the role played by civil society in advocating sanctions against the state. The interviewee pointed out that civil society commercialised their activities and their relations with the donor community at the expense of the Zimbabweans as sanctions hit the public harder than their intended targets (ZANU-PF members). The respondent argued that:

“Even though the sanctions were targeted at selected individuals and organisations, instead of affecting those targeted individuals they have ruined the lives of the innocent Zimbabweans as a result of the de-industrialisation of the country. Some companies have closed down and some have been operating below capacity. It's not the Ministers who suffer from these sanctions, look at the poor, look at the school children who go with no teachers or textbooks. Those people who supported these illegal sanctions got it wrong and it's them who must be blamed for the current economic crisis” (Interview 47, 3rd February 2012).

Sanctions caused more harm than good and hence achieved the opposite of what they were designed to accomplish. As highlighted by these respondents, the effects of sanctions were felt by the general public as the economy declined. Unemployment rose from seventy per cent in 2000 to ninety two per cent by the end of 2008 (Sokwanele 2010), as a result of companies closing down due to shortage of foreign currency, industrial,

manufacturing and agricultural inputs and equipment. Education and health services were also affected by the sanctions as schools went without teachers and resources, hospitals lacked nursing personnel and necessary medications while shops lacked basic commodities. To a greater extent civil society erred in calling for sanctions that further increased socio-economic and political crisis. The crisis led to the proliferation of corruption as it became a way of surviving, and both the state and CSOs have failed to address this effectively.

Nevertheless, this demonstrates the ability of civil society to mobilise some parts of the international community against state hegemony in Zimbabwe. Not surprisingly, this strengthened the state's hegemonic and authoritarian stance leading to the continued suppression of non-state actors. It forced the ZANU-PF government into a defensive posture culminating in the enactment of punitive legislation. The state used the sanctions as an excuse for its failing economy which, in turn justified why civil society organisations and the NGOs' activities were restricted and/or banned. Whatever the rhetoric about who was to blame, sanctions still crippled the economy in many ways, which took Zimbabwe's socio-economic development a decade to recover following the formation of the Government of National Unity (GNU) in 2009.²⁷

²⁷ GNU was a pact between ZANU-PF and the two MDC formations signed in 2009 after the disputed 2008 Presidential election results

An interview with the Chief Executive Officer of MISA (Interview 39, 10th December 2012) pointed out that state-civil society relations have of late improved as a result of some changes in national politics such as formation of the GNU in 2009. Since the formation of a government by three political parties there has been some notable and positive developments in the way the state treats and relates to various CSOs (although repression of human rights civic groups by the state is still visible). The GNU has also widened the space given to some civil society organisations such as Bulawayo Agenda, TI-Z, MISA, ZCTU, and NCA as the researcher personally witnessed some of them holding public meetings which were illegal before the formation of an inclusive government. The interviewee from MISA noted that:

“The authoritarian nature of ZANU-PF pulled civil society down because the ruling party did not want its corrupt and oppressive systems exposed, but with the formation of GNU, civil society got a backing especially from the two MDC parties, that is why we are seeing a lot of civil society starting to speak aloud on human rights, democracy issues and change of government. These things were never mentioned three years ago. It is the state that is to blame because for almost twenty eight years it denied civil society a political space...” (Interview 39, 10th December 2011).

This demonstrates that civil society has finally found some operational space, but there has been far less progress in reducing corruption. It is still important to remember that while the POSA and AIPPA laws remain in operation, criminalisation of good governance organisations and human rights activists will persist, making it difficult for Anti-Corruption organs. Although a few civic organisations such as the ZCTU, independent media, NCA, (to mention a few of them), are beginning to find operational space, there are some good governance and human rights groups that still operate

under state surveillance, and continue to be harassed and arrested. A recent example is the case of Okay Machisa of the Zimbabwe Peace Project who was arrested and detained (from the 14th January 2013 and released on the 29th January 2013) for engaging in human rights advocacy (*The Zimbabwean*, 1 February 2013).

To argue that the formation of GNU freed up all the necessary political space for civil society to operate would be an exaggeration, particularly given that ZANU-PF continues to criminalise certain alleged 'anti-state' organisations. This thesis argues that despite the influence of the MDC factions in Parliament, the ruling party has benefited from an overwhelming imbalance of power in the legislature, and remains powerful and suspicious of most but not all CSOs, and is unwilling to offer them political space.²⁸ ZANU-PF is to blame for the state's unwillingness and failure to engage with some parts of CSOs especially on issues that relate to national development and governance such as Anti-Corruption management.

Nevertheless, despite ZANU-PF's suppressive tendencies, several interviews with CSOs and government representatives, political statements, and document evidence such as Parliamentary Debates, and newspapers demonstrate that the romance between the state and civil society is gradually

²⁸ Since 1980 ZANU-PF has dominated the composition of Parliament, for instance, in 1980 ZANU-PF had 110, PF-ZAPU had 20; in 1990 ZANU-PF had 117 seats against 3 seats for other parties; in 2000 after the formation of MDC ZANU-PF had 90 seats versus 57 for MDC; in 2008 ZANU-PF had 54 seats against 95 for MDC, making the MDC factions a majority representation in Parliament (Davoodi, S. and Sow, A. (2008) *Democracy and Peace in Zimbabwe*, Austrian; Stadtschlaining

beginning to warm up as a result of the MDC legislators pushing for the state to democratise the political space. Many legislators such as Sithembiso Nyoni, and Gordon Moyo, within the government are getting involved in some civil society activities.²⁹ Good examples of those participating in civic activities include firstly, the Minister of State Enterprises, Mr Gordon Moyo, who is a patron for the Bulawayo Agenda. The Bulawayo Agenda is a civil society focusing on socio-economic development issues across the country. At the end of 2011 Minister Gordon Moyo attended Bulawayo Agenda for meetings with the public as a guest speaker reviewing the year's success and failures specifically debating developmental issues that among areas focused on corruption, national administration and other good governance issues. A second example is that of Sithembiso Nyoni, who is director of ORAP. According to one social commentator interviewed this is a positive sign in so far as the GNU builds dialogue with civil society (Interview 51, 10th February 2012).

Despite state-civil society differences and the political and legal challenges faced by CSOs, Gordon Moyo and Sithembiso Nyoni's participation in civic activities demonstrates that it is highly likely that the state and civil society might solve some of their differences and start working together. Part of the

²⁹ Sithembiso Nyoni is ZANU-PF MP for Nkayi North; Minister of Small and Medium Enterprises and Co-operative Development; and founder and Director of Organisation of Rural Association for Progress (ORAP).

Gordon Moyo is the only Minister who was invited by the MDC party to join inclusive government from civil society, becoming Minister of State Enterprises and Parastatals; is also a patron of Bulawayo Agenda.

reason is that the state is very interested in the funds donated by Western NGOs. Research findings from primary sources such as Parliamentary Debates (2010 and 2011) show that the state gave way not because it is democratic, but want a share of funds or aid from international donors. The state hoped to get money from donors, which comes through CSOs. This demonstrates how much the state needs civil society for international funding. An interview with a Ministry of Public Service representative confirmed this by saying:

“We know that civil society organisations get a lot (funds) from foreign donors and some managers of civil society organisations use it to enrich themselves, we need to sit down with them and say ‘Look, let’s use this money for national development rather than using the funds to enrich yourselves... Foreign donors should channel their donations through the government, this is an issue we need to solve with these NGOs” (Interview 12, 9th November 2011).

On one hand, there is an element of truth in this assertion because aid opens up many avenues for corrupt practices because some CSOs are often crippled by the problem of corruption (*The Financial Gazette*, 15 April 2004). On the other, there are signs of possible government greed and desire to get their hands on Western finance, perhaps it is not a desire for a genuine dialogue with these CSOs but a pragmatic approach to sustaining itself, ironically with Western help.

Contrary to the Ministry of Public Service staff’s point of view (Interview 12, 9th November 2011), through several interviews with civic groups, analysis of government documents and political speeches and observation of civic activities, it is evident that funds donated have made a difference in improving the welfare of the people, particularly where the state has failed

such as in welfare provision. However, this has failed to make an impact in reducing corruption. This was further articulated by the ORAP representative who argued that funding from donors has not been used to combat corruption because the area of corruption has been shunned by many CSOs since it is a sensitive area which could put them into collision with the state (Interview 23, 14th December 2011).

The Ministry of Public Service representative's opinion demonstrates that the state is aware of the impact and influence of CSOs and their ability to attract and source funds and donations from the West, which is imperative in the development of their constituencies. While Bracking (2007) and Bowden (2006) argue that the state and civil society are opposing entities, this thesis claims that despite the material obtained in this chapter showing major differences between the state and some parts of civil society, they can be or become allies to the benefit of the state and CSOs.

This above analysis demonstrates that a state-civil society coalition is important in establishing successful Anti-Corruption programmes. For these programmes to succeed, the relationship between the state and civil society has to be on a strong and permanent basis. The existence of a strong state-civil society interface supported by vibrant and dedicated organisations, enterprises and networks, both public and private, is necessary in strengthening the fight against corruption. During fieldwork interviews, numerous CSOs demonstrated their willingness to fight corruption but unfortunately those working in this field are suppressed by the state. As a result, current state-civil society relations tend to largely weaken attempts to combat corruption as both institutions do not work closely together. Policy

based literature such as the World Economic Forum (WEF) (2012) and Organisation for Economic Co-operation Development (OECD) (2003) show that state-civil society collaborations make a difference in addressing corruption as argued in chapter two.

This chapter has shown that at present there is very limited interchange between the state and most CSOs in terms of Anti-Corruption planning and policy. This has significantly affected the nature and functions of some civil society groups when fighting corruption, as we shall see in chapter six. The oppressive nature of the state is and remains a barrier to certain parts of civil society playing a larger role in influencing policy formulation and implementation, in particular, the Anti-Corruption strategies. The thesis argues that the existence of a free and active civil society is fundamental to the vitality of Zimbabwe's economic development, particularly as watchdogs against corruption. While this thesis recognises the development of a strong civil society as a very effective means of controlling the entrenched corrupt tendencies, particularly the abuse of office by public officials, it is also sadly the case that the autocratic state elites are responsible for weakening civil society in order to prevent them being made accountable for their corrupt conduct. It is therefore possible to argue that only a democratic state can create a free, strong and democratic civil society, and in turn a free, strong and democratic civil society can also help sustain a democratic state. Combating corruption requires a robust civil society that can hold any undemocratic leadership accountable. If this happens then civil society may influence policy formulation and implementation.

5.5 Conclusion

This chapter has discussed the evolution and development of state-civil society relations before and after independence, and assessed how the relations strengthen and weaken civil society's influence in fighting corruption. In order to understand the roles of the state and civil society in combating corruption, the dynamics and contours of state-civil society relations were discussed for their importance in defining continuities and discontinuities in the political economy of Zimbabwe.

The thesis argues that during the first decade of independence ZANU-PF deployed a pro-independence developmental policy framework based on the ideology of the nation-building project that offered the context for legitimating state hegemonic politics and for demobilising civic activism. During this phase, the large majority of CSOs were unable to operate properly, the state easily incarcerated key individuals from civic institutions, drafted in those troublesome or influential opponents such as PF-ZAPU and ZNLWVA with the goal being to weakening any potential threats.

Some CSOs such as war veterans operated with the new regime and became a key representative of hegemonic civil society. This part of civil society was the opposite of the anti-state civil society groups represented mainly by governance and human rights organisations. This chapter shows that the formation of the ZNLWVA, the emergence of an authoritarian rule, and ZANU-PF's one-party state ideology had a decisive influence in shaping the development and activities of most CSOs in Zimbabwe. The ZANU-PF government successfully co-opted the ZNLWVA into its structures, and the

latter subsequently became part of ZANU-PF's radical wing, which was involved in harassing, intimidating and silencing other civil society groups, as part of a broader opposition. As a result, the state was able to "shape, define or suppress civil society and popular reactions ..." (Manor 1991: 5), making sure that certain, specific civil society institutions' elasticity remained pliable and under government control. The state employed violence to coerce large parts of civil society and the electorate to get them to comply with ZANU-PF's nationalist sentiments and its rule.

The post-1990 period witnessed a proliferation of civic groups opposed to the state's hegemonic politics that consolidated their counter-hegemonic position and posed a potential threat to ZANU-PF's dominance. This radicalised the state in terms of its anti-opposition politics, anti-imperial sentiments, anti-governance and human rights civic advocacy work. Repressive laws such as POSA and AIPPA were instituted by the state in order to silence its critics and to narrow the democratic space for a civil society transformative politics. The repressive laws and sponsored violence that followed have all adversely impacted on some CSOs' capacity to influence policy by seeking to challenge the ruling party.

A major goal of this thesis is to critically evaluate the role played by both the state and CSOs in combating corruption. The nature of the uneasy, at times conflictual relationship, outlined in this chapter has implications for the way civil society groups can fight and/or influence Anti-Corruption policies. These issues and others are discussed further in chapter six which examines strategies employed by both the state and civil society in combating corruption.

Chapter 6

AN ASSESSMENT OF STRATEGIES EMPLOYED BY THE STATE AND CIVIL SOCIETY IN COMBATING CORRUPTION

6.1 Introduction

This chapter addresses the second research question underpinning this thesis, namely: What strategies do the state and civil society use to fight corruption in Zimbabwe? Key issues are examined on the basis of field interviews, primary sources, and secondary data. The premise here is that previous scholarly works examining Anti-Corruption programmes have tended to examine initiatives more as a governmental responsibility. In contrast this thesis seeks to examine whether and to what extent this approach misses the critical role of civil society. Evidence from fieldwork clearly demonstrates that the Zimbabwean state's legal and administrative Anti-Corruption reforms have produced disappointing results.

Even though records and reports on the cost of corruption in the Zimbabwe economy remain inadequate (Matsheza and Kunaka 2010), empirical evidence gained from the fieldwork demonstrates that there are large resources involved in corrupt practices involving the state.

During interviews, civil society organisations (CSOs), senior government officials and Ministers, and other individuals interviewed revealed that corruption is prevalent both in the public and private sectors. Therefore, this study considers this acknowledgement as a first step towards combating

corruption. This is guided by the principle that, if people acknowledge the problem of corruption the better they are to combat it. This mirrors the public's general feeling that the pervasiveness of corruption is no longer a question of debate, rather, a question of: what has been done to combat it and how effective strategies have been? What must be done to prevent it? The thesis explores strategies used by the state and civil society in order to answer these and other research questions.

The chapter is divided into four major sections. The first section (6.2) examines the Anti-Corruption strategies implemented by the state through focusing on the role of the Zimbabwe Anti-Corruption Commission (ZACC), Parliament, and the Zimbabwe Republic Police (ZRP). The second section (6.3) analyses some CSOs' Anti-Corruption strategies and how the relations with the state influence their Anti-Corruption efforts. This is achieved by examining the role and strategies employed by Transparency International-Zimbabwe (TI-Z) and the place of the independent media, particularly on issues related to good governance, and the role of the state owned media in combating corruption. The fourth section (6.4) summarises the key findings and concludes the chapter.

6.2 An examination of the state's Anti-Corruption functions and strategies

The institutional framework for regulating and implementing Anti-Corruption measures does exist in Zimbabwe. Its components include the ZACC of 2004, and the later version, the Parliament, Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption, the Zimbabwe Republic Police (ZRP),

and various apparatus within government Ministries. These organs were discussed in chapter two and are revisited later in this chapter. In chapter two the thesis discussed the Prevention of Corruption Act of 1996, the ZACC of 2004, and the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption, all created as a result of the Constitutional provision (Chapter 13, Section 254) for the establishment of Anti-Corruption instruments. In addition to these Constitutional provisions, Zimbabwe is a signatory to regional and international Anti-Corruption Protocols such as the Southern African Development Community (SADC) Protocol Against Corruption which Zimbabwe government signed in 2001 and ratified in 2003, the African Union (AU) Convention on Preventing and Combating Corruption and Related Crimes signed in 2003, and the United Nations Convention Against Corruption (UNCAC) of 2005. These ratifications and the presence of the Constitutional provision demonstrate Zimbabwe's commitment to combating corruption. However, they have not been able to satisfactorily produce results given that corruption is perceived to be increasing (see chapter one for Corruption Perception Index). The evidence of corruption captured in the interviews reported across this thesis, however, demonstrates that the commitment by the state exists on paper and not in practice.

Mainstream CSOs such as the Zimbabwe Congress of Trade Unions (ZCTU), the National Constitutional Assembly (NCA), National Association of Non-Governmental Organisations (NANGO), several independent media and individuals interviewed indicated a lack of political will in fighting corruption as a major cause of corruption. This is despite the establishment of several Anti-Corruption apparatus such as the ZACC, the establishment of which

was seen by the public and civic groups as of paramount importance to the country's problem of corruption as it emerged from decades of political and socio-economic decline. This lack of political will hinges on the fact that it is the same policy makers who are largely involved in corruption.

6.2.1 The Zimbabwe Anti-Corruption Commission (ZACC)

Following the formation of the Government of National Unity (GNU) in September 2009, the President laid down the foundation for socio-economic development by launching the ZACC in August 2011. The GNU created a political space for an inclusive ZACC that accommodated all three political parties. In consultations with the Parliamentary Committee on Standing Rules and Orders, the President appointed the Commissioners who report directly to the Parliamentary Committee through the Ministry of Home Affairs. These members were chosen for their integrity, knowledge and experience in administration, prosecution or investigation of crime or for general suitability for appointment (*The Herald*, Friday 19 August 2011, *The Zimbabwean*, Friday 19 August 2011 and *Bulawayo24 News*, Friday 2 September 2011). These Commissioners were challenged by the President to investigate and prosecute politicians from all the parties without fear or favour. It is headed by a chairperson, and made up of nine Commissioners who have executive powers. The ZACC is made up of the Secretariat, which consists of three operating arms, namely: Corruption Prevention and Corporate Governance, Investigation and Prosecution, and Publicity and Education. The ZACC's mandate is defined in the Constitution and the Anti-Corruption Act 12.3, 12.4 and 12.5 (The Constitution of Zimbabwe 2009). Its primary functions are

firstly, to combat corruption, which manifests itself in the form of abuse of power, bribing, embezzlement and other improprieties in the public and private sectors; and secondly, to make recommendations to the government and the private sector to increase accountability and integrity and to prevent improprieties (The Constitution of Zimbabwe 2009). The Constitution states that the ZACC should combat corruption through public education, prevention, and punishment (3 Ps) and prosecute offenders after thorough investigation. As we shall see, evidence shows that the ZACC has overly concentrated on investigations as its primary strategy to the detriment of its educative and preventative aims. Figure 6.1 (below) is a framework showing how the ZACC operates.

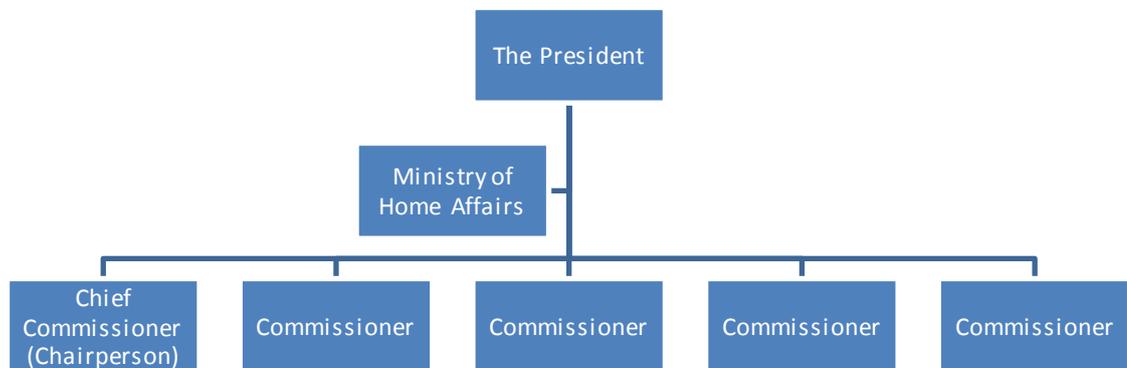


Figure 6 1: Zimbabwe Anti-Corruption Commission Operational Framework

Source: Researcher's own design of the structure of the ZACC

In addition to its functions, the ZACC is also constituted to receive complaints alleging corruption from anyone, and empowered to investigate them and any conduct of any person whom the Commission has reason to believe is

connected with activities involving corruption. The Commission is mandated to instruct, assist and can draw assistance from other Ministries such as the ZRP in the elimination or minimisation of corruption. A surprising finding of this research from fieldwork is that the ZACC and the ZRP do not complement each other. This thesis discusses this important subject later in this chapter.

While the President has given the ZACC the power to investigate politicians, interviews conducted and document evidence, from newspapers such as *The Standard* (Sunday, 19th April 2009), *The Zimbabwean Independent* (Tuesday, 16th February 2010) and *The Zimbabwean Mail* (Wednesday, 28th August 2010) show that politicians, particularly senior ZANU-PF members, were not investigated by the ZACC of 2004 despite being implicated in corruption because the 2004 ZACC's composition was mainly ZANU-PF members or sympathisers. For example, as chapter two demonstrated, the 2004 ZACC remained silent when Ministers were implicated in one or more scandals such as: (a) The War Victims Compensation Fund Scandal (WVCF), (b) the District Development Fund (DDF), (c) The VIP Housing Scandal, (d) The Willowgate Scandal, and (e) wealth accumulation drive by many senior ZANU-PF officials since 1980. The 2004 ZACC was clearly ineffective, so its renewal in 2011 left the public wanting to see if it would fare any better in tackling endemic corruption. The public were sceptical of the renewed ZACC because of the poor record of its predecessor. This thesis will visit this important dimension later to illustrate how this view shapes the public perception of the ZACC.

