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Prince Chukwuneme Enwereji
Guest Editor

**Benon C. Basheka
Dominique E. Uwizeyimana**
Editors



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Editorial

Public Governance and Leadership: Ensuring the welfare of the citizenry

Dr. Prince Chukwuneme Enwereji

School of Public Management, Governance & Public Policy, University of Johannesburg

prince.enwereji@yahoo.com

Public governance has been described in various ways, but essentially, it refers to measures and procedures employed by the government to ensure the total welfare of the citizenry. Egeberg and Trondal (2018) affirm that governance refers to the structure by which organisations/nations are managed, as well as the procedures adopted to ensure that leaders are held accountable. This definition of governance describes it as an activity that incorporates formal and informal rules, procedures, and practices employed by the state to achieve desired outcomes that meet society's needs while making the most efficient use of available resources. In the view of Pomeranz and Stedman (2020), good governance emphasises how public institutions handle public affairs, manage public resources, and ensure the fulfilment of human rights in a manner that is free of abuse or corruption, and in accordance with the rule of law. In the context of effective governance, the structures must provide accountability; transparency; responsiveness; compliance with rule of law; stability (both socially and economically); equity and inclusiveness; empowerment; and broad-based participation. Dzebo (2019) further agrees that effective governance is the ability to implement processes to achieve results that conform to society's demands while making the most efficient use of available resources. Taking all this into account, and in reference to the African context, it is clear that efficiency is needed to achieve good governance in order to enhance positive change, right down to the grassroots level.

While the concept of leadership dates back to the earliest recorded history of humankind, the study thereof as a subject gained popularity in the early twentieth century. Since then, various theories have arisen, each of which has contributed significantly to the evolution of the concept. With so many theories being developed and applied in various organisations and situations, leadership as a concept has become a vast field of study and a challenging topic to define, grasp, and comprehend as a whole. According to Northouse (2021), leadership is one of the most observed yet least understood phenomena in academia. Various views have been provided by many scholars; nonetheless, leadership can be described in simple terms as a position of power held by an individual or individuals in a group that allows them to exert interpersonal influence over the members of the group to mobilise and guide the group's efforts toward specific goals (Bennis & Thomas, 2020). An individual's or a group's ability to influence and guide followers or other members of an organisation, referred to as leadership, is considered a critical management function, as it enables resources to be directed toward increased efficiency and goal achievement. Effective leaders clarify the mission, motivate subordinates, and assist them in achieving the set goals (Daniëls, Hondeghem & Dochy, 2019). The leadership process culminates in the achievement of a common objective via the dedication and desire of both leaders and followers. Leadership entails building relationships, and above all, it is about collaborating with and guiding people in new directions; it is about maintaining integrity and trust; and the process of generating the most pleasant interaction possible between leaders and followers, customers, employees, and all the stakeholders in governance.

The increasing complexities and demands resulting from continual societal change, as well as the constant push for higher levels of service provision, necessitate effective and ethical leadership. In the twenty-first century, good