The President pledged to strengthen the judiciary, law enforcement, and the ZACC in order to capacitate them in the fight against corruption. The pledge to adopt a 'zero tolerance' policy on corruption and arming the ZACC with stronger investigative powers demonstrates the President's awareness of the problem as he spelt out that corruption has been the biggest enemy of foreign investors and overall socio-economic development. President Mugabe argued that:

“The state undertakes to adopt legislative measures to prevent and combat acts of corruption and the related offences committed by individuals, groups and/or organisations. The Commission is tasked to establish mechanism to encourage participation by the public and the private sector in controlling corruption” (*The Financial Gazette* 19 August 2011).

Given these remarks, and considering that the original established ZACC in 2004 had not demonstrated a measurable decline in general levels of corruption, the public expected the later to achieve measurable success in combating corruption compared to its forerunner. A number of interviews supported this, for example, the TI-Z official (Interview 1, 24th October 2011) pointed out that the public thought that a cure for corruption has been found, particularly given that the 2004 ZACC had failed so dramatically. The President gave an impression that the reformed ZACC embodied a comprehensive and multidisciplinary approach to preventing and combating corruption effectively. The availability of practical mechanisms in the form of the ZACC appeared to be giving the nation hope that these Commissioners will combat corruption effectively.

It is important to point out that the Commissioners were nominated by political parties and appointed by the President, and report to the

Parliamentary Committee through the Ministry of Home Affairs. Given this fact, the Commissioners' independence is compromised, particularly when the executive, the Ministry's officials, or officials of the political parties are implicated in corrupt conduct. Under this scenario, the ZACC may have to be influenced into loosening its grip in the event that the executive or the Ministry's officials are involved or implicated in corrupt activities. The relationship between the Commissioners and the political parties who nominated them (their paymasters, so to speak) and with the Ministry creates and sets investigative challenges because it puts their independence in doubt. A recurring theme emerging from the research is the detrimental impact that this relationship creates in public confidence and trust of the ZACC. For example, the Global Corruption Barometer conducted by TI-Z (November 2011) demonstrates that the public does not have trust in the ZACC because of its relations with political parties. In addition, one interviewee from ACTSA (Interview 4, 27th October 2011) argued that the Ministry of Home Affairs administers various sub-departments where corruption is endemic such as the Immigration Control, ZRP, and departments issuing various licenses and certificates such as business licenses, driving licenses, birth and death certificates, passports and tender contracts. In all these departments the opportunities for corruption abound, for example, several interviews established that the public accepted that bribing bureaucrats for any mandatory documents such as driving licenses had become the norm, but the ZACC has not been taking action against such conducts by the Ministry employees. This was further elaborated by the Minister of Finance who argued that:

“Today if you want a driving license you have to pay a small fee to get it, if you want a passport they will tell you that you can get it faster if you pay a ‘small fee’, this has become a normal way of life for the public officials” (Interview 55, 7th December 2012).

Thus, the public perception is that the ZACC finds it challenging to investigate and expose corruption that is taking place in its own parent Ministry. Since the risk of exposing either the corrupt activities or failure to address corruption by senior officials in the Ministry is high, it is likely that the ZACC will be ineffective. There is therefore a strong chance of self-censorship by the ZACC before submitting any report.

Given this possible clash of interests, the thesis argues that the public should have been included in the process of choosing the Commissioners. They should have been nominated through public platforms with their profiles set out in the public domain. Since nomination and appointment has been the privilege of the political leader, this makes its independence questionable. For example, a respondent from ACTSA (Interview 4, 27th October 2011) argued that the ZACC can only be deemed independent when there is no political influence in its operations. To be appointed by the President eliminates its independence; therefore political influence is most likely. The Anti-Corruption institution that is appointed by the Head of the State should be considered to be advantageous if the Head of the State is firmly committed to fighting corruption, but in the context of Zimbabwe, this is a disadvantage because there is no political will from the Executive as the chapter will demonstrate.

A fundamental aspect of any Anti-Corruption institution is its independence, both legal and perceived. But the ZACC casts doubts on that independence.

The political interference in administration, operation, and allocation of powers within the ZACC is an effective criterion to evaluate the institutional independence. In scenarios where there is political interference in the administration, a culture of polarisation develops making it difficult to investigate senior political leaders or individuals with strong political allies. One Home Affairs representative gave examples of such interference with the ZACC's operations:

“I get calls from the Commissioners that so and so [names omitted] called them, why would a Minister call the ZACC? What is their business with the ZACC? What are they up to? Are they contacting them to create friendship with them or to threaten them or to tell them who to investigate?” (Interview 40, 19th January 2012).

The sentiments of the Home Affairs representative were echoed by the Deputy Minister of Justice and Legal Affairs who is also Chairman of the Ministry's Anti-Corruption Committee, who pointed out that he has come face to face with the ravages of unprecedented corruption that has permeated the entire fabric of the justice delivery system (*newzimbabwe.com* 4 October 2012). The Deputy Minister argued that he had witnessed some powerful politicians frequenting and interfering with the ZACC, and in many cases literally dictating who should be investigated or who should not. For example, when the Parliamentary Affairs Minister requested the ZACC to investigate the MPs for abusing the Constituency Development Fund (CDF), it is alleged (Interviews 41, 25th January 2012 and 51, 10th February 2012) that a senior ZANU-PF member authorised that Deputy Health Minister Douglas Mombeshora (one of the implicated) be excluded from investigations. In response, the Attorney-General called off the probe, and suspended the

prosecution, because the case involved one of the 'big fish'. This demonstrates how political interference has disempowered the ZACC. The Deputy Minister describes the government's efforts of combating corruption as "a circus of the anti-graft fight in Zimbabwe" (*newzimbabwe.com*, 4 October 2012). Fieldwork interviews with several Parliamentarians show that the probe was suspended because it appeared that many senior MPs had also abused the CDF (Interviews 19, 23rd November 2011, 24, 16th December 2011, and 55, 7th December 2012). It is therefore, befitting to conclude that this is the interference that helps the 'big fish' escape the dragnets.

Despite its powers to conduct investigations and inquiries on its own initiative, or on receipt of complaints, the ZACC does not have powers to arrest and prosecute the offenders. This is a problem which compromises its independence because it requires assistance from the ZRP and the Attorney-General's office to secure prosecution. Problems arise when the ZRP is reluctant to make an arrest or when the Attorney-General's office is reluctant to prosecute those found guilty. Its dependence on the ZRP and the Attorney-General's office has created conflict between the institutions, consequently compromising its independence. An interview with a Police Commissioner established that there is a concern within ZRP that the ZACC carry out their own investigations, and when they fail to find evidence of corruption they ask the ZRP to proceed with the investigations. The respondent argued that:

"They turn to us after messing up the whole investigation process, after all investigating Ministers is tantamount to plotting a coup, that's why we refuse to do that, the police are

disempowered to investigate a Minister ...” (Interview 45, 30th January 2012).

The importance of this interview is that the ZACC relies hugely on the ZRP who is ‘disempowered’ to investigate Ministers, therefore the effectiveness of the ZACC is hugely compromised.

Rather than complimenting each other in the fight against corruption, there has been a lack of coalition and/or interlink between these organs, a characteristic favourable to the survival and proliferation of corruption. For instance, in the case of the Zimbabwe Football Association (ZIFA) Chief Executive Officer (CEO), Henrietta Rushwaya who was accused of match fixing in international football matches in Asia for personal gains, in what is known as the Asiagate scandal. The ZACC investigated the case and handed it to the ZRP who refused to carry out further investigation. Another example is that of nine Members of Parliament (MPs) accused of abusing the Constituency Development Fund (CDF). The legislators were allocated fifty thousand dollars each (Parliamentary Debates, Wednesday 18th January 2012) for development projects in their constituencies but failed to account for it. Consequently, the Parliamentary Affairs Minister approached the ZACC to investigate how the money had been used in each of the constituencies. Newspapers such as *The Financial Gazette* (24 January 2012), *The Daily News* (27 January 2012), as well as Parliamentary official records and interviews with the ZACC’s chairperson (Interview 56, 10th December 2012) show that the funds were misappropriated or mismanaged. After investigations were completed the cases were passed on to ZRP and the Attorney-General’s office to arrest and prosecute, but no arrest and prosecution was made. Drawing on several interviews with some CSOs and

selected individuals, the implication for this is that the public continued to blame the ZACC for not taking further action against those MPs investigated, yet it should be pointed out that the ZACC mandate does not include the power to arrest and prosecute.

It is imperative to highlight diverse stakeholders' perceptions and what they expect from the 2011 ZACC. Several interviewees from organisations such as the ZCTU, NCA, NANGO, Local Government Authorities, state owned and independent media, and individuals argued that the public wanted the government to demonstrate its political will in combating corruption. The issue of political will features as a particularly intriguing factor. The ZACC has to grapple with a mammoth task of nurturing this political will if it is to play an effective role in combating corruption. This thesis reveals that there is a lack of political will and support for combating corruption because it threatens not only the position of ZANU-PF led government and politicians, but also the stability of the political system itself built on patronage. This creates problems for both the state driven Anti-Corruption agencies and CSOs because they strike at the means of the regime's survival, and at the very nature of the state which functions on the basis of political patronage. That said it is the complexity of corruption control in Zimbabwe – whereby at one end the state creates the Anti-Corruption apparatus, while on the other, does not fully support its functionality, which leaves the ZACC vulnerable to criticism. This has produced an institutionalisation of corruption and a culture of patronage that reinforces uneven power structures.

The issue of political will dominates interview responses from CSOs, academics and political analysts on one hand, and political leadership on the

other. Whereas political respondents from ZANU-PF (Interviews 19, 23rd November 2011 and 33, 15th January 2012) argued that there are numerous concrete examples of notable steps by the government demonstrating a real willingness to combat corruption. However, the public perception is that the inadequacy of political will accounts for the failure to control corruption. This thesis concurs with the public perception, politicians should be seen taking action against corruption and address it on public platforms i.e. on television, and declaration of personal assets, such effort could be used to measure their commitment.

One respondent, a government Minister from ZANU-PF (Interview 19, 23rd November 2011) argued that in the last two decades the government has established Anti-Corruption institutions, reformed processes of political participation (through the formation of GNU) which eventually freed political space for some sections of CSOs to participate in fighting corruption. The Minister referred to the establishment of an array of Anti-Corruption Committees in every government Ministry, the Anti-Corruption institutions and providing operational space for certain CSOs such as the TI-Z and ACTSA, including the convening of national and regional Anti-Corruption Conventions. The government denies the lack of political will and points to successful Anti-Corruption cases that led to the six Cabinet Ministers such as Morris Nyagumbo, Dzingai Mutumbuka, and Enos Nkala who were removed from office following the Sandura Commission of the Willowgate scandal in 1988. However, since the Willowgate scandal the government has not done anything recently to prove themselves in this area. The public will want to

see more current high-level sackings as a demonstration of practical commitment rather than referring to incidences of three decades ago.

Several respondents from organisations such as the ACTSA, ZACTU, NCA, MISA and independent media argued that the government has not been willing to combat corruption and therefore the public should not expect any political will from both the government and the ZACC. One ACTSA respondent argued that:

“I will use this expression; you have got fishing net which is supposed to catch all the fish from a pond, when you dip it into the water, you only catch those *matembas* (small fish) and you don't get the big fish, I don't know whether those big fish jump out of the net or something happens to them while in the net. It becomes questionable that why are big fish always not on the net. It is problematic that the ZACC will fight corruption when the senior politicians have never been arrested, even though tens of them have been implicated in corrupt deals, no cases or dockets have been opened against them, what happens is they are just recycled from one political position to another, from one Ministry to another to start on a new looting spree. These guys (ZACC) know exactly what is happening because it happens right under their nose, but what do they do? The Commissioners are not the best to drive the ZACC agenda, they are part of the rot, and how can you assign cowards to eradicate corruption? (Interview 4, 27th October 2011).

The ZACC is made up of people of honour and integrity, but the state has failed to demonstrate its political will by adequately empowering it. Consequently, CSOs and the public view it as an ineffective and ‘toothless bulldog’. While this thesis concurs with CSOs and the public that there is no political will, the thesis also argues that even if there was to be political will, the ZACC by its very nature, will be unable to overcome the underlying political pressures which promote corruption because success in doing so would mean:

“Interfering with the patterns of private accumulation and political patronage, threatening the privileges which the state office bestows on political elites and their supporters ...” (Szeftel 2000a: 428).

The public wants the ZACC and the state to deal with the ‘big fish’ decisively without favour and fear as outlined by the President. The concern is that the ‘big fish’ always seem to avoid the wrath of the law. They appear to be immune from prosecution despite media hype identifying cases of corruption by senior government officials. The perception of mainstream civil society is that the ZACC works against the weakest members of the political class. For instance, *The Zimbabwean Independent* (Friday, 15 January 2012) argues that the ZACC officials spend time trying to interpret political signals to establish whether or not certain Ministers are protected from investigation and prosecution. They are routinely practicing a form of ‘self-censorship’ in fighting corruption because they are not sure of the degree of political dedication from Cabinet Ministers and MPs. Consequently, the ZACC is seen by civil society and the public to be less willing to undertake investigations of close allies of the political leadership.

While the establishment of the ZACC is an encouraging measure towards combating corruption, views of those interviewed differ as to its relative effectiveness in reducing corruption. Although some sections of civil society and the public argue that the ZACC has not been effective in reducing corruption pointing out that it has not investigated the ‘big fish’. However,

research findings from interviews and document analysis demonstrate that it has investigated some of the 'big fish' but this has been diluted by political interference.³⁰ CSOs and public perception is problematic because it wants to portray the ZACC as only responsible for investigating the 'big fish' while corruption is rife in the lower ranks of the society.

This thesis argues that the ZACC has made an effort to combat corruption but is let down by a lack of political support. It has already left impressive footprints as many public and private institutions such as the Parliament where nine MPs have been investigated. Organisations such as the Grain Marketing Board (GMB), where several officials have been arrested for criminal activities, Local Government, Public Works and Urban Development senior officials, accused of fraudulent land deals, and the Prime Minister accused of abusing his public position to influence excessive expenditure on his private property. The ZACC's Chairman (Interview 56, 10th December 2012) pointed out that this demonstrates that the Commission has investigated several 'big fish' thus contradicting public perception, but it is the ZRP and the Attorney-General's office that make the arrest and prosecution.

When a new institution such as the ZACC is set up, the nation expects instant action and positive results in the form of arresting and prosecution of public figures. This was demonstrated in public survey carried by *The Daily*

³⁰ The Standard (Sunday, 21 October 2012) The ZACC won't spare 'big fish', Harare
The Herald (Friday 2 November 2012) Ministers under corruption probe, Harare

News, 14th August 2011, *Financial Gazette*, 12th August 2011, and the Global Corruption Barometer survey of TI-Z in November 2011, yet at its nascent stage the ZACC does not have the capacity or the 'political clout' to take effective steps such as arresting and prosecuting to meet immediate public expectations.

Despite the state's notable efforts of creating the ZACC, the thesis argues that the Commission remains incapacitated and therefore unable to achieve its mandate. While the legal frameworks to combat corruption exist it is also important to point out that the latest Transparency International's (TI) Corruption Perception Index (CPI) reveals that corruption is on the increase in Zimbabwe (TI-Z 2012). Since the reformation of the ZACC in August 2011 a lot of corruption issues from various key state institutions such as education, health, sports, mining, and agriculture among others have been published in the media. For example, the education sector has seen rampant corruption in which gross nepotism and favouritism has been used by education officials in employing and deploying teachers (TI-Z 2012), officials exclude deserving orphans from benefiting from the Basic Education Assistance Module (BEAM) funded by the Department of International Development (DFID) (Ministry of Education, Sports, Art and Culture 2012). The health sector has also witnessed poor service delivery in which drugs meant for free distribution to HIV/AIDS positive people were being sold by nurses (TI-Z 2012). Thus, the ZACC has a lot of work to do to investigate these sectors despite views that it targets only the 'small fish'.

While the views that so far the ZACC is picking up only the 'small fish' is not entirely incorrect, it is also true that there are 'smaller fish' (civil servants) in

large numbers who are corrupt, eating away public resources in education, health institutions and the ZRP, for example (TI-Z 2012). It is important to point out that the 'small fish' are in contact with the public on a daily basis where petty corruption has become a way of life. Therefore, the ZACC cannot ignore rampant petty corruption by the 'small fish' and concentrate on the 'big fish' because the 'small fish' have a huge cumulative effect.

Interviews with the Commissioners intended to focus on the ZACC's strategies, its contentious independence, and the relationship with other stakeholders. However, on many occasions I found it difficult to fully access the ZACC premises and officials to assess its work because it was not yet fully operational at the time fieldwork was carried out although I was eventually allowed very limited access for brief discussions.

The ZACC officials refused to discuss their Anti-Corruption strategies and mechanisms arguing that it was still at its 'infancy stage' (4 months old at the time of fieldwork), therefore were not in a position to divulge strategies they use. One executive officer stated that they were on the primacy stage of designing and formulating strategies. Thus according to one respondent, it was "premature for the ZACC to start advertising its work plan" (Interview 8, 4th November 2011).

However, brief discussions held with officials from the ZACC (Interviews 8 and 9, 4th November 2011) established that their major concern was a lack of finances. The ZACC required a budget of twenty million dollars for the year 2012, but the ZACC official records showed that it had three million dollars funded by the Reserve Bank of Zimbabwe, far below its budget. The

respondent pointed out that the ZACC did not get money from the state budget, which has directly affected its effectiveness and limited its activities. This further reinforces the growing public perception that the political leadership is less than willing to tackle the problem of corruption by not adequately funding the ZACC.

In addition to a lack of funding, an interview with the ZACC chairperson showed that it also lacks human expertise in dealing with corruption cases. The ZACC requires a staff complement of at least 204 for various operating arms, but currently due to limited funding it has 57 workers.³¹ With this deficiency in numbers, it is indeed difficult to see how the ZACC will effectively operate.

The literature reviewed from the ZACC resource room indicated that the ZACC intended to adopt the following three strategies: prevention, public education, and punishment (the 3 'Ps'). However, a discussion with the Commissioners did not reveal much information on how the '3 Ps' will be implemented. It was through document analysis that the researcher was able to build a framework on how the 3 'Ps' may be implemented as instruments of fighting corruption that has been used elsewhere in Southern Africa by various Anti-Corruption Commissions. These 3 'Ps' complement each other, the principle is to prevent corruption through public education, if prevention

³¹ The ZACC operating arms include Corruption Prevention and Corporate Governance; Investigation and Prosecution; and Publicity and Education

and public education fail to deter corruption then punishment is applied as a last option.

The '3 Ps' framework places prevention of corruption at the top of its agenda and aims at intervening before the corrupt conduct occurs. The principle intends to reduce the chances of corrupt acts. One way of doing this is identifying loopholes that may be exploited for corrupt purposes through examining the procedures and systems within the given organisations. This reduces the opportunities for exploiting the institutional weaknesses for personal gain by eliminating contributing factors and conditions of corruption through the promotion of transparent and open provision of service. Rather than strengthening these measures, the ZACC has relied on investigation to prevent corruption, which has not worked for Zimbabwe. When discussing the preventive strategies used by the ZACC, its chairperson (Interview 56, 10th December 2012) argued that investigating individuals has helped to warn people and organisations against corrupt conduct. While the prevention strategy involves investigating allegations of corruption that takes place after the corrupt conduct has occurred (as pointed out by the Commission's chairperson), investigation is not sufficient to prevent future corruption. This is because not all forms of corrupt conduct become the subject of investigation, and not all those investigated will be prosecuted to prevent further corrupt conduct. However, this does not mean that investigations are not important in preventing corruption; it is not the best to rely on although it provides a starting point from which preventive measures can be applied after understanding how the corrupt conduct occurred. The better one

understands how corrupt conduct occurred the better equipped one is to prevent it from occurring again.

Whilst prevention is at the top of the ZACC's strategies, it is important to consider how it has worked for Zimbabwe. Since 2004 the state has enacted several Anti-Corruption mechanisms such as the Provision of Anti-Corruption Act of 2004, the 2004 and 2011 ZACC, the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption, and signing and ratifying of regional and international Anti-Corruption Protocols such as the SADC Protocol Against Corruption of 2001, and the UNCAC of 2005. The purpose for all these measures has been to prevent corruption, but statistics from TI-Z indicate that corruption is on the increase despite these preventive measures (TI-Z 2012). Thus, this suggests that these measures have not been able to combat corruption. Combating corruption is not about adding more Anti-Corruption instruments because this has not worked for Zimbabwe. This may not work as long there is a lack of political will, and when there is political interference in the operations of the ZACC. Furthermore, the ZACC has no arresting and prosecution powers. The best prevention strategies for Zimbabwe are not the ones that propose the most instruments. This study suggests several strategies that are best tailored to prevent corrupt conduct. For example, a strategy that has worked in neighbouring countries such as Botswana (Sibudubudu 2002) has required MPs to declare their interests. This is more usually associated with the businesses they are involved with; the assets they own when they come into office, with any changes being monitored to ensure any further acquisitions are within their income. This would be an important tool in enhancing transparency and accountability of

public employees, the custodians of public resources, to the general public. It would undoubtedly help to disclose financial interest, and therefore help prevent accumulation of disproportionate wealth. A respondent from ACTSA (Interview 4, 27th October 2011) argued that senior government officials have accumulated disproportionate wealth while in office. If checks were in place this would make it easy for the ZACC investigators to identify instances of corruption.

Prevention should encompass more than investigation as applied by the ZACC, this thesis argues that the strategy has to interlink with public education. This is based on the understanding that public education programmes are intended to address the negative impact and/or effects of corruption on the socio-economic and political developments at national, institutional and individual levels. The intention of public education is to prevent corrupt behaviour. It is through public education programmes that the public get to know about corruption, its causes and effects, and about the ZACC, its function, objectives and how the public can work with it. The success of the ZACC therefore depends on the level of its exposure to the public. As one respondent from the ZCTU argued:

“Public education promotes a culture of intolerance in which corruption is made an unacceptable norm in the conduct of public business, it is difficult to reach this milestone when the ZACC has not taken this project to the people, many people do not know that there is a ZACC somewhere, I am very certain that people do not know what is corruption or what is not, this is where the ZACC must come in and explain to the public ...” (Interview 17, 18th November 2011).

This lack of public awareness is reinforced by many interviews conducted with certain CSOs and individuals arguing that they have not heard of and/or

attended any public education programmes organised by the ZACC. It is necessary for the ZACC to meet and educate the public about corruption, so that the public recognises its effects. Of course the public may be aware of the effects of corruption, but the ZACC needs to increase the public's awareness. The most effective way forward in public education programmes would be to utilise the media, an effective partner and watchdog in fighting corruption. The media could publish or broadcast educational programmes about corruption. The ZACC will also help in forging a relationship with the public, and other supporting institutions such as the media, TI-Z and ACTSA. It is from the education programmes that the ZACC can bring itself closer to the public, thus closing the gap in perception regarding its role and effectiveness. The symbiosis is vital because corruption is a multifaceted and sophisticated phenomenon that necessitates a holistic approach to detect and control.

While the ZACC's chairperson argued that they work with some CSOs and the public, empirical evidence from fieldwork study demonstrates that this is not the case. For example, the ZACC has not partnered with any CSOs particularly the TI-Z as the country's leading organisation on Anti-Corruption issues (Interviews 1, 24th October 2011; 2, 25th October 2011 and 4, 27th October 2011). Respondents from the TI-Z, ACTSA, and the independent media sector (Interviews 7, 4th November 2011; 4, 27th October 2012; and 39, 10th January 2012) pointed out that they have tried to forge an alliance with the ZACC without success because firstly, "the ZACC was advised by the government not to work with the Western funded organisations" (Interview 2, 26th October 2011). This further undermines the ZACC's

apparent independence. Secondly, the media has been critical of its work (Interviews 3, 27th October 2011 and 22, 12th December 2011), for example, *The Daily News* (12th March 2012) and the *Financial Gazette* (22nd September 2012) labelled the ZACC as a ‘toothless bulldog’ for failing to combat corruption. The ZACC and TI-Z share a similar objective, therefore a coalition would be a formidable step towards their joint goals. The media is an important watchdog apparatus that the ZACC should consider working with, particularly considering that it has been the whistle blower of many corruption cases in Zimbabwe. For example, the media first published incidences of corruption such as the Willowgate scandal, the CDF, the WVCF scandal, the VIP Housing scandal, and the Asiagate football scandal. Thus, the ZACC should not underrate the importance of a possible coalition with the media as a source of information for both the ZACC and the public.

As noted earlier, ZACC is inadequately funded to run public awareness campaigns. Thus, the media can be used to educate the public through serialising and/or publishing Anti-Corruption programmes. The publicity campaigns through the media, particularly in the newspapers, television advertisements and radio broadcasts increase public awareness about what constitutes corruption, its causes and effects, and how to prevent it. This echoes an interview with the TI-Z respondent who argued that:

“We used to have Anti-Corruption programmes on the state television and newspapers, the programmes became very popular with the public, the government felt uncomfortable with it and ordered the television bosses to end our programmes. We also had weekly columns with *The Financial Gazette* which educated the public about the effects of corruption, and I can tell you that this was a success because we had people calling us to give feedback and their thoughts about corruption” (Interview 7, 4th November 2011).

While SAHRIT (2003) articulates that punishment has been the traditional approach to combat corruption, critics from various CSOs argue that this has not been effective because few people have been prosecuted and punished. Punishment is intended to be a deterrent, but it has not worked for Zimbabwe. Given that the ZACC investigates corrupt conducts but does not have powers to arrest and prosecute is a challenge for the ZACC because this weakens its role as it depends on the will of the ZRP and the Attorney-General's office to make arrests and punish those found guilty. A respondent from the judicial office (Interview 43, 27th January 2012) pointed out that eleven individuals have been sentenced for corruption in 2011 arguing that it is difficult to prosecute and convict those accused because cases of corruption are complex, gathering sufficient evidence is problematic and a challenge since the corrupt tend to clear or cover their footprints. The judicial officer's sentiments echo Matsheza and Kunaka (2010) who argue that criminalisation of corruption is relatively new in Zimbabwe therefore prosecution of corruption is hampered by insufficiency of pre-existing case law.

Drawing on fieldwork interviews and document analysis, research findings demonstrate that the ZACC has not been doing enough to meet the three pronged approach (3 Ps) to fight corruption because they have not taken the ZACC to the public, they have not created partnership with other stakeholders. The ZACC has relied on investigation that has not produced positive results as corruption continues to increase. This further compounds the public's perception on the effectiveness of the ZACC as argued by the TI-Z executive who pointed out that:

“The perception has been created in part by a lack of visibility of the Commission’s work, particularly with regard to keeping the public informed of the outcome of their investigations, in particular arrest and prosecution of the senior ZANU-PF members - the so called ‘big fish’ (Interview 7, 4th November 2011).

There is a measurable concern from the public, certain CSOs and document analysis – both journalistic and academic - about the effectiveness of the ZACC because investigations have not produced visible results in the form of arrests and prosecution to symbolise its effectiveness and seriousness on fighting corruption as pointed out by the TI-Z official. This further reinforces the erosion in public confidence and trust in the ZACC.

As already discussed (in this chapter), the original ZACC proved ineffective and submitted to the Parliamentary Committee only a single report in a period of five years. Furthermore, this report contained very limited details and gave ambiguous information concerning its objectives and strategies employed with regards to cases it handled. Despite the availability of immeasurable evidence about brazen looting and plunder of the national resources by public figures, the ZACC has not dealt with them as they became known.

It was argued by several respondents that the ZACC has in fact been active in protecting the corrupt political elites while concentrating on petty corruption which should ordinarily and routinely be dealt with by the ZRP (Interviews 4, 27th October 2011, 39, 10th November 2011 and 41, 25th January 2012). While the lack of progress by ZACC may be attributed to logistical and procedural problems, several interviews and document evidence show that the lack of political will on the part of the state, alarming political interference

by the 'big fish' in the administration of the ZACC and a lack of powers to arrest and prosecute, are more fundamental drivers of such failure.³² That said, it is concluded here that public funds have ironically been used to finance a giant cover-up operation for the benefit of the corrupt ruling elites whose political survival hinges on political patronage and a clientele system of corruption as argued in chapter two. With corruption cases reported in the Marange diamond fields being plundered by a complex network of the ZANU-PF senior Cabinet Ministers, senior civil servants, ZRP and the army Generals; and wealth accumulation drive by the bureaucrats, the ZACC should be the busiest in the history of Anti-Corruption Commissions.

Following fieldwork evidence, public opinion is that Ministers and MPs are among the most corrupt. In a context within which senior government members are perpetrators of corruption, it is un-surprising that there is a lack of political will to address this endemic problem. The next section examines the role of Parliament in combating corruption, and assesses its political will, how its power influences Anti-Corruption strategies.

6.2.2 The Role of the Parliament of Zimbabwe in Combating Corruption

³² Interviews 3, 27th October 2011; 4, 27th October 2011; 10, 7th November 2011; 18, 21st November 2011; 40, 19th January 2012; and 54, 14th February 2012, and Parliamentary Debates, House of Assembly (Wednesday 21st September 2011 and 23rd November 2011), Vol. 37, No. 24 and 37, No. 26.

“Ministers grow richer, Members of Parliament feather their nests and there is not a soul down to the simple policemen who does not join in the great procession of corruption” (Devine 2010: 1).

The Zimbabwe Parliament is mandated by the constitution as one of the major Anti-Corruption apparatus. MPs debate governance of social, political and economic issues as part of its function. Parliament oversees the conduct of the management of public resources. It's power emanates from its decrees and laws that criminalise acts of corruption. Among other issues, this power allows the Parliament to potentially play a leading part in combating corruption through the passing of sets of laws, and organs such as the ZACC are set to enforce them. For example, the Prevention of Corruption Act of 2004 (Government of Zimbabwe 2006) was passed to enforce the ZACC.

Parliament is assisted by the office of the Comptroller Auditor General (CAG). The office of the CAG is responsible for inspecting and auditing public accounts and reports directly to Parliament on the status of those accounts. The noble idea of using the CAG and Parliament in this function potentially makes it possible for Parliament to identify and expose corrupt officials or incidents of mismanagement. One interviewee from the Ministry of Justice and Legal Affairs also illustrated this by indicating that:

“The function of the Parliament involves ensuring that they administer the country's resources in terms of the budget and also in accordance with the principles of sound corporate governance with the help of other state organs” (Interview 33, 15th January 2012).

It was through this CAG-Parliament interface that incidents of mismanagement of the CDF by MPs were identified. While this can be picked as a credible example of how the Parliament and the CAG interrelate, it also suggests that it is the first and only one of its kind. However, despite this commendable supportive work of identifying corrupt conducts such as mismanagement of the CDF by this CAG-Parliament interface, nothing has happened to the implicated MPs because the Attorney-General called off the probe which a respondent from the University of Zimbabwe has cited as “the protection of the big fish” (Interview 57, 21st December 2012). This further advances the public perception that there is no political will to address the problem of corruption because such obvious cases can be easily suppressed by the Attorney-General while the Parliament is silent about it. This was further captured in an interview with the University of Zimbabwe respondent who argued that:

“Some Parliamentarians thought they had made a mistake of reporting its nine members to the ZACC, they realised their mistake when it was revealed that all the MPs would be investigated for similar corrupt conduct, and knowing that those who live in a house of glasses should not throw stones, they pleaded with the Attorney-General to withdraw the probes” (Interview 57, 21st December 2012).

The interview, together with the empirical evidence gathered from the fieldwork study, demonstrates that many MPs are corrupt and therefore cannot be trusted to drive forward Anti-Corruption programmes. When asked about this, one MP (MDC-N) (Interview 44, 30th January 2012) gave an insight into the weaknesses of the Parliamentarians, pointing out that there is a lack of commitment to the problem of corruption and arguing that most of them are not willing to debate corruption issues because it affects them as

they have benefited from it. The MP's argument turned to be a true reflection of what the document analysis (Parliamentary Debates, Wednesday 17th November 2010 and Wednesday 23rd January 2011) demonstrate, showing that several senior MPs were absent when there was a debate on corruption. For example, the interviewee argued that twenty nine of the current ZANU-PF legislators have been in Parliament since 1980 (although they have occupied various positions within the government) most of them have succumbed to the system of corruption. The respondent argued that:

“Remember these are very influential guys in the Parliament, they can oppose a motion if they are not comfortable with it, particularly the discourse of corruption. They are not willing to talk about it, or some don't turn up when such issues are debated” (Interview 44, 30th January 2012).

Several respondents have cited Parliament as problematic in combating corruption because among other reasons, the legislators are corrupt therefore not willing to address corruption because they are benefiting from it. It is not only that they are benefiting but because it is the system that binds them with the electorate through politics of patronage and clientelism, the resources they distribute to the electorate preserve their political power.

Given the above insight and empirical evidence from the fieldwork study, one would argue that MPs and Cabinet Ministers will not be effective at monitoring or controlling corruption in the country as composite indicators echo a massive decline in trust in the legislature. Research findings from

interviews and document analysis show that the legislators are too corrupt to be tasked to combat corruption.³³ This draws on the perspective that since 1980 numerous corruption scandals predominantly involved ZANU-PF MPs and Cabinet Ministers as the major beneficiaries.

Given that ZANU-PF Parliamentarians have failed to combat corruption since independence, one would think that a stronger opposition (MDC) representation in Parliament would provide an effective check against a dominant ZANU-PF executive. The rise in the power and popularity of the two MDC formations in the government as exemplified by the GNU in 2009 appeared to provide a potential political space for the two MDC legislators to check and combat corruption within the Parliament. But they have failed; instead, some of them such as Tedi Chombe have succumbed to corruption resulting in their expulsion from the party. Document evidence (*Kwayedza*, 6th April 2011, *The Chronicle*, 7th April 2011, and Parliamentary Debates, 22nd June 2011) show that between 2009 and 2011 Tedi Chombe corruptly allocated residential and commercial stands to himself and friends at discounted prices and resold them at higher prices. One way to assess whether Parliamentarians are the right people for combating corruption is to examine and analyse their history and the role they have

³³ Political speech by Morgan Tsvangirai at the 10th MDC's 10th anniversary rally in Bulawayo (Sokwanele 14th September 2009), *The Zimbabwe Independent* (2012) Graft linked to state policies. Comment, 19 January. SW Radio Africa (2010) Magistrate says Minister Chombo has corruption case to answer, 15 June. Mail and Guardian (South Africa) (2006) ZIM grain trade boss charged with corruption, 26 August. Available from http://www.zimbabwesituation.com/aug27_2006.html#Z2 (accessed in December 2011).

played regarding corruption. As several interviewees and primary sources have revealed, most Parliamentarians have been implicated in one or more scandals (Interview 24, 16th December 2011), therefore cannot be trusted to manage Anti-Corruption programmes.

While the MDC-N MP argued that senior MPs would oppose motions concerning Anti-Corruption, interviews with two MPs, one from ZANU-PF and the other from MDC-T (Interviews 12, 9th November 2012 and 24, 16th December 2011) and Parliamentary Debates (Wednesday, 17th November 2010) revealed that in some cases there are debates on corruption issues, but the Parliament does not have the power to influence the investigation and prosecution of those implicated in as much as it does not determine the Anti-Corruption initiatives. This is a loophole utilised by the corrupt 'big fish' that also get involved in these debates, knowing that the debates have no influence on existing Anti-Corruption strategies. It is from this standpoint that this thesis criticises the Parliament for its lack of the necessary powers expected to systematically fight the problem of corruption. One social commentator argued that the Parliament has power to control corruption, but its power is conveniently concealed in order to maintain a status quo that benefits some MPs (Interview 52, 10th February 2012). The corruption environment calls for a strong and willing political system leading by example in the exercise of Anti-Corruption initiatives. One respondent from the TI-Z argued that:

“At least we should see these leaders on the media or TV saying something about the effects of corruption then the public will know that there is political will from their side” (Interview 1, 24th October 2011).

Given that the Parliament should be a key Anti-Corruption organ, it should be seen taking a pivotal role and leading by example in the quest for accountability, integrity and transparency.

A major concern expressed by MPs interviewed (for example, Interviews 12, 9th November 2012; 24, 16th December 2011; and 44, 30th January 2012) is that the Parliament does not have in place a code of conduct and ethics for its members, notwithstanding the fact that the Constitution (chapter 5, Section 107) provides for the creation of such code. Understanding of corruption within the Parliamentarians is “intrinsically linked to the concept of ethics” (Matsheza and Kunaka 2010: 37). Therefore, understanding the concept of ethics in the context of corruption in Zimbabwe is important for this study. Ethics are values that signify honesty, responsibility, accountability, trust, respect, empathy, fairness, and a sense of good and bad, and right and wrong. The legislators determine ethics through collective acceptance of what is right and wrong, good or bad for the country, and are expected to follow them because they define their professionalism in socio-economic and political environments and circumstances – as implied by their role as public servants. These ethics as a set of moral principles are intended to guide the legislators, but in the context of the Zimbabwe’s MPs, these values are disregarded, particularly those related to corruption. The implication is that if the law makers disregard these ethics the public is also bound to disregard the Anti-Corruption laws created by the Parliament, which explains why some members of the public have succumbed to corruption.

One way of addressing these loopholes or weaknesses would be to equip the Parliament with Constitutional powers to enforce its decisions.

Furthermore, as demonstrated in chapter five, Zimbabwe needs to free up the political operation space for civic groupings that could put pressure on the Parliament because the existence of a vibrant independent media and civil society can make Parliament more accountable. This is possible if the state discard the oppressive and draconian laws such as the AIPPA and POSA (discussed in chapter five) that criminalise CSOs that try to address good governance issues or criticise the ruling elites.

While the formation of the GNU has led to a rise of robust debate on good governance related issues such as human rights abuses, findings of this research from interviews with MPs and document evidence such as Parliamentary Debates (Thursday, 13th July 2010, Wednesday 17th November 2010 and Wednesday, 23rd February 2011) and local newspapers demonstrate that Parliament has not been able to combat corruption, or hold the executive accountable, but it has managed to keep the executive under pressure to put corruption in the limelight resulting in the rebirth of the ZACC in 2011. Drawing on these findings, this thesis argues that the Parliament has failed the nation in combating corruption, whether by design, intent, or unintended consequences linked to policy implementation failure. This informs perceptions from various interviewed organisations such as the independent media, ACTSA, ZCTU, and the selected individuals like the University of Zimbabwe respondents, all of whom asserted that Parliamentarians are corruptly profiting from the existing economic and political system that breeds corruption, therefore, have no passion and commitment to combat it. This draws us back to chapter five where reference was made to the principle of 'bending the analysis' where by in this case, the

existing economic, social and political systems are nurtured by public institutions such as the Parliament to sustain corruption that benefits them.

Having discussed the roles of the ZACC and the Parliament, the next subsection evaluates the role and strategies deployed by the ZRP in combating corruption. The section assesses how the ZRP has responded to incidents of corruption, and how corruption is perceived within the police force.

6.2.3 Policing Corruption: The Zimbabwe Republic Police (ZRP) practice, control and the track record of tackling corruption

Literature about ZRP corruption is quite extensive, but none focuses on the role played by the political environment. Most literature is related to bribery. Therefore, this thesis brings forward a new dimension of police corruption in Zimbabwe and regards the political environment as playing an important role in engendering police corruption. The ZRP are the guardians of criminal law but have systematically failed to uphold this in the area of corruption.

Key findings of this study gathered from interviews with government and civil society representatives, and document analysis such as ZRP official records reveal that the ZRP's strategies to detect, investigate and control corruption have been non-existent since independence. Corruption scandals such as Willowgate, WVCF, VIP Housing, DDF, Land invasion, the CDF, etc. were

first identified by the media, particularly the private newspapers.³⁴ Even when the scandals became known to the ZRP in some cases they refused to investigate the implicated Ministers leaving the media to assume an investigative role. Drawing on the interview with the Police Commissioner, the refusal to investigate MPs or ZANU-PF members is purely political given the Commissioner's argument that "investigating Ministers is tantamount to plotting a coup" (Interview 45, 30th January 2012). A respondent from the ZCTU (Interview 17, 18th November 2011) argued that if ever there were investigations on corrupt conduct these would be against the 'small fish' leaving the 'big fish' untouched, an action that supports the Police Commissioner's opinion. Many civic groups and individuals interviewed concurred that the ZRP has become a party instrument because of its biased tendencies towards the ruling party. One ZCTU respondent argued that:

"This police force is not to be trusted to be the guardian of the public, unless you are a ZANU-PF supporter or member. Look at the big corruption scandals where ZANU-PF is involved, how many have been investigated and arrested? They investigate companies involved not the perpetrators. Recently in the Harare airport road scandal, they investigated the manager of the construction company for leaking the deal.³⁵ They never visited the Minister [name given] who owns the company and responsible for giving the tender to his company" (Interview 17, 18th November 2011).

³⁴ In some cases the state owned newspapers such as *The Chronicle* and *The Herald* were first to expose some of the scandals, but most of the scandals are revealed by independent media such as *The Standard*, *The Zimbabwe Independent*, *The Daily Mirror* and *The Daily News*.

³⁵ In June 2007 Memorandum Of Understanding was signed between Augur Investment Company (owned by Minister of Local Government, Rural and Urban Development) and the City of Harare to upgrade the ten kilometres Harare Airport road. The project was valued at eighty million dollars, which should have cost ten million dollars (The Zimbabwean Wednesday, 25 July 2012, and swradioafrica.com, 3 may 2010)

As the police force refuses to investigate politicians chiefly to protect the ruling elite from prosecution and other reasons that will be discussed here, the question of interest in this thesis is: Why does the police force not investigate the widespread grand corruption and bureaucratic corruption incidences in various government Ministries, departments and parastatals where MPs and bureaucrats enrich themselves through extorting bribes from the public seeking services? The answers are: firstly, the ZRP does not have strategies to detect and investigate corruption because if these mechanisms are and/or were in place they would be able to control the problem of corruption. This is captured in an interview with the Ministry of Home Affairs representative who argued that the ZRP is not trained to deal with corruption cases. In scenarios where detection has failed but cases reported, as Figure 6.2 shows, the ZRP should be seen taking action against those reported cases (Interview 19, 23rd November 2011). That said, this leads to the second answer that is drawn from empirical evidence gathered from the fieldwork study - that the ZRP is also corrupt. The thesis will visit this important point shortly.

Figure 6.2 presents data of the reported cases of corruption, investigated and un-investigated, and the investigative or court outcomes between 1985 and 2011. The figure reveals alarming ZRP action and inaction and investigative court outcomes in corruption cases and sheds new light on the ZRP's complicity in corruption. While other researchers such as Sokwanele have looked at the role of the ZRP in combating corruption, identifying and analysing the ratio of investigated against cases un-investigated provides a new and more meaningful insight.

Drawing on Figure 6.2, of the eight hundred and twenty eight cases reported to the ZRP between 1985 and 2011, only 12.8% were investigated, 87.2% cases were not investigated, and of the 12.8% investigated only 9% of them reached court, 2% produced convictions followed by a Presidential pardon, while 7% of them were dropped. It can be seen that the ZRP action (investigation) and court investigative outcomes are very low compared to the very high cases reported. Broadly conceptualised, conclusions drawn from Figure 6.2 reinforce the fundamental issues raised in chapter two and this chapter that the government is corrupt, particularly given that it is the government Ministers and MPs who were involved in all of the scandals identified here. This draws us back to the conclusion reached earlier that there is a lack of political will to combat corruption drawing on the investigative and court outcomes where the 2% of those convicted either got a Presidential pardon or the Attorney-General dropped the cases.

The high proportion of reported cases against low investigation and prosecution rates (including failure by the ZRP to investigate cases) demonstrates corruption in the ZRP. Several respondents from different organisations argued that the ZRP is manipulated by ZANU-PF leadership and ordered on whom to investigate and charge for corruption, with a respondent from the ACTSA arguing that only a corrupt police force can do that (Interview 4, 27th October 2011). This and other factors to be discussed in this section make it a challenge for the ZRP to act even where there is clear evidence of corruption. Evidence from interviews and document analysis collated into Figure 6.2 (below) demonstrates that the ZRP effectively shields the corrupt ruling elite.

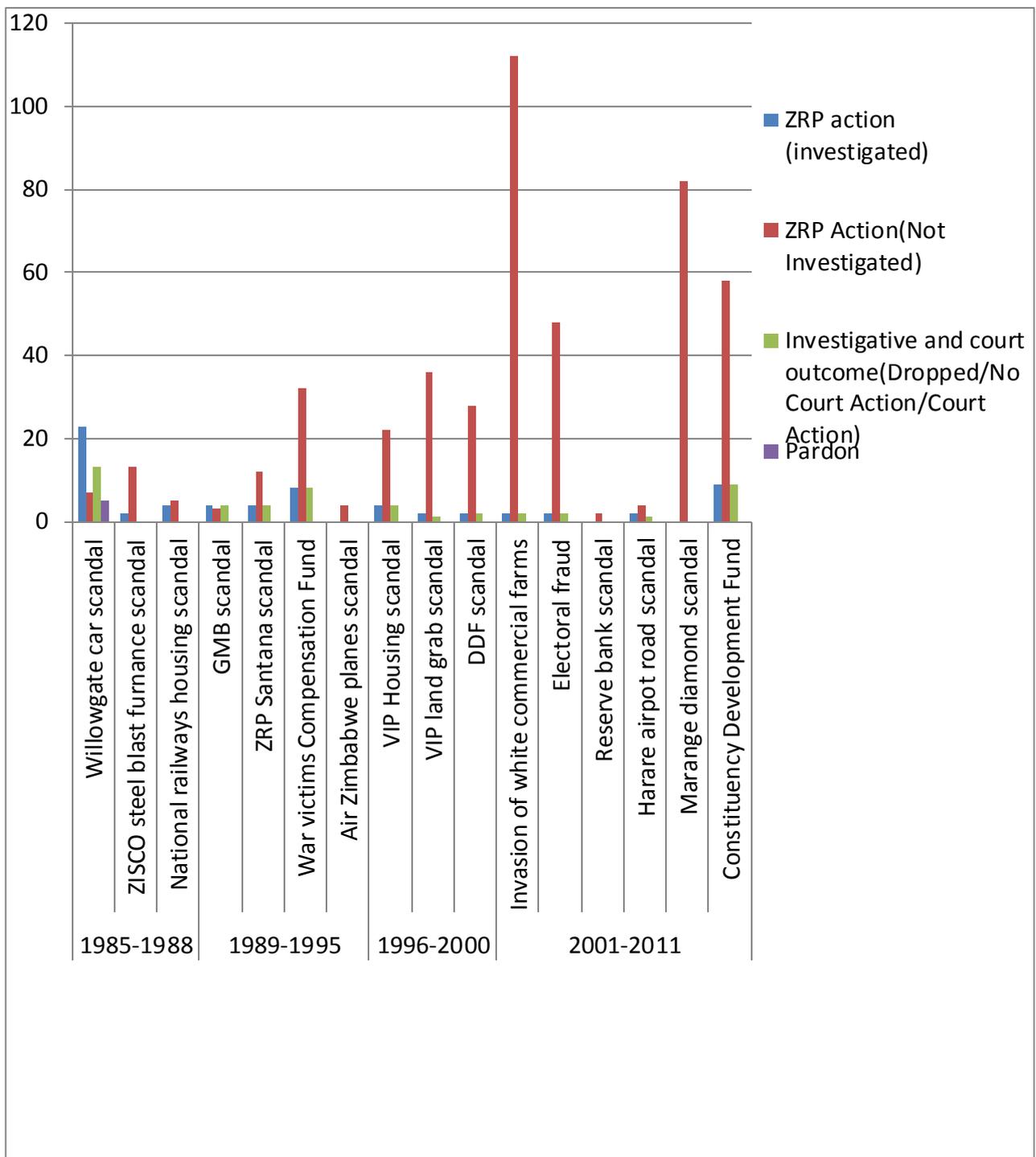


Figure 6.2: Cases of Reported Grand Corruption, action taken by the ZRP and the outcome of investigations

Source: Author's version based on data gathered during fieldwork

The analysis of Figure 6.2 is in line with the TI-Z's Global Corruption Barometer (2011), which demonstrates that the ZRP is perceived by the public as Zimbabwe's most visibly corrupt institution. There is therefore, a strong link between the ZRP and the prevalence of corruption that underpins

its action against the reported cases. The public perception on the ZRP's role is damaged by pervasive corruption within the organisation. At interview, the Police Commissioner acknowledged that there is corruption within the ZRP arguing that: "off course we cannot deny that there are a few corrupt police officers who solicit bribes from motorists" (Interview 45, 30th January 2012).³⁶ This applies to the "rotten apple doctrine" (Newburn 1999: 134), a principle arguing that a small number of corrupt police officers can tarnish the image of the whole police force. Furthermore, an interview with a junior police officer who disagreed with the Police Commissioner's perspective argued that "all senior officers secretly condone corruption because they tell us not to raise an alarm on corruption within the police force" (Interview 58, 21st December 2012). The two interviews established that policing in Zimbabwe has been punctuated with patterns of misconduct and malpractice as flagged by the Police Commissioner and further demonstrated by Figure 6.2 where cases of corruption have not been investigated despite being reported. Police corruption is a big hindrance to Zimbabwe's Anti-Corruption management given that the ZRP has refused to take orders from the ZACC on the grounds that they cannot investigate Ministers. While the corruption scandals discussed above involved government Ministers and MPs and the ZRP taking minimal or no action against them, the implication is that it is

³⁶ A ZRP traffic officer was caught on camera soliciting and receiving bribe from a motorist (http://www.youtube.com/watch?v=SBNoYl_XGCA&feature=player_detailpage) [Viewed on 19th April 2013]

highly likely that the ZACC will not get political support from the Ministers, MPs and the ZRP in the fight against corruption because they are corrupt.

There are many competing explanations of police corruption within the ZRP. Newburn (1999) argues that there are areas of policing that places the ZRP 'at risk' of corruption which Manning and Redlinger (1997:354) have called "the invitational edge of corruption" where the temptations to engage in corrupt activities are very high. The nature and context of their work, in which they have substantial autonomy in enforcing laws, increases the likelihood for decisions to be influenced by considerations of material or other gain rather than by professional judgement.

Sherman (1998) argues that in general the police force is structured in relation to a number of informal rules that play two key purposes in influencing corruption within the police ranks. Firstly, the rules minimise potential chances of control by external forces, and secondly, are meant to keep corruption within the police force at a 'minimal' level. Linked closely to these rules is a culture of silence within the police organisations. The ZRP has been accused by the ZACC of not cooperating with investigations that relate to Ministers or senior political officials and other members of the ZRP. The culture of silence is "protective armour shielding the force from public knowledge of infractions" (Reiner 1992: 93). One respondent from the ACTSA argued that this culture of silence on corruption issues "has created a strong bond of allegiance between the ZRP and ZANU-PF" (Interview 4, 27th October 2011), which has encouraged and facilitated corruption while obstructing inquiries, investigations and Anti-Corruption management.

Central to the culture of silence is that for honest and junior officers joining the ZRP it influences them to accept corruption as part of the job. A discussion with one junior police officer produced interesting revelations about the nature of the culture of silence within the ZRP. The officer argued that:

“Our silence is not because we are too afraid to talk or to investigate corruption, but it is because our seniors and bosses are corrupt themselves, so they teach us not to cooperate with the outsiders investigating other officers. As juniors there is nothing we can do besides joining them. No one will prosecute anyone because we are all involved. Since we fear the consequences of their corruption scandals, we are cautious with our investigations” (Interview 58, 21st December 2012)

The culture of silence is a discouraging factor in the attempts of combating corruption by external forces such as the ZACC, the TI-Z, the ACTSA and other interested Anti-Corruption stakeholders. This culture engenders ZRP loyalty while allowing corruption to flourish in Zimbabwe. Most importantly, this has engendered corruption within the ZRP that influences decisions of whether or not to investigate or prosecute any persons for corruption because of fear of opening a ‘Pandora’s Box’, particularly with the ZRP senior officers involved in one or more corruption scandals.

The implication is that such is the culture of corruption, which is so endemic that it is ‘self-sustaining’. Empirical evidence gained from document analysis such as newspapers and opposition political statements suggest that the

political environment is a leading explanation of why the ZRP is corrupt largely as an outcome of ZANU-PF leadership 'buying allegiance' of the police force.³⁷ Several interviews support this, the perception of the MDC MPs is that ZANU-PF Ministers command immense power which they apply to interfere and influence operations of the ZRP particularly against the MDC formations (Interviews 24, 16th December 2011 and 44, 30th January 2012). The ZRP are politicised and indoctrinated by political leaders against opposition parties seen as 'agents of imperialism' as already discussed in chapter five. This politicisation and de-professionalisation of the police force has led to junior police officers conducting policing duties in a partisan way.³⁸ One of the consequences of this is the proliferation of a corrupt ZRP, which explains why it has succumbed to corruption. The MDC respondent argued that:

"There is an unhealthy relationship between the police force and ZANU-PF Ministers, their policing strategy aims to maintain a ZANU-PF government in power to preserve the benefits acquired from corrupt activities. Many senior police officers are members of ZANU-PF; their objective is to prevent any party coming to power through arresting members of the opposition. That is the reason why the ZRP supports ZANU-PF against the MDC parties, don't be surprised that most of the officers are supporters of ZANU-PF ..." (Interview 24 16th December 2011).

³⁷ Addressing a rally in Marondera in Mashonaland East Morgan Tsvangirai (leader of MDC) argued that ZRP is a partisan organ keen on serving ZANU-PF's interest for personal benefits (Zimeye Saturday 4, July 2009, available online: <http://www.zimeye.org/?p=6833>)

³⁸ Politics has reduced the ZRP's professional status, discretion and autonomy, and thus compromising their capacity to act in the best interest of their nation (Clark, C. 2005). The ZRP has abandoned its constitutional mandate in favour of an approach to policing which is blatantly partisan.

An interview with the NCA representative echoed the MDC sentiments arguing that:

“The ZRP act with the primary intention of scoring a political advantage knowing pretty well that doing so also sustains its corrupt activities as the ruling government grants them immunity if the officers are implicated in politically motivated violence or corruption” (Interview 20, 7th December 2011).

Several respondents argued that the ZRP are rewarded in many ways ranging from pay increase to promotion for applying the law in a selective and biased manner against opposition parties. One respondent added that: “Those who demonstrate that they are anti-opposition enjoy a lot of benefits, some of them live in mansions and while some have farms ...” (Interview 20, 7th December 2011). The police corruption involved is not only financially oriented nor is it bribery or extortion, but mainly what Newburn (1999: 36) refers to as “corruption of authority” in which the ZRP receive rewards such as free accommodation, free transport, free meals from the state for the corrupt services rendered. When ZRP sell their service for private gain the rule of law is compromised. A lack of Anti-Corruption law enforcement coupled with the absence of and/or no real democratic institutions in existence leaves the ruling elite free to do as they please. It is from this perspective that corrupt activities are not investigated and the corrupt are not convicted as Figure 6.2 demonstrates.

While Zimbabwe has been a non-democratic state for three decades, the state has used the ZRP as instruments of political control to repress dissent and democratic competition. The ZRP (under ZANU-PF orders) has employed tactics such as ‘framing’ the political opponents to disqualify, discredit and frustrate them from political participation. Victims of such tactics

include PF-ZAPU (chapter five) and the MDC leaders who were arrested, tortured and released without a charge. In an interview, the Minister of Finance pointed out that:

“ZANU-PF wanted to keep me out of politics maybe until the elections results were announced, but they could not find reasons to detain me so they had to frame me on treason allegations of plotting a coup against the government only to release me without charge after the election results were announced” (Interview 55, 7th December 2012).

An interview with a respondent from the Zimbabwe Human Rights Association (Interview 42, 25th January 2012) established that human rights groups recorded several cases of the partisan nature and conduct of the ZRP implicated in human rights violations and abuses directed at opposition supporters.³⁹

This polarised political environment has further created room for police corruption. The whole political culture needs to change because its influence on the ZRP administrative duties pervades every level of public life. This requires politicians and the ZRP to accept a democratic order where those in power can be held to account for their actions. This can be made possible through allowing independent and efficient watchdog institutions such as an

³⁹ The ZRP executed Operation Murambatsvina (Restore Order) in 2005, which demolished homes and buildings in urban districts. The operation targeted homes of the opposition supporters, and there were no plans in place to assist those forced from their homes, which meant many were left homeless.

In 2008 the ZRP prevented prayer meetings organised by the Save Zimbabwe Campaign (a coalition of church, civic groups and NGOs) and the opposition party MDC from taking place. Leaders of the MDC and the civic movement as well as other people hoping to attend the function were arrested and assaulted by the police.

effective Anti-Corruption Commission with powers to prosecute those found guilty of corruption, civil society watchdog organisations who can take a lead in corruption issues (as we shall see in the next section), and a vibrant and independent media which is free to report corruption by elites. Elimination of laws such as AIPPA and POSA (discussed in chapter five) that criminalise reporting on government corruption can free the media to report corrupt officials who engage in corrupt activities. The AIPPA and POSA are being used by ZANU-PF politicians to shield themselves from media scrutiny in instances where they are participating in corrupt activities. The use of these laws demonstrates the failure of the state to understand or localise the principles of democracy. This has fuelled corruption as politicians tightly hold on their political positions that help them accumulate wealth.

The next section discusses strategies employed by CSOs to combat corruption, and how the political environment influences and affects civil society's Anti-Corruption management.

6.3 Civil society's Anti-Corruption strategies: From tolerance, condemnation and the fear factor

Chapter five established that while Zimbabwe has experienced an increase in CSOs in recent years, this has not translated into any substantial contribution towards abating corruption. In addition, while morally opposed to corruption, the majority of civil society institutions do not specifically address corruption issues through targeted Anti-Corruption programmes. Building on this, the following section will demonstrate that some CSOs have a major role in combating corruption. While acknowledging that efforts in controlling

corruption in Zimbabwe have been fundamentally state-driven without much involvement from other stakeholders – with the exception of TI-Z (Mavuso and Merwe 2008) and certain sections of the independent media, this section explores the role and strategies of certain CSOs as an integral part in fighting corruption alongside and in partnership with the state.

However, regardless of the absence of the evidence of a large number of civil society constituents in Anti-Corruption programmes in Zimbabwe, the role of civil society in combating corruption remains an indispensable element in the theory of political economy.

Empirical evidence gathered suggests that there are two key explanations for the failure by CSOs to combat corruption. Firstly, as demonstrated in chapter five, there is a limited political space for CSOs to effectively implement Anti-Corruption programmes due to repressive and suppressive laws such as POSA and AIPPA that criminalise individuals and organisations venturing into such discourses. The notion of combating corruption is a sensitive and risky area particularly given the findings from Figure 6.2 that established that MPs, Cabinet Ministers and ZANU-PF elite are corrupt. The risk lies in that a discussion of corruption in Zimbabwe has to mention politicians or government corruption. This has resulted in most of CSOs not involving themselves in good governance projects such as combating corruption because of the ‘untouchability’ of the ruling elite and fear of invading their space. This is elaborated by an executive officer from NANGO who argued that since the enactment of the POSA and AIPPA laws in 2002 many CSOs and NGOs have been cautious of what they choose to do to avoid head-on confrontation with the state. The respondent argued that:

“Subjects like human rights abuses, corruption and land invasion are high risk areas because whichever way you choose to tackle them you will directly or indirectly clash with the state authorities. For instance, how do you prevent corruption when Ministers allocate themselves several farms each? How do you discuss the land question without addressing the methodology used by the state? To avoid taking chances, many civil society organisations have opted to concentrate on other issues which will not cause problems for themselves” (Interview 37, 9th January 2012)

Some sections of CSOs opted to concentrate on environmental and social welfare programmes, areas that are not political. This way they were able to avoid confrontation with the state given that their interventions were non-political. Many CSOs reverted to environmental and agentive humanitarian issues such as food, education and health provision, and women’s empowerment out of fear of risk of de-registration (chapter five for PVO Act) and the wrath of ZANU-PF government if they ventured into governance issues surrounding corruption. The executive from NANGO (Interview 37, 9th January 2012) and interviewee representing ORAP (Interview 23, 14th December 2011) pointed out that the fear of provoking the corrupt government influences some of CSOs to shy away from good governance issues like corruption and human rights. Despite this fear, other organisations such the TI-Z and some sections of the private media have remained resilient, playing an important role in fighting corruption.

The second explanation for the failure to combat corruption by civil society is evidenced from the interviews with the state Prosecutor (Interview 26, 20th December 2011) and the TI-Z’s Advocacy and Legal Advice Centre (ALAC) representative (Interview 2, 26th October 2011). Both interviewees concurred that there is a gap of knowledge in dealing with corruption issues in the country. The Prosecutor argued that there was insufficient human capital to

address corruption. Corruption law is new in Zimbabwe; therefore very few people have experience in handling corruption cases. Furthermore, the representative of the Ministry of Higher and Tertiary Education (Interview 47, 3rd February 2012) established that the curricula across all school levels do not incorporate studies into corruption, or equip students with adequate tools to be effective in enforcement of Anti-Corruption. In addition, the curricula do not incorporate wider concepts of 'citizenship' under which such issues as corruption might arise. This is a challenge for those who venture into the field of combating corruption because in practice, the theory of Anti-Corruption management is missing. This further explains why certain sections of CSOs have not concentrated on combating corruption because they have no human expertise with necessary skills and knowledge in terms of dealing with corruption. For example, the TI-Z ALAC representative pointed out that: "Even this organisation which directly deals with corruption has no experts in corruption issues" (Interview 2, 26th October 2011).

This was echoed by the Prosecutor who argued that:

"We cannot expect civil society organisations to focus on combating corruption because the country has no experts on corruption cases, unless those organisations rely on foreigners ... Above all there is no political will to establish corruption studies at higher education or tertiary level" (Interview 26, 20th December 2011).

While scholars like Mavuso and Merwe (2008) have blamed CSOs for the failure to combat corruption, evidence from these interviews demonstrate that the project of combating corruption is as complex as corruption itself. It requires individuals and organisations with substantial expertise. This calls

for the state to introduce corruption studies at schools, colleges and universities (as proposed earlier in this chapter) to equip the public (particularly students) with Anti-Corruption fighting skills. The Constitution of Zimbabwe has a chapter (Chapter 4) that focuses on combating corruption that could give education institutions a starting point in this regard.

The Constitution of Zimbabwe (Chapter 4, Part 2 Sections 58, 61 and 62) guarantees freedom of association and assembly, freedom of expression and freedom of media, and freedom of access to information. ZANU-PF has limited these rights by enacting stringent and repressive laws such as POSA, AIPPA, NGO Bill and PVOA. As discussed in chapters five and six, this has seen the relationship between the ruling government and CSOs widening with some civil society leaders subjected to harassment due to their critical stance on good governance issues. The PVOA regulating activities of CSOs reinforced the government's authoritative and autocratic grip on the organisations' operations. While many CSOs retracted from good governance issues, they left a lacuna in areas of policy formulation and implementation, which drove Zimbabwe into what various commentators have called "socio-economic meltdown" (Zhou 2012: 179). The introduction of the repressive laws struck at the core of operations of some CSOs as the laws hugely limited the space within which to operate. One respondent from Crisis Coalition of Zimbabwe argued that:

"It's been really difficult for us because whatever we do we have to consider POSA and AIPPA because if we step over this line we will be in trouble, ... off course we have taken chances here and there and ignored the laws but it is a risk because if we are caught you know what will happen"
(Interview 28, 23rd December 2011).

This has two fundamental implications. Firstly, it demonstrates that the laws had an effect on the operations of civil society, and secondly, it shows that despite these laws in place some CSOs were able to operate regardless of the risk of government censure.

While this thesis argues that CSOs have an obligation to fill the lacuna in the formulation and implementation of the Anti-Corruption policies, it must be pointed out however, as argued earlier in chapters five and six, that the democratic space which has grown ever narrower due to the ZANU-PF's totalitarian project, has defined the pathway followed by certain CSOs in the fight against corruption. A respondent from NANGO (Interview 36, 9th January 2012) argued that the inimical nature of ZANU-PF has played a negative role in the way CSOs have participated in policy formulation, particularly issues that may affect their power such as corruption.

TI-Z is one organisation that has managed to participate in Anti-Corruption policy formulation processes without invading the state's space. The next section examines and assesses how it has managed to achieve this.

6.3.1 An assessment of Transparency International-Zimbabwe's (TI-Z) Anti-Corruption strategies and challenges in combating corruption

TI-Z is the Zimbabwe chapter of Transparency International (TI). It was formed in 1996 by a group of dedicated and concerned citizens to fight corruption and its effects on the Zimbabwean society. TI-Z is part of the growing network of TI national chapters fighting corruption through networks

of integrity within civil society, business, academia, and the government to curb corruption (see chapter one for detailed background).

TI-Z has numerous objectives specifically designed to fight corruption. It aims to help develop and broaden Zimbabwe's economic and social development by countering corruption in the public and private sectors (TI-Z 2008). Since its formation in 1996, it sought to formulate policies that discourage and penalise unethical conduct. It works to strengthen public support and understanding of Anti-Corruption programmes by enhancing public transparency and accountability in both public and private sectors.

Interviews with the TI-Z officials (Interviews 1, 24th October 2011; 2, 26th October 2011; and 7, 4th November 2011) show that it adopted four Anti-Corruption strategies namely:

1. The public awareness campaigns
2. Networking and coalition building
3. Advocacy and lobbying
4. Research and publications

Public awareness campaigns have been at the core of TI-Z's strategy over the years. The programme has been executed through various activities such as public lectures, workshops and seminars, press statements using electronic and print media (television, internet and newspapers), publishing pamphlets, Anti-Corruption commemorations, and road shows. In chapter five this thesis discussed the restrictive and suppressive POSA and AIPPA laws that limit the activities and freedom of certain CSOs. The question is

how did the TI-Z manage to operate effectively while seemingly in contravention of laws? The legal structures in place following the POSA and AIPPA raise fundamental issues relating to access to government information, the freedom of expression and association and the right to hold public lectures and gatherings. Consequently, at times the TI-Z also found it challenging to hold public meetings and road shows, or to use government information related to corruption or informing the general public about corruption because it required naming corrupt government officials. This has hampered the TI-Z's effectiveness.

Interviews with TI-Z officials and the Minister representing ZANU-PF (Interview 15, 23rd November 2011) established that unlike most CSOs, TI-Z has an 'on-and-off' relationship with the state allowing it a 'limited' political operational space for their Anti-Corruption activities. However, although the government closed the operational space for certain CSOs, interviews with the TI-Z officials demonstrate that it has remained effective, albeit in somewhat limited manner. Before embarking on an Anti-Corruption campaign or activity, TI-Z applies for accreditation from the state through the ZRP. In some cases the organisation has been denied the rights to hold public events by the ZRP or state security agents. For example, the respondent from TI-Z pointed out that: "It depends on the objectives and agenda of the meetings and on the political environment of that time" (Interview 2, 26th October 2011). Empirical evidence from interviews with the TI-Z and government officials show that TI-Z has not publically accused ZANU-PF individuals as corrupt, but has mainly focused on how best corruption can be eradicated. This is an important distinction and goes some

way to explain why this organisation has been able to operate in the public sphere.

However, despite this limited interface between the two organisations, the TI-Z respondents raised concerns that it has been difficult to work with ruling government officials. This is due to antagonistic ZANU-PF politicians that regard certain CSOs as partisans to the MDC. While an interview with a ZANU-PF Minister (Interview 19, 23rd November 2011) painted a picture of good relations with the TI-Z, another interview with a different government official demonstrates clear government resentment towards the TI-Z and a reluctance to work with the organisation. The respondent argued that:

“TI-Z is also a civil society funded by Western countries, why should we trust them? We don’t want to work with people we don’t trust because we don’t know their agenda” (Interview 33, 5th January 2012)

While some tension between the government and civil society is a healthy and a natural sign that civil society is being effective in its watchdog role, sustained and escalating government hostility hampers the progress of work of the TI-Z and many other CSOs. TI-Z’s participation in designing and the implementation of Anti-Corruption strategies requires a positive state-civil society interface for their strategies to be effective. Over the course of fieldwork, it was observed that TI-Z was facing challenges in forging a permanent workable partnership with the state. However, the polarised political situation makes it a challenge to forge such lasting relations because some government officials suspect that the TI-Z is an agent working for Western powers “who want to overthrow a democratically elected government” (Interview 30, 3rd January 2012). According to a TI-Z

respondent, (Interview 2, 26th October 2011) this suspicion by ZANU-PF has made it difficult to fully engage with the government at the level the TI-Z wants.

However, despite the impediment imposed by the POSA and AIPPA laws in concert with antagonistic elements within the government, public awareness campaigns have been a vital strategy for mobilising public opinion against corruption and supporting the establishment of Anti-Corruption mechanisms such as the ZACC. Respondents from the state organs established that the TI-Z public awareness campaigns have helped to give impetus to the creation of the state Anti-Corruption structures and institutions needed to curb corruption within different organisations and government Ministries. One academic and a former board of trustees member with the TI-Z (Interview 18, 21st November 2011) indicated that the formation of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption in 2004 was a direct result of TI-Z public awareness and sensitisation campaign in which the TI-Z invited government Ministers to its Anti-Corruption events that were attended by senior Ministers such as Nicholas Goche, Kembo Mohadi, Ignatius Chombo and Paul Mangwana (Interview 18, 21st November 2011).

TI-Z strategy is hinged on promoting cooperation among various concerned institutions. TI-Z has networked with and built coalitions with institutions including the media and state departments (TI-Z 1996, 2000, and 2002). According to one TI-Z respondent (Interview 1, 24th October 2011) building coalition with state institutions has not been easy because they do not want to associate with some CSOs for fear of ZANU-PF who would see them as supporters of the opposition given that certain CSOs are perceived to be

anti-ZANU-PF.⁴⁰ Forming strategic associations and coalitions with different actors in the public, private and civil society sectors is one strategy with a potential to encircle corruption. This strategy aims at combating corruption by coalition building, which helps in encompassing local initiatives and regional and international Anti-Corruption Protocols. Locally, this is evidenced by the formation of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption of 2004, the creation of the two ZACCs of 2004 and 2011, and the various Anti-Corruption chapters set up in many government departments with their foundations based on the state-TI-Z relations.⁴¹

Interviews with TI-Z representatives established that the organisation works with other Anti-Corruption structures in the region such as those from South Africa, Namibia and Zambia where they share strategies, mapping out how best corruption can be tackled on a regional as well as national basis. The international community has always played a vital role in the history of the TI-Z through donations and funding for different projects directed at combating corruption. These include organisations such as the European Union (EU), United Nation (UN), the World Bank, and other different embassies such as the Swiss, French, German, and American. This is part of the reason that the TI-Z is not trusted by government. Interviews with an EU official based in

⁴⁰ ZANU-PF perceives some CSOs to be enemies of the state due to their predominantly western funding that is associated with a regime change agenda.

⁴¹ An example of Anti-Corruption chapters within government ministries is in the Ministry of Legal Affairs, a committee set to deal with rampant cases of corruption in the legal system (*The Herald* 21 May 2012)

Harare (Interview 27, 21st December 2011) revealed that the EU has been funding numerous Anti-Corruption research projects. This has added to the government's distrust of TI-Z. There are also other regional and international institutions and organisations such as the SADC, AU, USAID, to mention a few, who have played different roles in fighting corruption in alliance with the TI-Z. For example, SADC has played a major role in promoting the development of Anti-Corruption mechanism at the national level and promote cooperation in fighting corruption by the state (Zvekic 2002).

Advocacy and lobbying are other strategies employed by the TI-Z that are of interest in this thesis. These encourage state institutions such as law enforcers, the judiciary and government Ministries to mobilise Anti-Corruption schemes for the purpose of detection, investigation, prosecution and adjudication of corruption matters within and beyond state institutions. The strategy has been used to target "policy makers to propagate appropriate laws" which enforce Anti-Corruption machinery (OSISA 2011:39). Advocacy and lobbying has led to an increased debate on the need for a strong and independent ZACC. One official from the TI-Z (Interview 1, 24 October 2011) indicated that there have been some consultations going on with the legislatures on how best the ZACC can independently work without influence from the political elite, and how it can be supported by the state, civil society and the public.

In association with the media, TI-Z has carried out and published findings from research into various aspects of corruption. Among their outputs are the Anti-Corruption public opinion survey, and the statistical analysis of corruption and related cases in the provincial magistrates' court (Interview 7,

4th November 2011). The outcome of the TI-Z research has been guiding programme formulation and informing the organisation and the state on the nature and effects of corruption within society. The research and subsequent publications by the TI-Z have continued to raise public awareness about corruption.

When discussing the role of CSOs in combating corruption, the importance of media cannot be ignored. Field data suggests that investigative journalism has played a vital role in exposing corruption in Zimbabwe. The independent media has been operating under immense political intimidation but has remained committed to informing the public about the scale of corruption in the public and private sectors regardless of the barriers faced under POSA, AIPPA, and harassment by the government. One journalist from an independent newspaper (Interview 3, 27th October 2011) argued that the government's suppressive tendencies have attracted journalists' interest in investigating and consequently revealing corruption scandals involving senior government officials such as the Minister of Local Government, Public Works and Urban Development, Mr Ignatius Chombo's wealth accumulation. Other cases revealed by independent newspapers include the VIP land grab, the VIP Housing scandal, the DDF scandal, and the Harare airport road scandal (*The Zimbabwe Independent*, 26 September 2003, *The Financial Gazette*, 16 March 2009, and *The Zimbabwe situation*, 11 September 2010). The next section takes a closer look at the role of the media in combating corruption.

6.3.2 Media challenges in controlling corruption in Zimbabwe

“The news media are the chief watchdogs. The checks and balances work as a system, so an independent judiciary and genuine political competition are important, but the media can provide oversight of the government even where the other checks and balances have broken down. Safeguards for the media – ensuring they are protected from political influence and are credible to the public – may be the crucial policies for shoring up democracy” (McMillan and Zoido 2004:91).

This section utilises social responsibility theory, which posits that the media has a moral responsibility to facilitate socio-economic and political development. Political thinkers such as Alexis de Tocqueville and Thomas Jefferson acknowledge that the media is a fundamental democratic right, and essential to contemporary democracy as a principal source of information. Democracy is a political arrangement requiring an informed citizenry capable of effectively participating in the overall political process of the country and facilitating them to make conversant decisions (Moyo 2011). This is achieved through the freedoms of the press, association, speech and access to information. The question of interest is: To what extent does Zimbabwe have this freedom? While answering this question the section aims to examine and explore strategies of the media in combating corruption, and how the state-media relations have influenced the role of the media in fighting corruption.

While it is evident that corruption is a phenomenon affecting both democracies and non-democracies, studies by Burbidge (2012), Rock (2007) and Treisman (2000), show that incidences of corruption are lower in the former. This is attributed to the presence of various checks and balances in democratic systems which act as deterrents. One of them is the freedom of

press that is a potentially important democratic control. Several respondents concurred with this view arguing that this gives the public equal opportunities to participate in political debates and developmental issues of their societies.

For instance, one respondent from MISA pointed out that:

“Key elements of democracy include the free flow of information through free media that give the public the ability to have equal access to sources of information” (Interview 39 10th January 2012).

However, the effectiveness of the media in fulfilling this role in Zimbabwe faces numerous challenges, one of them being political repression because of a lack of democracy. To understand this and the role played by the media industry in Zimbabwe, it is important to briefly summarise the country’s media landscape in which ZANU-PF has continued to maintain a media monopoly structure similar to that of the colonial administration.

The print media is largely dominated by ZimPapers, a company largely owned and controlled by the Mass Media Trust (MMT), which belongs to ZANU-PF. Experiential knowledge and evidence gathered from interviews with independent newspapers and document analysis such as radio stations both state controlled and independent (Interviews 3, 27th October 2011; 10, 7th November 2011; 22, 12th December 2011; and 48, 6th February 2012) established that ZANU-PF wields excessive powers over the airwaves (both radio and television). Interviewees pointed out that the state does not permit any other radio and television stations to be established without a license from the Broadcasting Authority of Zimbabwe (BAZ), whose members are appointed by the Ministry of Information in consultation with the President. The MMT prevents any of its stations from employing non-Zimbabweans or

journalists trained outside the country. As a result of these constraints, journalists cannot work to international standards. Mbanga (2008), has argued that for the journalists to win the battle for access to information in Zimbabwe, the finer points of journalism have regrettably been compromised, as they relied on what he called 'guerrilla journalism'. This is further supported by one journalist interviewed in the present study who argued that:

“For the media to play an effective role media practitioners need to have freedom of expression, easy access to information as well as a code of professional and ethical investigative journalism that meet the international standards” (Interview 17, 18th November 2011).

While this is lacking in Zimbabwe, it has left the public with two state newspapers (*The Herald* and *The Chronicle*) and Zimbabwe Broadcasting Co-operation's (ZBC) single television station and four radio stations, Radio Zimbabwe, Spot FM, National FM, and Star FM.

Since independence, the Zimbabwe daily newspaper market had been dominated by the state controlled papers, *The Herald*, published in the capital in Harare, alongside its sister paper, *The Chronicle*, published in Bulawayo. Both fall under ZimPapers owned by the MMT. From the late 1990s to early 2000s several independent newspapers such as *The Mirror*, *The Daily Gazette*, and *The Daily News*, *The Zimbabwean Independent*, and *The Financial Gazette* entered the market in an attempt to break the monopoly of the state-controlled media in the dissemination of news. *The Daily Gazette* and *The Daily News* suddenly became the strident critics of ZANU-PF, exposing corruption and holding the government accountable for its corrupt actions and human rights abuses. One respondent, a Deputy

Editor from the independent media sector (Interview 29, 30th December 2011), pointed out that journalists from independent papers adopted a fearless approach in their criticism of the ruling government's abuse of power and political intolerance which gave hope to many people where a culture of silence had become dominant. Echoing the Deputy Editor's sentiments, one interviewee from *The Chronicle* – a state controlled daily newspaper acknowledged that:

“The independent papers have represented the voice of the voiceless in a country where the public cannot publicly debate on the conduct of their leaders, good governance issues and other related national development issues” (Interview 31, 3rd January 2012).

While the independent media spontaneously exposed corrupt conducts by the ruling elite and criticised the government for its oppressive governance system, the state countered by introducing POSA and AIPPA aiming to silence the independent media. Consequently, press freedom declined. This demonstrates that ZANU-PF's control of the media empire has threatened the core pillars of democracy and freedom of information.

All interviewees from the media sector and several from CSOs and individuals interviewed denounced ZANU PF's media dominance as a serious attack on the freedom and autonomy of the press. This is described by one media owner as an “unsustainable situation that prefigures a systematic repression of freedom of information” (cited in Pujas 2004: 98). Therefore, the question that arose and one that this study seeks to address is: How has the independent media dealt with government media monopoly particularly with regard to corruption and whistle blowing? It is interesting to note that despite this government monopoly and repression, the independent

media has managed to keep the public informed of corruption through publications of incidences of corruption such as scandals already mentioned and other corrupt activities in the public and private sectors.

This led to the introduction of a number of restrictive laws; amongst them are the AIPPA and POSA as already mentioned. After the introduction of these laws the newspapers and journalists were taken to court for slander by the government while some, such as *The Daily News*, were banned and closed down in 2002. On the 22nd April 2000 *The Daily News* offices in Harare were bombed by suspected state security agents in an attempt to cripple and de-capacitate its printing base. The state also used POSA and AIPPA legislations as a weapon to clamp down on international journalists, resulting in a virtual news blackout outside Zimbabwe. The state used its laws to regulate and manipulate public opinion by a policy of banning and silencing independent media such as *The Weekly Times*, *The Daily News*, *The Tribune*, and *The Daily News on Sunday*. All these papers had strongly castigated the government for its corruption, poor governance, and human rights abuses. They were particularly vocal on the undemocratic tendencies of the ruling government, the 'stolen' Parliamentary and the Presidential elections of post-2000 (*The Daily News* 30 June 2000), the corrupt invasions of white owned commercial farms from year 2000 to 2005 (Sokwanele 20 April 2002), and the abuse of the state resources and power by ZANU-PF authorities alongside the war veterans (*The Standard* 11 August 2002). The drive to create POSA and AIPPA was motivated by the desire to establish communicative sovereignty coloured by the self-interest of the ruling party whose aspiration is to maintain power.

Zimbabwean law guarantees freedom of speech and media to the public.

Chapter 4, Part 2 Section 62 of the Constitution (as amended) states that:

“Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say freedom to hold opinion and to receive and impart ideas and information without interference, and freedom from interference with his correspondence” (Constitution of Zimbabwe, 2013).

The government crackdown on independent media shows that the Constitution’s provisions only exist in theory and is not matched in practice. This is because the government has put restrictive laws in place that limit the freedom of the press, freedom of expression and association against the independent media. The state could not ignore the influence of the media because of its potential to mould public opinion. One of the media’s roles that inform this study is raising public awareness about corruption, its causes, effects, and possible remedies. But current media laws in operation are a challenge to the media sector and journalists due to the listed repressive laws that criminalise this role.

Journalists have continued to be charged with criminal defamation when material deemed harmful to ZANU-PF authorities is published. Such journalists include Mark Chavunduka and Ray Choto editor and journalist for *The Standard* newspaper. In January 1999 they were arrested, tortured and charged under the Rhodesia’s Law and Order Maintenance Act (1960) (*The Standard*, 2001) for publishing reports “likely to cause fear, alarm, and despondency” (Interview 39, 10th January 2012). Publications of material deemed to undermine public confidence in law enforcement, reflect negatively on the Parliament, or to be insulting or engendering feelings of

hostility towards the President, are considered a serious crime leading to a possible twenty years jail sentence. One independent journalist interviewed, a victim of the regime's brutality said:

“I was arrested, detained and tortured for allegedly publishing what they called ‘false statements prejudicial’ to the state and undermining public confidence in the law enforcement agents after I had published a story about a corrupt Minister” (Interview 17, 18th November 2011).

Given this situation, it is unsurprising that during the last two decades most of professional journalists left Zimbabwe in fear of ZANU-PF's attack (Moyo 2010). Those who remained worked in difficult conditions that hamper their work.

Since 2000, journalists have been arrested, detained, and harassed by ZANU-PF government for reporting and/or publishing stories related to corrupt activities, human rights abuses and abuse of power by the ruling elite. Criminal libel and defamation suits have been brought against the independent media and journalists by ZANU-PF authorities such as Jonathan Moyo, an MP and former Minister of Information, who in March 2001 and April 2011 sued *The Daily News* for defamation damages (Media Institute of Southern Africa, 3rd April 2001 and *Byo24News*, 1st April 2011). One journalist interviewed argued that this is a way of intimidating journalists to restrict their freedom of expression (Interview 3, 27th November 2011). The introduction of POSA and AIPPA and the intimidation of journalists weakened the press and put democracy and freedom of expression under attack. This is meant to eliminate the critical media from the market. With the independent media and a large list of its journalists operating under fear of harassment, arrest and jail sentences, their standards of reporting dropped

markedly. For instance, some journalists/newspapers such as *The Financial Gazette* even avoided publishing names of corrupt individuals and journalists investigating the story. This gave the spectre of corruption a fertile ground to prosper. For example, some corruption incidences such as Ministers taking over several white commercial farms each (against a one man one farm policy), appeared in papers but without the names of those implicated Ministers or the journalist who investigated and wrote the story because they feared reprisals (*The Financial Gazette*, 11th August 2005).

An effective media is a critical strategy in any country's Anti-Corruption crusade as it maps out the path to follow in combating corruption. It is important to emphasise that despite the difficult conditions of constricted democratic space for operations faced by the independent media and other CSOs in fighting corruption, they have continued to act as watchdogs in society, raising alarm when something is not going right in the country. This was supported by numerous respondents from the banned and existing independent media sector such as the social commentator and former editor with *The Daily News* (Interview 51, 10th February 2012) who concurred that the media have been effective in informing the public of the types of corruption within their political, economic and social systems. This has proved to be an uncomfortable exercise to the ruling government as this interfered and threatened its pattern of political patronage. The respondent pointed out that:

“The media publicise corruption, abuse of power, and human rights abuses almost every day putting the government in the international spotlight which further unsettles our leaders” (Interview 51, 10th February 2012).

This has created operational challenges for the media sector, and further strained the already fragile state-civil society relations as discussed in chapter five. It became a challenge because the media requires a democratic government that allows freedom of speech, opinion and expression, and free access to its documents and information. One academic and researcher from the National University of Science and Technology (NUST) (Interview 50, 10th February 12) argued that in many developed democracies such as the United Kingdom, the media enjoys direct reportage of government actions, pronouncements on aspects of corruption, and holding them accountable for their actions. This freedom is non-existent in Zimbabwe, and explains challenges that many independent media organisations face. Empowering the media is both a fundamental and dynamic strategy in holding the national leaders accountable for their actions. As argued by a respondent from the ZCTU:

“Zimbabwe is sinking in the pool of corruption, the media have been vocal despite working under hash intimidation and harassment from the police, up to the Ministers, but the investigative arm of the state remains very quiet, watching as spectators. We cannot blame the media because they have done their best to expose injustices, abuses of office and power. Every day newspapers have something to say about corrupt activities and human rights abuses. These papers have empowered themselves while putting themselves at risk” (Interview 17, 11th November 2011).

The independent media has played a major role in raising public awareness about national issues such as good governance discourse particularly on corruption despite the state’s measures to shrink its democratic operational space. The provisions of the oppressive laws by the state have failed to deter the media from its watchdog role and keeping the public informed of issues affecting the development of Zimbabwe. The government’s project of

eliminating the independent media could not be sustained forever as the formation of the GNU in 2009 provided a democratic space for the banned and those organisations previously operating underground. This has led to a widening of Zimbabwe's contracted media space as per provisions of the Global Political Agreement (GPA) signed in September 2009 between the two MDC formations and ZANU-PF in accordance with Article 19 of the GPA which also emphasised the opening up of the airwaves and the operation of many media houses. While this is the case, there is still a lot of self-censorship on the part of state owned media outlets as they remain partisan in their coverage of political events. The next section assesses the role of state owned media in combating corruption.

6.3.3 The role of the state-controlled media in combating corruption

Works by scholars such as Dumisani Moyo (2010) and Darlington Mutanda (2012) on the role played by media in combating corruption in Zimbabwe have mainly focused on independent media while neglecting the part the state owned media sector has played in this context. This thesis goes further by exploring the role played by the state controlled media on issues relating to good governance particularly on corruption. A discussion of the role of the media in combating corruption without looking at the state controlled sector risks giving a one sided view of the role of the media in Zimbabwe.

While the independent media has been the eyes and ears of society in playing a watchdog role specifically on the abuses of human rights, power, and corruption in the public and private sectors, the state owned media

remained silent on all contentious issues raised by the independent sector. This symbolises its allegiance to the ruling government, and also signifies corruption within the state owned sector for reasons discussed below. One interviewee from the state owned newspaper argued that:

“To fit in the system, you need to be corrupt as well because if you are not corrupt your conscious will not allow you to publish some of these stories” (Interview 31, 30th December 2012)

Interviewees from both the state owned and independent media have demonstrated that corruption is widespread and pervasive in the government controlled media - both broadcast and print. Numerous interviewees pointed out that political interference by the ruling government is rife with senior government officials dictating what stories should be published and what programmes should be produced. For instance, an interview with a respondent from the Radio Zimbabwe established that the government has total control of what is played on air (Interview 31, 30th December 2012). This is set in a way that is meant to indoctrinate the public, particularly on political nationalism and the liberation struggle, which aims to portray the political opposition as “agents of the West who want to re-colonise the country” (Interview 30, 3rd January 2012). This is done through political statements, music jingles and videos commissioned by the Ministry of Information and Publicity that dominate state owned radio and television. Concrete evidence includes the empirical evidence gathered through observation during fieldwork research when the researcher had the opportunity to tune to three different Radio stations (Radio Zimbabwe, Spot FM, and Star FM) and the television station for several hours a day over a period of six months. The stations were more revolutionary in their productions, either musically or in

the form of discussions, for example, between the 1st of November 2011 and the 10th December 2011 Radio Zimbabwe's production was on ZANU-PF's annual Conference held on the 9th December 2011. The programmes were about the history of the liberation struggle, land redistribution, and how ZANU-PF 'won independence and freed the country from the colonial masters'.⁴² Revolutionary songs and speeches occupied prime time programming on radio and television. A respondent from Radio Zimbabwe argued that:

“You get to the office and find a list of songs to play the whole day with instructions that all songs should be played, you quickly run through the list and find it's all about land, the liberation struggle and so on. As a producer, I am not given the opportunity to make a selection of what to play, but who cares because at the end of the day I am paid for that. I know its corruption; but I need to keep my job ...” (Interview 22, 12th December 2011).

This further illustrates how political interference within the state controlled media manifests corruption in the sector as politicians, business executives, and musicians have continued to bribe journalists and radio producers for sustained and positive coverage. For example, *The Chronicle* (Tuesday, 13 2008) reported that some musicians bribe presenters to have their songs frequently played on air, while *The Herald* (Thursday, 18 October 2007) carried a similar story of the businessman bribing media executives for the advertisement of his business.

⁴² This thesis uses this statement loosely to flag out how the state owned media has been used by the ruling party.

There are reasons explaining why media performance deviates from expected social responsibility theory. In the context of Zimbabwe, both the political and economic environment has played a leading role in trapping the media into corrupt conducts. This has compromised the ethics, values and investigative nature of the media. The state owned media's role in deterring corruption is limited due to its complex relationship with ZANU-PF. In this context the presence of corruption in the media has been deliberately created and sustained by the corrupt ruling elite to protect their fragile interest. Determined to remain in power, ZANU-PF has relied on the state media to fight the opposition and shield them from public scrutiny.

Research findings from document analysis show that there is an ongoing and alarming distortion in the state owned publications and broadcasting. One example of such distortion includes propaganda stories by *The Herald* (15 February 2002 and 28 July 2003) that the British government had military training camps for the MDC supporters based in England who would be deployed in Zimbabwe to fight the government with the objective of re-colonising the country. These 'military training camps' referred to were in fact the detention centres where some Zimbabweans claiming political asylum were kept before their visas to remain in England were processed.⁴³ This has two implications about the state controlled media: firstly, it exposes how

⁴³ Detention centres also known as Removal centres are used to hold asylum seekers on their arrival in the UK until the decision is made by Immigration authorities to grant a visa and release them into the community, some of them are Brook House in Gatwick airport and Pennine House in Manchester.

some journalists have been used to publish stories they had not investigated. Secondly, it allowed the state owned media, particularly the print media to meddle in politics between the MDC and ZANU-PF. The media deliberately ignored developmental issues such as the abuse of human rights, abuse of power and office, and other corruption related stories, but became very active at promoting ZANU-PF's agenda of suppressing the opposition through 'hate speeches' and propaganda.

An interesting and contradictory scenario developing in this study is that the state has created Anti-Corruption structures yet the state controlled media plays no role in promoting them. While the government has pretended to show a reasonable degree of commitment in fighting corruption, the state media have not focused on it, nor has it published stories of corrupt activities by the ruling party. The researcher expected to find statements about Anti-Corruption measures or about the ZACC from the state owned media, but this study has not come across such statements. This further reinforces the argument that there is a lack of political will in the fight against corruption. If the state is committed to combating corruption, state media should be the nearest point of departure for the Anti-Corruption management.

6.4 Conclusion

The major aim of this chapter was to examine and analyse roles and strategies employed by the state and some CSOs in combating corruption. State Anti-Corruption bodies such as the ZACC, Parliament and the ZRP were examined. In relation to the ZACC, this thesis argues that the criterion of appointing the Commissioners has undermined its integrity and

independence because members are perceived by civil society and the public to be linked to political parties which make it justly vulnerable to criticism. The ZACC has attempted to fight the problem of corruption but has been hampered by a lack of support from the relevant state institutions. The ZACC lacks a specific legal mandate to arrest and prosecute those found guilty of corrupt conducts which has made them ineffective. Conclusions established from interviews with the ZRP and the Ministry of Home Affairs Minister (Interviews 6, 2nd November 2011; 40, 19th January 2012 and 45, 30th January 2012) demonstrate that the ZACC is susceptible to political interference and manipulation by the 'big fish'.

The chapter has demonstrated that the Parliament is one of the integral pillars that together with other pillars such as the ZRP can effectively work towards combating corruption, but they are failing in this regard. The research findings have established that rather than combating corruption, Parliament has played a major role in manifestations of corruption. As legislators and leaders, public expectation is that they ensure that the appropriate Anti-Corruption legal policy frameworks as well as the institutional mechanisms are put in place and implemented. However, despite the existence of such institutional mechanisms, they are poorly implemented.

The chapter has discussed key factors central to explaining the ZRP's role in combating corruption, how the political environment has influenced corruption within the police force as a result of polarisation of the political system, the opportunities for corruption presented by the political

environment, and the nature and extent of the effort put into controlling corruption by the state.

The chapter discussed numerous challenges faced by civil society in combating corruption, the key challenges being the political and legal restrictions imposed on them by the ruling government. As a result, civil society has remained incapacitated in spite of its expansion in terms of their numbers and impact on good governance issues. The oppressive and suppressive tendencies by the state have robbed some sections of civil society of its operating space, imposing major limitations on their Anti-Corruption programmes and activities. In spite of these various challenges, some CSOs such as TI-Z and some sections of independent media have remained resilient against ZANU-PF's hegemony as they tackle the problem of corruption head-on through playing an influential role in Anti-Corruption campaigns and raising awareness. The formation of the GNU in 2009 widened the democratic and operational space for a growing number of CSOs concerned with increasing awareness of corruption issues. Although there have been commendable political developments that created fertile ground for some CSOs to participate in governance issues, the thesis has argued that this is inadequate since ZANU-PF continues to dominate political space and criminalise activities of certain key sectors of CSOs considered to be 'anti-state'.

As the government remains firm on maintaining its restrictions to the freedom of expression and association, and freedom of the press and access to information, its hegemonic approach has limited the strength and robustness that characterises civil society by employing its power to emasculate, control

and restrict the rights of civil society operations. Consequently, the lack of freedom of expression and association and access to information has significantly limited the opportunities for CSOs to participate in public debate and therefore influence public policies, or advocate for changes whether in Anti-Corruption discourse or other related development issues.

More important for the present thesis is that despite the provision of the state's Anti-Corruption instruments and certain CSOs' attempts to combat corruption, corruption continues to increase prompting the thesis to conclude that the strategies employed by the state and civil society are not effective as a result of a lack of political will on the part of the state and a restricted policy space for CSOs to have any effect.

Chapter 7

CONCLUSIONS: THE ROLE OF THE STATE AND CIVIL SOCIETY IN COMBATING CORRUPTION IN ZIMBABWE

7.1 Introduction

The aim of this thesis has been to contribute towards a better understanding of the complexities of corruption and institutional roles and challenges in managing corruption through examining the roles of the state and civil society organisations (CSOs) in combating corruption in Zimbabwe. The thesis projected two key objectives. Firstly, to evaluate the state-civil society relations vis-a-vis tackling corruption, and secondly, to examine the strategies used by the state and CSO in controlling corruption. In this chapter the thesis draws these objectives together and evaluates the implications of the overarching themes surfacing from the thesis for an enhanced understanding of corruption in Zimbabwe, the state-civil society relations, and their roles and strategies in fighting corruption.

The consensus among those interviewed, document analysis and literature assessed is that corruption has put Zimbabwe into socio-economic and political crisis. Without a doubt, as the thesis argues, this crisis is a result of political and economic mismanagement. The thesis argues that politicians and bureaucrats are venal and corrupt, and this extends to some sections of society. Largely, this crisis is presented here as an outcome of maladministration by the state and the bureaucrats who have used and

abused power and office for their own ends. It is a problem that arises mainly in the interaction between politicians, bureaucrats, private sector and the market economy where the government itself is considered endogenous. This challenge is underlined by the fact that its data and statistics are difficult to collect as the corrupt tend to cover their footprints, and if available, data is often soft, masked and unreliable.

This concluding chapter is divided into four sections that mirror the ontological and epistemological themes underpinning the thesis. Section 7.2 reviews broader perspectives and implications about corruption in Zimbabwe as a key challenge for future development. Section 7.3 discusses the findings of conflict between the state and certain CSOs and how the relations have influenced management of Anti-Corruption programmes. Section 7.4 outlines key findings and implications of strategies employed by the state and CSOs, and main challenges faced by some CSOs in combating corruption.

7.2 Corruption in Zimbabwe: Context, interpretation and key challenge for development

7.2.1 Key findings

The body of theoretical and empirical research on the nature and effects of corruption has grown significantly in recent years. To address the socio-economic and political impact of corruption in Zimbabwe, this thesis has employed a political economy theoretical framework, which has helped in defining, interpreting, and understanding corruption. The thesis has demonstrated that there are multiple definitions of corruption arising from the

different standpoints taken by definers. Subsequently, they range from the broad terms of misuse of public office, misuse of power and moral decay to politics of patronage and clientelism, acts of bribery, nepotism, embezzlement of state resources by public officers and a transfer of tangible resources. These definitions appear to emphasise, reconcile and in concert (support each other) that corruption is about abuse of public office and power for pecuniary gains. In light of evidence from fieldwork research, some aspects need to be added to the definition of corruption for a more advanced understanding and policy oriented perspective of corruption in Zimbabwe. Everyone else, including the World Bank have forgotten to discuss corruption in the private sector in their definitions, which would make the definition more appropriate for focusing government and non-state management of Anti-Corruption initiatives. Thus, considering that there is inherent corruption within the watchdog (CSOs) and the so-called perpetrator of corruption (e.g. the state), appropriate definitions need to focus on both public and the private sector.

Nevertheless, the definition and measurement of corruption are flawed. For example, the World Bank and its related International Financial Institutions' (IFIs) definitions tend to focus on abuse of public office and power while neglecting the private sector, where corruption is also perceived to be endemic (Harrison 2004). This makes their definitions too narrow and unreliable. In addition, definitions of corruption are based on corruption in Africa, focusing on corrupt conducts by individuals (bureaucrats and heads of states) and side-line corporate corruption from the developed world. This tendency has led to a fashion of portraying Africa as "suffering from the

cancer of corruption” (Harrison 2004: 136). This understanding of corruption is impoverished, because one of its striking aspects is to define corruption (with the influence of the West) particularly in Africa as a local issue (Harrison 2004) while down-playing the fact that Western businesses create opportunities for corruption in many ways. For example, Western countries protect their African allies by turning a blind-eye to official corruption by ruling leaders, or corruption is overlooked to secure business rights. To a lesser extent, Western countries create opportunities for corruption through aid given to African states.

Borrowing this interpretation and analysis has been helpful in analysing and understanding the nature and character of corruption in Zimbabwe and provides a consistent frame of reference.

This thesis agrees that corruption is difficult to define (Freille 2007 and Devine 2010), as many definitions recognise that it is the use of public office or influence for personal or private gain. While corruption is a global phenomenon, it appears to be an issue of more concern in Africa where poverty and inequality make its presence felt more. Statistics indicate that there are huge economic losses (the global loss, African loss, and losses at national level) due to corruption. In parts of Latin America and Asia, scholars have argued that the hand of corruption has no detrimental effect on the economy, (e.g. Suharto’s Indonesia), but the same cannot be said for most of Africa. Losses suffered in development terms include aid diverted to private use, sums of money, deterring investment, and increased cost of goods and services (Uneke 2010) and hence the failure of development. But perhaps this is an unfair assertion in which some donors blame their lack of

impact on failure by African leaders to deliver without self-interest. There are some scholars such as Onyingo (2012) who argue that for corruption to occur there should be two parties, and the other parties involved are Western businesses and governments seeking tenders and contracts for business ventures in Africa.

The thesis has argued that corruption in Zimbabwe has grown to be one of the most persistent and progressively worsening social, economic and political challenges afflicting development. The phenomenon has effectively pervaded all state institutions and Non-Governmental Organisations (NGOs). Having reached systemic and endemic proportions, corruption has become a way of life and a principal method for the accumulation of personal wealth. It is a multifaceted and complex phenomenon with many causes and effects, as it assumes a range of forms and functions in different contexts. It ranges from an act of a payment contradicted by law to an endemic malfunction of an economic and political system. The problem of corruption is presented in this thesis as a structural problem of politics and economics, and a cultural and individual moral problem.

Zimbabwe's economic and political environment has allowed corruption to permeate all levels of society; it has become a daily routine and in the process become an accepted means of conducting everyday business. Rose-Ackerman (1997) has called this 'systemic' or 'entrenched' corruption. It affects both the public and private sectors with equal measure. It also influences the behaviour of individuals at all levels of the socio-economic and political system. Given systemic corruption has become a way of conducting everyday business, institutions have been conditioned to a corrupt "*modus*

oparandi" (Moyo 2011: 7), where civil service officers, for example, have often followed the predatory examples of the corrupt political leadership.

Both bureaucratic and grand corruption has had negative effects to Zimbabweans. Bureaucratic corruption, the paying of additional fees to get a service done, is purely one of the rituals of daily business in Zimbabwe. The thesis points to several factors that account for this such as: a lack of transparency and accountability, low bureaucratic salaries, deep institutional weaknesses, and absence of effective regulations as feeding into the pervasiveness of bureaucratic corruption.

While bureaucratic corruption dominates daily public life, this means the prime objective of the delivery of the social, welfare and public programmes such as education, health, employment, housing, and the legal system, have been thwarted by bribery that determines access to these amenities and the allocation of resources and services. This has affected the poor who cannot afford to pay or bribe to access services. It has amplified the existing social and economic inequalities in the society. This thesis demonstrates that the consequences of bureaucratic corruption have been the loss of public confidence in the governance system. The public have lost confidence and trust in state institutional architecture where bureaucratic corruption has been endemic. For example, corruption is endemic in the ZRP, Immigration and Customs, the registrar, and education and health sectors.

Bureaucratic corruption has three characteristic features that make it difficult to combat. Firstly, it is organised and difficult to avoid. The corruption circle widens as all businesses and service deliveries are carried out through

payment of a rent or bribing. This creates opportunities for rent seeking. These opportunities are greater when there is a lack of transparency and undue administrative discretion.

Secondly, it is monopolised by the bureaucrats that use state offices or positions for private gains. This thesis demonstrates that monopolies lead to abuse of power and office breeding different forms of corruption such as nepotism that result in systemic corruption. Thirdly, it is embedded in socio-cultural environments. Bureaucratic corruption incidences vary enormously, ranging from rare to widespread and systemic. Where corruption is rare, it becomes easy to detect, punish or control, but when it becomes widespread and systemic as is in Zimbabwe, the possibility of detecting and punishing it decreases.

At the centre of the problem of bureaucratic corruption is the fact that many public bureaucrats are in positions where their actions have considerable influence on public services, companies and other organisations. If officials are paid illegally for making certain decisions and choices, it is difficult to control, even with increased monitoring.

Thus there is a need to improve the effectiveness and transparency of administrative reforms and economic policies which contribute to the pervasiveness of systemic and bureaucratic corruption. Smaller and more efficient government, fewer discretionary powers in administration, greater reliance on diversity and private initiatives, a free press and other media, well paid civil servants appointed by merit, democratic processes in political parties and supremacy of the rule of law, are all important factors that serve

to promote good governance and reduce corruption opportunities. Bureaucratic corruption can be controlled and restricted only when there is a political will and political ability to implement the necessary regulations.

As chapter two demonstrates, grand corruption takes place at the high levels of the political system when politicians entitled to make and enforce laws use authority to sustain their power, status and wealth. Grand corruption perverts the manner in which decisions are made and leads to misallocation of resources. Laws and regulations are abused by the rulers, side-stepped, ignored, or even tailored to fit their interests.

Whilst corruption is an element and problem of all societies to varying degrees, the thesis argues that it has been a particular concern for Zimbabwe. It has undermined and caused the meltdown of socio-economic and political growth over the last two decades. The problem of corruption is inimical to good governance, poverty reduction and sustainable development. The thesis shows that corruption discourages and impedes foreign and domestic investments. This happens because bribery elevates transaction cost and creates uncertainty in the economy. It distorts economic priorities leading to an economic meltdown which has robbed the public of their rightful sources for public service, infrastructure and anti-poverty programmes. In addition, as the thesis argues, corruption has become a major impediment to political and socio-economic development of Zimbabwe. It has hindered Zimbabwe's administrative development and performance, which has impaired political and economic efficiency. The problem of corruption has resulted in increased poverty and degradation of the masses

amidst the accumulation of immense wealth by bureaucrats and the ruling elite.

While this thesis has argued that corruption is detrimental to human development, in a different dimension, it kept the Zimbabwean political and economic system going/functioning during the crisis years (between 2000 and 2009). It allowed the undesirable government to survive as bureaucrats went to work knowing they would make extra-cash from bribes against dramatically rising inflation. This is a peculiar case because the desire to make extra-cash kept many public officials at work, which consequently maintained the government's rule (a breakdown of the economy would have meant the government was forced out of office). Given the low salaries public servants received, corruption was used as a way of subsidising the state. If public servants were not corrupt, perhaps the country could have collapsed totally to a level much worse than was experienced. In this light, corruption was perhaps a positive force that was created by policy and economic failure, but prevented total economic collapse. Corruption became a coping strategy in a peculiar case. This therefore, rejects the notion that all corruption is bad as argued in chapter one.

Whilst this notion supports some researchers such as Nye (1961) who argues that corruption has beneficial effects in terms of the relaxation of bureaucratic red tape, this thesis shows that corruption has had damaging effects on Zimbabwe's socio-economic and political development. This is a consequence of the absence of democratic institutions that should make the engagement in corrupt conducts difficult. The absence of checks and balance mechanisms to prevent systemic corruption-funded patronage and

limit politicians' intervention in economic activities make corruption "a cancer eating the society away" (Interview 4, 27th October 2011).

While corruption has countless causes, the discussion has argued that it is strongly interlinked with the discourse of poor governance, weakness of state institutions, and greediness by bureaucrats and the ruling elite. These factors have contributed in breeding grand, bureaucratic and systemic corruption. The failures in economic policy are a result of bad governance, weaknesses in institutional arrangements, and greediness of ZANU-PF-led government that has generated opportunities for rent seeking through corruption of patronage and clientele politics. This has resulted in flaws in the public administration, consequently leading to a decline in the integrity of public servants and inadequate legislative oversight by government. Thus corruption in Zimbabwe that continues to undermine sustainable development is a direct outcome of these factors. Good governance, strong institutions and political leadership dedicated in serving the nation are basic requirements for social, economic and political development in every society which should play a major role in monitoring and controlling the spread of corruption.

Corruption features routinely in all sectors of the Zimbabwe society because it has been easier for the public officials to elicit rent due to a lack of or weaknesses in the prevailing systems of controls and regulations, and the absence of institutional mechanisms to deal with corruption as a result of poor governance. It is in this context that this thesis argues that corruption is a symptom of deep institutional weaknesses. This consequentially reduces economic growth, repels long-term foreign and domestic investments while

enhancing inflation, distorting the fundamental role of the government, and undermining the legitimacy of government and of the market economy. These factors have favoured the intensification of corruption as it flourishes itself in such environments.

The role of colonialism in the genesis and sustenance of corruption in Zimbabwe is widely discussed in this study. This allowed for the discussion of the relationship between post-colonial Zimbabwe and CSOs. Evidence from interviews and document analysis demonstrate that the roots of corruption in Zimbabwe hinge on the country's political and economic development, bureaucratic traditions and policies inherited from the colonial regime. While colonialism cannot explicitly explain the existing manifestations of corruption in Zimbabwe, the colonial government left an institutional legacy that the ZANU-PF government adopted and subsequently shaped the form and extent of corrupt practices. Thus a debate on corruption in Zimbabwe that neglects to factor in the role of colonialism in the genesis and nature of corruption risk making superficial conclusions on its causes and nature.

The form which corruption has assumed in the Zimbabwean context has depended on how the ZANU-PF-led government, politicians and bureaucrats have taken the lead in corrupt practices, and how they have actively applied the corruption of patronage and clientelism that this thesis argues to be a product of the nation's colonial heritage. This reflects a pattern of political patronage and client relationship existing between ZANU-PF's political ruling elite, the state bureaucracy and the electorate who mirror the underlying socio-economic and political factors principally determining the pathway

taken by corruption and its impact on economic, social and political growth. Indeed the importance of patron-client relationships in Zimbabwean society cannot be underestimated. While this may appear to be linked to nepotism and cronyism, the use of connections to conduct daily activities and public business has offered some 'stability' and 'reassurance' in a government system where the state can yield the arbitrary power of resource and economic distribution with impunity. The thesis argues that clientelism has been a principal mechanism through which the political elite have built the electoral support necessary to ensure their sustainability that gives them access to the state's resources. Consequently, we have seen the emergence of a politics of factional competition over power and resources, "a politics obsessed with the division of the political spoils" (Szeftel 2000a: 427) particularly with the split of the Movement for Democratic Change (MDC) party into two factions, as shown in chapter five.

This study has demonstrated that the system of client-network of the ruling government, senior civil servants and war veterans return various forms of patronage payments by means of supporting the ruling party. Furthermore, this has provided the war veterans with resources and power to harass and intimidate the opposition and certain CSOs in blind and superficial defence of the sovereign and nationalist discourse against those they label enemies of the state. This has resulted in widespread and entrenched corruption in the form of bribery, fraud, embezzlement, nepotism, to mention a few, as well as the nature of political patronage and clientelism. The thesis further argues that the patronage politics and the clientele system undermine the independence of various state structures such as the Zimbabwe Anti-

Corruption Commission (ZACC) that are supposed to institute and promote Anti-Corruption programmes.

While such Anti-Corruption structures exercise their constitutionally mandated functions, political interference overrides the implementation of their policies. Despite efforts of putting in place the ZACC and other Anti-Corruption tools, they remain incapacitated to achieve their mandates. This demonstrates a culture of political corruption and the pervasiveness of patrimonialism in Zimbabwe.

While scholars such as Little (1996) argue that certain kinds of authoritarian regimes are able to check incidences of corruption through political repression and by deploying harsh sanctions, it remains true to a greater extent, that the ZANU-PF regime has deployed corruption as a means of governing, and distributing state patronage to maintain power. This study has presented this more as a functionalist interpretation in which political patronage in Zimbabwe serves as a means of maintaining the existing ZANU-PF power structures, a tool to capture the electorate support – mostly rural, and a system of political control.

The thesis has discussed the importance of correlations between corruption and the Economic Structural Adjustment Programmes (ESAP). The ESAP, the neo-liberal policies of the World Bank and the International Monetary Fund (IMF) was introduced to combat corruption and improve economic development and good governance in Zimbabwe through liberalisation of the economy. The approach was premised on the hypothesis that economic liberalisation has the potential to reduce corruption through a combination of

economic reforms designed to deregulate prices, eliminate subsidies, customs duties and other trade controls, and structural reforms aimed at reducing the size of the state through privatisation. The assumption and anticipation by the World Bank and IMF was that by reducing the direct involvement of the state in economic activities and reducing the size of the public sector, opportunities for rent seeking would lessen. Rather than controlling corruption, the economic liberalisation reinforced the bargaining power of the business quarter in relation to the government, a situation that actually led to the persistence of the institutional opportunities for corruption. Liberalisation and privatisation in the absence of effective regulation, poor implementation and weak capacity created potential for generating high levels of corruption through the private appropriation of public assets using illegal means.

The introduction of the ESAP and their subsequent failure facilitated the birth of many CSOs as a result of the deteriorating socio-economic living conditions. The Washington consensus of the 1990s, which also created pressure on the state to withdraw its influence from economic decisions, led to creation of many CSOs that went on to challenge the authoritarian regime and shaped the political path taken by the Zimbabwe political elite thereafter.

These CSOs emerged with a series of development programmes meant to benefit various communities in their geographical areas who have been adversely affected by the ESAP. Most of them ventured into governance issues, environmental projects, and service delivery projects in an attempt to relieve pressure on government whose capacity to cater for the people was insufficient. These were recommended programmes, particularly so, during

the times of socio-economic decay. It was from the evaluation and understanding of such civil society intervention that this thesis came to the realisation that civil society as a whole is an indispensable element of the socio-economic and political development agenda in Zimbabwe. This heralded greater emphasis on civil society as a panacea replacing the state' social services. From this perspective, despite that some civil society organisations are corrupt, this thesis argues for the involvement of CSOs in fighting corruption.

7.3 Understanding the state and civil society in Zimbabwe

7.3.1 Ideological context of conflict

This thesis was founded on a major theme of examining the state-civil society relations with regards to combating corruption, with the aim of contributing to empirical and theoretical literature. Anchoring on this theme are the methodological challenges militating how we study and talk about the state and civil society, and the role played by CSOs in Zimbabwe, particularly on good governance policy formulation and implementation.

The thesis has argued that the failure to structurally differentiate the state from the ruling party is a source of corruption in Zimbabwe. The ruling government and public officials have treated the state as a private resource, a source of wealth accumulation. Empirical evidence based on interviews and document data gathered during fieldwork demonstrates that ZANU-PF political elite retain their political positions and their legitimacy through the development of personal networks which Szeftel (2000b) called 'political patronage and clientelism'. These are structured by considerations of party

affiliations, family relations, and tribal lines. The political leaders become “big men in return for a distribution of the largesse they are able to divert to themselves through occupying state positions” (Chabal and Daloz 1999: 74). In chapter two the thesis argues that the Zimbabwean state is large and the biggest employer with numerous ministries and structures. The cumbersome and unwieldy nature of state bureaucracy serves to facilitate corruption. It is seen as a source of wealth accumulation by those within. The state is used by the ruling elite not only to maintain their political domination, but also for purposes of self-enrichment.

The study argues that while political and economic powers rest in the hands of the ruling ZANU-PF, state power has become more personalised through the ruling elite as CSOs became isolated from policy formulation, implementation and decision making processes. This thesis has demonstrated that without the involvement of civil society in policy making, the ruling party has established a set of laws to augment their revenues and wealth with the ultimate objective of maximising their rent irrespective of the consequences on welfare and the economic efficiency of the country.

With the ruling government hijacking the formal bureaucratic structures such as Parliament, Judiciary, ZRP and civil service, it has continued to interfere with the powers and functions of these structures purely for party, individual and private gains. The ruling government sees these state organs as an extension of the ruling party, with Parliament simply acting as “a rubber stamp for Presidential decrees and actions” (Hope 1997:57). The Parliament has not taken action in situations where there is clear evidence of acts of corruption among the political and bureaucratic elites because it has

succumbed to corrupt conducts. ZANU-PF's capture of the bureaucratic structures and instruments of law and order has greatly undermined the autonomy of the judiciary, making it impossible for the ZACC to challenge corrupt practices where the ruling elite are implicated. The thesis's findings suggest this is the prime reason why fighting corruption in Zimbabwe has been so ineffectual.

Corruption has thrived in Zimbabwe partly because the state was unable to develop and sustain independent law enforcement and judicial institutions that are germane to the maintenance of the rule of law. Consequently, law enforcement agencies and the judiciary that are supposed to implement the laws have been tainted by corruption.

The Zimbabwean ruling government has dominated almost every aspect of the state economy and has important consequences for the manifestation of corruption. Renoe argues that:

“In a patriarchal society as Zimbabwe, the government had become the ultimate patron. There was no element of the economy that was not directly touched by the government.....Every point of economic interaction within the government was a new opportunity to patronage or corruption” (1999: 108).

The year 2000 witnessed a flow of literature, both academic and journalistic, on state-civil society relations vis-a-vis the struggle against ZANU-PF's repressive and authoritarian politics. The conjecture about civil society and its practice in Zimbabwe mirrors the influence of the neo-liberal framework that promoted it from the beginning of the 1990s, which portray civil society to be anti-state. Thus civil society is theorised in a Weberian institutional sense as entities or institutions that oppose the authoritarian state. This

thinking has distanced relations between the state and certain sections of civil society. Instead of working to complement the state, CSOs were established to monitor and/or oppose it while providing alternative centres of political power as seen by the formation of the MDC party by the labour movement and the National Constitutional Assembly (NCA) in 1999. The fierce contest for hegemony that followed between the state and some CSOs informs these neo-liberal imprints. The tendency to come out of this contest has been to label and counter-label some CSOs such as the Zimbabwe National Liberation War Veterans Association (ZNLWVA) as not civil society. The mainstream CSOs rarely recognised the war veterans' organisation as part of them in the neo-liberal sense due to their link with the ruling party. This was also 'sponsored' by the state discourse on civil society since 1999, which became extremely negative viewing certain sections of civil society as unpatriotic and anti-ZANU-PF.

The implications have been that then, and now, the mainstream thinking within Zimbabwe scholarship is to conceptualise CSOs monolithically as non-state actors aligned to the counter-hegemonic movement given that the MDC was formed out of civil society groups. When the ZNLWVA (a civil society organisation by registration) joined the politics of ZANU-PF, the mainstream CSOs stopped recognising it as a civil society organisation in the neo-liberal sense. This divided social and political commentators with regard the civic status of war veterans. This theorising of civil society risks advancing a one dimensional and narrow, but nonetheless dominant understanding of civil society as essentially counter-hegemonic or anti-state. This was further powered by the war veterans' self-exclusion from the rubric of civil society as

a result of their political alignment to ZANU-PF. Thus the use of Gramsci's theory of hegemony in this thesis attempted to offer equilibrium between divisions amongst scholars interested in interpreting civil society and those interpreting Zimbabwean politics.

This thesis has argued that civil society is an arena that should be beyond state control and influence. The thesis discusses numerous sets of views and theories about the role and nature of civil society in a public sphere. It is where the public can debate and argue freely about the imperative issues and are empowered to negotiate a constantly evolving sense of the common or public interest. However, this cannot be said of civil society in Zimbabwe because it operates in an arena unlike that of civil society elsewhere. The freedom of association, freedom of speech and freedom of representation that should characterise the nature of civil society has been alienated by the state structures denying some of CSOs necessary operational space to promote policy. This alienation makes Zimbabwe's civil society different from other civil societies in some parts of the world who are "rooted in the Western political philosophy" (Harbeson, *et al* 1994: 25). Since independence the Zimbabwean state has suppressed some CSOs and their activities. The state has demarcated boundaries of political legitimacy that have eventually curtailed the political pathway followed by certain CSOs to be practically and inevitably confined to the jurisdiction of political legitimacy.

At independence ZANU-PF settled comfortably into the state structures and political system built by the colonial powers. The legacy of colonial oppression characterised by the suppression of vocal organisations remained dominant within the ZANU-PF government. The government

assumed the position of the sole representative of Zimbabweans, and discouraged organisations outside ZANU-PF's sphere of influence from representing popular opinion. This way the state gained leverage over civil society and frustrated the development of the organisations that hoped for recognition in policy formation and implementation when Zimbabwe attained independence. It is from this perspective that theorising civil society in Zimbabwe is different from the rest of the world. This enables us to understand more clearly the nature of interface and interdependence between the state and civil society in Zimbabwe.

The state inherited a Constitution (at the Lancaster House negotiations) that augmented the emergence of very powerful ruling elite able to exercise boundless economic and political power and reigning supreme over civil society. Closely linked to the existence of the excessively authoritative state is the politicisation of bureaucracies frequently accompanied by the entrenchment of political patronage and clientelism. This allowed the state to become more oppressive, tyrannical and devoid of transparency, accountability and irresponsible as corruption manifested itself in every state institution and the private sector.

This thesis aptly concludes that corruption and ZANU-PF's detestation and violence against certain CSOs was inherited through state institutions, laws and policies established by the colonial government, with control over the economy, political power and space, with greediness being the main cause. Then and now, the unequal wealth distribution and desire for wealth accumulation remain a contentious factor drawing a thin line between the state and those CSOs advocating for democratic economic policy changes

and implementation of transparent Anti-Corruption policies. This feeds to the state's continued promotion of legislation that circumscribes and criminalises the activities of influential CSOs. In particular, Zimbabwe has seen the criminalisation of civic leaders involved in education, human rights monitoring, public outreach and service provision, labelling them as unpatriotic and devoid of national interest as well as threatening the stability of society and endangering state security. This reflects the nature of state-civil society relations dictated by the state through the discourse of nationalistic politics and rhetoric.

The state and civil society in Zimbabwe form two dichotomous ensembles. While their respective practices, institutions and ideologies may clash, they are meant to complement each other on development issues as the following section demonstrates.

7.4 The state and civil society Anti-Corruption strategies

7.4.1 Main Findings and Policy Implications

This thesis has shown that a host of national, regional and international Anti-Corruption initiatives have been pursued by the state and some CSOs aimed at controlling corruption. State initiatives include the national instruments such as the ZACC of 2004 and 2011, the formation of the Ministry of State Enterprises, Anti-Monopolies and Anti-Corruption in 2006, and various Anti-Corruption committees within ministries. Regional Anti-Corruption tools in which Zimbabwe is signatory include the Southern African Development Community (SADC) Protocol Against Corruption of 2001, and the African Union Convention on Preventing and Combating Corruption adopted in 2003.

While internationally, Zimbabwe is signatory to the United Nations Convention Against Corruption (UNCAC).

Although the state has sanctioned several Anti-Corruption laws, and ratified a number of regional and international protocols against corruption, they are a rhetorical gesture, only existing on paper because corruption continues in all sectors. The Anti-Corruption discourse has often merely involved the government paying lip service due to increasing media attention and activism of some CSOs, as well as from actions taken by other regional and international agencies to fight corruption.

High levels of corruption prevail despite the presence of the ZACC and establishments of various Anti-Corruption institutions within different ministries. The fault clearly rests with the government. The thesis has demonstrated that the government's project of combating corruption is skewed. The establishment of Anti-Corruption structures has proven to be a failure because their strategies focus on dealing with symptoms rather than causes. Corruption has demonstrated durability and flexibility by mutating and adapting to new environments. The state has to concentrate on the root causes rather than on symptoms of corruption.

However, throughout the study, it is argued that eradicating the problem of corruption completely is impossible to envisage without the full commitment of the state, the involvement of CSOs, and the participation of the public. This is based on the premise that a holistic participation in Anti-Corruption programmes instils a sense of national ownership of the agenda and gives all stakeholders confidence and trust in the Anti-Corruption approaches. While

this research acknowledges that the problem of corruption is global, initiatives to fight it have to be anchored at the individual state level. This is reflected in Article 60 of UNCAC which provides that:

“Each state party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for preventing and combating corruption” (cited in Nichols *et al*, 2006: 487).

There can hardly be fruitful and effective programmes against corruption without a clear sense of national ownership of the Anti-Corruption strategies. The state has been able to take advantage of the proliferation of institutions to combat corruption. In essence, research findings from interviews and document analysis demonstrate that the state has failed to accommodate the public as key participants in the fight against corruption. Involving the public through public education campaigns by the state Anti-Corruption structures would have the effect of enhancing the credibility of Anti-Corruption efforts through a greater understanding of the existing laws. This would narrow the gap in the perception of corruption between the general public and the state Anti-Corruption institutions and political leadership. This approach has worked elsewhere in the region in countries such as Botswana, Namibia and South Africa (Sibudubudu 2002).

The overarching and recurring findings of this thesis are a lack of political will by the state to combat corruption. While it is unrealistic to expect the state to immediately and totally eliminate corruption, the principle of ‘zero tolerance’ as advocated by the President in his ZACC inaugural speech in 2011, should be adopted by the state, politicians and legislators. It is argued in this thesis that the success of the ‘zero tolerance’ approach depends on this

fundamental political commitment. Research findings from fieldwork demonstrate that state structures such as Parliament, the ZRP, and the judicial system have been unenthusiastic in tackling corruption. An important step and departure point in combating corruption at national level should begin with all government structures, (particularly Parliament, the ZRP and the Judicial system) demonstrating their willingness in supporting Anti-Corruption initiatives.

This study argues that Anti-Corruption initiatives anchored on the creation of democratic institutions such as an independent ZACC, a committed Parliament, and watchdog structures such as CSOs (that are not corrupt) are fundamental to the success of efforts to combat corruption. Political reforms can contribute towards an environment that is more favourable to reduced corruption because “they can increase the responsiveness of political elite to the will of the people” (Little 1996: 6).

While it is the responsibility of every sector of the society (including the government, private sector, civil society, media, and the public) to combat corruption, the state has the mandate to guide and direct the process by establishing an adequate legal framework, providing political will and leadership that coordinates the national effort, and providing adequate resources and operating space to Anti-Corruption institutions.

The state’s efforts in combating corruption have been very minimal due to interference in various programmes by senior government officials who have been involved in corrupt practices (see Figure 6.2). The single biggest impediment to the Anti-Corruption movement is the domineering ruling party.

Research findings from fieldwork established that strong Anti-Corruption programmes would shake the pillars of power and stability of the dominant ruling government whose survival is built on political patronage and clientele system. Effective Anti-Corruption programmes would undoubtedly interfere with patterns of political patronage and private accumulation, and threaten the privileges that state office confers on the political elite and their supporters. This explains exactly why the Anti-Corruption initiatives are bitterly resented and resisted by some of the ruling elite. It reflects why CSOs' efforts have been limited due to the state's restrictive laws that have isolated them from policy formulation and implementation, and participation in governance issues including the Anti-Corruption movements. Nonetheless, this does not necessarily negate or ignore some notable efforts, however limited, by a few civil society constituents and some state structures in the work of Anti-Corruption. TI-Z and the independent media are cited in this thesis as active participants in the Anti-Corruption crusade despite the state's clear antipathy.

TI-Z is a CSO devoted to combating corruption and strives for a society in which government, politics, business, civil society and the daily lives of people are free of corruption and instead guided by core values of transparency, accountability, integrity, justice and democracy. The TI-Z has been particularly active in Anti-Corruption campaigns, exposing corrupt practices by both public and the private sectors through its varied programmes and strategies such as publication of the Corruption Perception Index (CPI), reports and research publications, and their public education programmes. Its policy formulation, implementation and developments have

been informed and strengthened by a rising academic literature focusing on the causes and effects of corruption on socio-economic development, and this thesis contributes to this good cause.

It is therefore unsurprising that this has attracted the attention of many researchers, economists, political analysts and the public alike in condemning the state for its lack of political will in dealing with the problem of corruption decisively. Academic and journalistic consensus is that the state lacks a strong will to combat corruption. As the media heightens this attention, there is a widespread perception by researchers and scholars, the public, and some parts of CSOs that corruption is on the increase in Zimbabwe. The media has demanded effective action to eliminate corrupt practices that have become one of the most profound disappointments of the period of development.

Political corruption is posing possibly the greatest hazard to the credibility and stability of the Anti-Corruption agenda. As was argued by one respondent, “political corruption perpetuates double standards inimical to the development of an Anti-Corruption culture” (Interview 57, 21st December 2012). Thus there is need to eradicate high level political corruption that has undermined and interfered with the Anti-Corruption instruments. For the Anti-Corruption apparatus to succeed there is a need to eliminate corrupt politicians who discourage or block the implementation of effective Anti-Corruption programmes. This should extend to some CSOs that have created and amplified the socio-economic and political crisis in Zimbabwe in order to sustain a ‘crisis industry’ for donor funding, which also promoted

corruption within some CSOs. Such CSOs have been part of the problem; however, they may also be part of the solution.

Corruption is a multifaceted problem requiring a wide range of legal and non-legal strategies. The national, regional and international Anti-Corruption instruments present a comprehensive set of standards designed to combat corrupt practices. Nationally, the ZACC and the TI-Z have put in place several Anti-Corruption strategies although varying in the implementation process. Both structures merge at objectives level where they identify prevention, public education programmes and punishment as three imperative pillars necessary in combating corruption. Unlike the ZACC, the TI-Z has developed and taken Anti-Corruption activities to the public through education programmes via the media and public lectures, seminars and road shows. This has further increased public awareness of corruption while the ZACC has relied on investigations as its active strategy. This has not produced the required results as none of those investigated have been prosecuted; the ZACC is not effective and does not work for Zimbabwe. The ZACC's strategy of investigation can only be effective if the judicial system and the investigative organs such as the ZRP are genuinely free from political influence. The ZACC needs to shift its approach and strategy from investigation to other intervention strategies such as public education programmes.

Chapter six discusses the ZRP as an ineffective institution in terms of combating corruption. Zimbabwe has a strong police force whose establishment is provided under its respective Constitutional mandate and exclusively through Police Standing Orders. The ZRP powers include

investigating, arresting, search and seizure with respect to crime, including corrupt practices. They are trained in the general crime detection, which is centred on criminal law. This study argues that the traditional role of the ZRP is the maintenance of law and order, yet corruption does not readily fall under this category. In its traditional role, the police force works on the basis of a complaint. With corruption cases, there may be no complaint as corruption tends to be a consensual crime where both parties may be willing to participate, unless one of them reports the matter. This is what makes corruption cases involving the ZRP complex and difficult to untangle.

The ZRP's lack of credibility is discussed extensively in this thesis. The TI-Z's Global Corruption Barometer (2012) cited the ZRP as the most corrupt state institution in Zimbabwe. The findings of this thesis demonstrate that the ZRP is a flawed institution due to political interference by the ruling government.

Literature on corruption and its control in Zimbabwe has documented the numerous social, economic and political evils of corruption with most focusing on its causes, nature, and effects and how the state has worked to combat it. However, researchers have seemingly failed to incorporate the role of civil society in the fight against corruption. Studies have accentuated the state Anti-Corruption initiatives by detailing the role played by the state without examining the role of other stakeholders like CSOs. This thesis has attempted to fill this gap. While acknowledging that some CSOs are themselves corrupt, this thesis argues that isolating civil society from designing and implementation of Anti-Corruption programmes is as dangerous as corruption is to the society.

This thesis draws on John and Comaroff (1993), Mbembe (2002) and Fratton (2002) who argue that a strong and free civil society is a crucial condition of strong democracy, strong economic and social development, and the thesis therefore argues that empowering civil society is a fundamental prerequisite for the project of Anti-Corruption. If the state could work with civil society in designing and implementing Anti-Corruption policies, they may both serve as watchdogs for each other. There is nothing new for civil society in working alongside the state structures in implementing Anti-Corruption policies since they have once worked together since independence. The state should acknowledge and accept civil society as an independent and creative partner in the development of effective coalitions to improve governance.

The main intriguing results of this thesis are that the state has no clear-cut strategies to combat corruption despite having Anti-Corruption organs in various government ministries including institutions such as the Parliament and ZRP. In particular, the overarching and recurring conclusion is that the state lacks political will to formulate real strategies for fighting corruption. Consequently, the ZACC is fragmented and not sincerely supported and integrated by other state institutions responsible for combating corruption. As a result, this fragmentation leaves the ZACC vulnerable to public criticism as it fails to meet public expectations.

Thus, the effective methodology to combat corruption in Zimbabwe is to make and effectively enforce constitutional provisions for the accountability of public officials, and to guarantee participatory democracy to encourage popular participation of the public and civil society (despite that some of them are corrupt themselves) to ensure accountability and transparency of

governance. This is possible through the initiation of institutional reforms and public policies grounded in genuine democratic principles and public accountability that Zimbabwe can realistically wage a sustained and successful attack on the entrenched bastions of corruption that handicap its development.

The state's approaches and strategies have not been helpful in controlling corruption as they tend to rely on the traditional methods of punishment that do not have the effect and impact to eradicate corruption. What Zimbabwe needs is a proper analysis planning and implementation of the Anti-Corruption policies that can create a corruption-free society. These should all focus on interventions to change the paradigm at the heart of the entire culture of corruption from political leaders to bureaucrats and the public. The project of combating corruption requires bringing about change in politicians, bureaucrats and within the public's consciousness. This entails the augmentation of ethical values and moral development at an individual level and the reformation of political, social and economic administrative structures at systemic levels. Ethical behaviour has to be inculcated in the civil servants to generate self-awareness which places the responsibility of fighting corruption on all parts of the system. Society is the source of bureaucrats, thus there is a need to infuse ethical behaviour throughout society, from the family to the school and to the job market. Unless the state and other Anti-Corruption actors focus more on the causes of corruption, efforts at a later stage will be too late and more costly. The overall interest in ethics education is one of the drivers in Anti-Corruption programmes.

Anti-Corruption initiatives need to focus on all sectors and levels of administration and society. Its skewed focus on the public sector means that most of its efforts are concentrated on controlling the demand side of corruption (inducement by public officials). This imbalance of focus in fighting corruption creates an environment of instability in the Anti-Corruption system. To balance the equation, the supply side (private sector) must also be controlled. Consequently, this imbalance on Anti-Corruption programmes means corruption in the private sector is ignored. This creates an environment conducive for corruption to flourish within a wider scale in society.

Current initiatives often lack credibility, autonomy and public trust and confidence because there is a missing link in the form of political support as the political structures such as the Parliament cannot legally enforce investigation and prosecution of corruption crimes. Key characteristics of Zimbabwe's political context take account of the dearth of vibrant public institutions, weak legislatures and a politically manipulated judicial system, coupled with the unwarranted influence of the political leaders in public affairs. The Anti-Corruption programmes require a high degree of political commitment, administrative and legal capacity to implement development and good governance policies. Zimbabwe lacks credible and demonstrable commitment to reform.

The ruling government needs to allow some CSOs to participate in policy formulation and implementation that will see them playing a stronger role in national efforts including combating corruption as evidenced by TI-Z and some independent media. While the thesis argues that TI-Z and the

independent media have been proactive in exposing cases of corruption under restrictive laws and harsh political environment, on the one hand, interviewees felt that ZANU-PF should abandon its restrictive draconian laws such as the POSA and its evil twin the AIPPA. These were meanly created to target the opposition supporters, the human rights activists and independent media, and specifically restrict the rights to criticise the government and the President, block free engagement in advocacy issues or to organise acts of peaceful civil demonstrations. Disbanding these laws would give some CSOs the opportunity to play a more active role in developing and implementing Anti-Corruption programmes. The hostile legal system, including defamation laws, compromises the role of the independent media in exposing corruption. Consequently, this has resulted in some form of self-censorship by journalists who fear harassment and persecution (Interview 3, 27th October 2011).

There is a need to attend to, and strengthen the pre-conditions for free and independent civil society by attacking all forms of oppression and repression of some CSOs by the ruling government. This will give them the means and the platform to be active organisations in national policy formulation and implementation, guaranteeing the freedom of associations, freedom of expression, access to government information and structures of communication, and build a strong foundation for institutional coalitions, alliances and partnerships.

This thesis argues that a free and competent press is necessary and indispensable to the success of fighting corruption. Freedom of press calls for access to information and the absence of government censorship.

Transparency and accountability require information to be available freely in the public domain.

Since political will is argued here to be critical to effective Anti-Corruption strategies, this gap in perspective is an area of concern. Political will should be demonstrated through adequate funding of Anti-Corruption agencies, visible and tangible action taken against corrupt individuals, and leadership must truly align itself with Anti-Corruption institutions.

This thesis views whistle blowing as an Anti-Corruption strategy that links the state with civil society, the state with the public, and civil society with the public. It has a significance that lies in the fact that it creates communication links between CSOs and state organs dealing with corruption, between the public and the state institutions, and the public with civil society.

While Zimbabwe is a signatory to both regional and international Anti-Corruption conventions and protocols, it still remains without a clear whistle blowing policy. The lack of laws protecting whistle blowers is one area of concern with those involved in Zimbabwe's Anti-Corruption initiatives. Many countries in Southern Africa have adopted the SADC, AU and the UN's Whistle blowers Protection Act, but years after ratifying the protocols, Zimbabwe has not yet adopted the policy. Protecting whistle blowers, notably employees, the public and CSOs such as the independent media, is an essential step towards combating corruption in Zimbabwe. Combating corruption entails enacting laws that guarantee access to information giving succour to whistle blowers while protecting both the public and the media who bravely raise concerns and accusations.

Without legal protection, civil society, the public, workers and individuals are often afraid to report corrupt activities observed in their everyday experiences. Lack of whistle blower policy is an impediment to the Anti-Corruption initiatives.

Both the fundamental strength of civil society and the overall balance between it and the state are critical aspects of any reform strategy. Where the groups, interests and organisations of civil society are vigorous, they can serve as political and communication links (both upward and downward) between government and the people. They can monitor the conduct of officials, and of each other, and through conflict and competition can reach settlements regarding acceptable political practice that engage in the reduction of public corruption. This is a critical development. While Anti-Corruption campaigns are obviously important, institutionalising reform means linking it to enduring incentives. The same interests that had previously contributed to corruption, either as instigators or as paying victims, can come to inhibit it to the extent that they are numerous and well organised, experience a healthy competitive balance among them, and become better able to insist upon less exploitative treatment by officials.

A strong civil society can be a check upon official conduct, and critical to accountability, because transparent and accountability procedures mean little if no one outside the state can demand a meaningful accounting backed up by credible threats of political or legal sanctions.

Appendices

Appendix 1: Sample letter requesting interviews sent to respondents

12th September 2011

Dear Sir/Madam,

Ref: Request for Interviews

My name is Stephen Moyo, a PhD (Doctoral) research candidate of the University of Central Lancashire (UCLAN) in England in the School of Education and Social Sciences. I am currently conducting a research on '*The Roles of the state and civil society in combating corruption in Zimbabwe*'. In light of this, I have few questions that I would like to ask in order to answer the research questions. I am therefore writing this letter to request your permission to conduct face-to-face interviews with you with regards to this research.

I would be much thankful if my request is given the best of your favourable consideration. Find attached introductory letters from my University and Transparency International-Zimbabwe (TI-Z) which is housing me during this fieldwork. You will also find attached a copy of interview topic guide for your perusal and consideration.

Thanking you in anticipation of your favourable support. Should you want to contact me do not hesitate contact me (email address and mobile number provided).

Yours faithfully

Stephen Moyo

Appendix 2: UCLAN Official introduction letter



Professor Keith Faulks BA PGCE PhD
Head of School
School of Education and Social Science
University of Central Lancashire
Preston PR1 2HE
Telephone 01772 893980
Fax 01772 892922
Email e&ssdeptoffice@uclan.ac.uk
www.uclan.ac.uk

August 30th 2011

Dear Sir/Madam,

This is to introduce Mr Stephen Moyo who is a PhD candidate in the School of Education and Social Science at the University of Central Lancashire, U.K.

His PhD research subject is 'Combating Corruption in Zimbabwe: The Role of the State and Civil Society'.

Yours faithfully,

Dr Philippa Hall

Senior Lecturer



englandsnorthwest
BE INSPIRED

Appendix 3: TI-Z introduction letter



TRANSPARENCY INTERNATIONAL ZIMBABWE

the coalition against corruption

96 Central Ave
P.O. Box CY 434
Causeway
Harare
Zimbabwe

Tel/Fax: 263-04-793246/7, 793277
Direct: 263-4-793263
ALAC Toll Free: 08004276
email: tiz@transparency.org.zw

6th October 2011

To Whom it may Concern

Dear Sir/Madam

REF: STEPHEN MOYO: PHD RESEARCH STUDENT UNIVERSITY OF CENTRAL LANCASHIRE (ENGLAND)

Transparency International Zimbabwe (TI-Zimbabwe) is currently housing Stephen Moyo a Doctoral candidate with the University of Central Lancashire (England). He is conducting a research on the **The role of the state and civil society in combating corruption in Zimbabwe.**

Please accord him the permission to conduct face- to – face interview(s) with members of your organisation pertaining to his research questions which seek to understand the role played by your organisation and other civil society groups in influencing anti-corruption policy in Zimbabwe.

TI-Zimbabwe appreciates your support towards this noble cause.

Yours faithfully

Mary-jane Ncube

Executive Director

the coalition against corruption

Appendix 4: Matrix of table of interviewees and organisations affiliation

| Name of Interviewee | Name of Organisation | Position of Interviewee | Date of Interview |
|---------------------|---|-------------------------------|--------------------------------|
| Interview 1 | Transparency international-Zimbabwe (TI-Z) | Project Officer | 24 th October 2011 |
| Interview 2 | TI-Z Advocacy and Legal Advice Centre (ALAC) | Legal Advice Officer | 26 th October 2011 |
| Interview 3 | Independent Media (newspaper) | Editor | 27 th October 2011 |
| Interview 4 | Anti-Corruption Trust of Southern Africa (ACTSA) | Chief Executive Officer (CEO) | 27 th October 2011 |
| Interview 5 | University of Zimbabwe (UZ) | Lecturer | 28 th October 2011 |
| Interview 6 | Zimbabwe Republic Police (ZRP) | ZRP spokesperson | 2 nd November 2011 |
| Interview 7 | TI-Z | Executive Director | 4 th November 2011 |
| Interview 8 | Zimbabwe Anti-Corruption Commission (ZACC) | Commissioner | 4 th November 2011 |
| Interview 9 | ZACC | Commissioner | 4 th November 2011 |
| Interview 10 | Radio Voice of the people (VOP) | Director | 7 th November 2011 |
| Interview 12 | Ministry of Public service | Minister | 9 th November 2011 |
| Interview 15 | Catholic Commission of Justice and peace (CCJP) | Chairperson | 11 th November 2011 |
| Interview 16 | Ministry of Local Government, Rural and Urban Development | Deputy Minister | 14 th November 2011 |
| Interview 17 | Zimbabwe Congress of Trade Union (ZCTU) | Secretary General | 18 th November 2011 |
| Interview 18 | UZ (Dept. of Political | Lecturer and former Board Of | 21 st November 2011 |

| | | | |
|--------------|--|------------------------------------|--------------------------------|
| | and Administrative Studies) | Trustees with TI-Z | |
| Interview 19 | Ministry of Home Affairs | Minister | 23 rd November 2011 |
| Interview 20 | National Constitutional Assembly (NCA) | Executive Director | 7 th December 2011 |
| Interview 21 | Zimbabwe Commercial Farmers Union (ZCFU) | Union President | 7 th December 2011 |
| Interview 22 | Zimbabwe Broadcasting Corporation (ZBC) | Radio Presenter | 12 th December 2011 |
| Interview 23 | Organisation of Rural Associations for Progress (ORAP) | Chairperson of the Executive Board | 14 th December 2011 |
| Interview 24 | Movement for Democratic change (MDC-Tsvangirai) | Member of Parliament (MP) | 16 th December 2011 |
| Interview 25 | Zimbabwe Human Rights Association (ZIMRIGHTS) | National Chairperson | 16 th December 2011 |
| Interview 26 | Ministry of justice and Legal Affairs | State Prosecutor | 20 th December 2011 |
| Interview 27 | European Union | Head of Delegation | 21 st December 2011 |
| Interview 28 | Crisis Coalition of Zimbabwe | National Coordinator | 23 December 2011 |
| Interview 29 | Independent Media | Deputy Editor | 30 th December 2011 |
| Interview 30 | Zimbabwe National Liberation War Veterans association (ZNLWVA) | War Veterans Chairman | 3 rd January 2012 |
| Interview 31 | State Media (The Chronicle) | Journalist | 30 th December 2012 |
| Interview 33 | Ministry of Justice Legal and Parliamentary Affairs | Minister | 5 th January 2012 |
| Interview 36 | National Association of Non-Governmental Organisations (NANGO) | Executive Officer | 9 th January 2012 |

| | | | |
|--------------|--|----------------------------------|--------------------------------|
| Interview 37 | NANGO | Programme Director | 9 th January 2012 |
| Interview 39 | Media Institute for Southern Africa (MISA) | Acting Executive Officer | 10 th January 2012 |
| Interview 40 | Ministry of Home Affairs | Representative | 19 th January 2012 |
| Interview 41 | Local Government Authority (Bulawayo) | Mayor | 25 th January 2012 |
| Interview 42 | Zimbabwe Human Rights Association (ZIMRIGHTS) | Programme Coordinator | 25 th January 2012 |
| Interview 43 | Ministry of Justice and Legal Affairs | Judge | 27 th January 2012 |
| Interview 44 | MDC-N | MP | 30 th January 2012 |
| Interview 45 | ZRP | Police Commissioner | 30 th January 2012 |
| Interview 46 | Office of Comptroller Auditor-General (CAG) | Chief Auditor | 2 nd February 2012 |
| Interview 47 | Ministry of Higher and Tertiary Education | Deputy Director Discipline | 3 rd February 2012 |
| Interview 48 | State Media (Umthunywa) | Acting Editor | 6 th February 2012 |
| Interview 49 | Ministry of Education, Sports and Culture | Historian and Social Commentator | 7 th February 2012 |
| Interview 50 | National University of Science and Technology (NUST) | Researcher | 10 th February 2012 |
| Interview 51 | Former Editor (with both the state and independent newspapers) | Social Commentator | 10 th February 2012 |
| Interview 54 | Patriotic Front-Zimbabwe African People's Union (PF-ZAPU) | President | 14 th February 2012 |
| Interview 55 | Ministry of Finance | Minister | 7 th December 2012 |

| | | | |
|--------------|---------------------------------------|-----------------|--------------------------------|
| Interview 56 | ZACC | Chairperson | 10 th December 2012 |
| Interview 57 | UZ (Institute of Development Studies) | Research fellow | 21 st December 2012 |
| Interview 58 | ZRP | Police Officer | 21 st December 2012 |

Appendix 5: Sample of interview topic guide

A. Civil society

Topic Area 1: Civil society and state relations

- 1) How state-civil society relations are perceived by the organisation
- 2) The nature of state-civil society interface in Anti-Corruption policy formulation and implementation
- 3) How relations influence Anti-Corruption programmes
- 4) Existing civil society organisations' legislations
- 5) Requirements for civil society registration
- 6) State monopoly over political space and policy influence
- 7) Civil society autonomy from state interference
- 8) Terms of engagement with the state
- 9) Do you engage the state in Anti-Corruption issues
- 10) Means and channels of communicating with the state
- 11) Assistance from the state

Topic Area 2: Civil society's role and strategies of combating corruption

- 1) Organisation's major activities
- 2) Organisation's understanding of corruption, causes, nature and effects
- 3) What role is played by the organisation in combating corruption
- 4) Organisation's influence on Anti-Corruption initiatives
- 5) Strategies used to influence Anti-Corruption policy
- 6) Strategies employed to fight corruption
- 7) Successes and failures of these strategies

- 8) Barriers and major challenges in policy engagement and combating corruption
- 9) Factors affecting policy advocacy activities
- 10) Where political space is limited what strategies are employed to improve impact
- 11) What needs to be done to fight the spread of corruption

Topic Area 3: Civil society structural and organisational factors

- 1) Composition of civil society
- 2) Civil society membership
- 3) Level and nature of organisation
- 4) Civil society relations and interface
- 5) Civil society competition for turf and donations/funding
- 6) Civil society participation in other organisations' activities
- 7) Effective coordination
- 8) Linkages with international organisations
- 9) Civil society and donors relations

B. State actors

Topic Area 1: State-Civil society relations

- 1) State's understanding of civil society
- 2) How the state-civil society relations are perceived and described by the state
- 3) Opinions about current legislations regulating civil society operations
- 4) Engaging civil society in policy processes

- 5) Types of civil society organisations (CSOs) engaged by the state in policy issues
- 6) State-civil society interface in Anti-Corruption management
- 7) How do state-civil society relations affect socio-economic and political development of the country
- 8) Challenges met working with CSOs
- 9) Foreign organisations' influence and/or affect state's relations with civil society
- 10) Is civil society considered to be a necessary partner in policy formulation and implementation
- 11) What needs to be done to strengthen state-civil society relations

Topic Area 2: Strategies of combating corruption

- 1) State's understanding of corruption, its causes, nature and effects
- 2) State's response to increasing corruption
- 3) Anti-Corruption strategies employed by the state
- 4) Description of Anti-Corruption policy
- 5) Current priority Anti-Corruption policies
- 6) Anti-Corruption structures
- 7) State's support for the Anti-Corruption structures
- 8) Non state partners in combating corruption
- 9) Involvement of CSOs in Anti-Corruption policy formulation and implementation
- 10) Problems, barriers and challenges in combating corruption
- 11) Steps needed to be taken to combat corruption

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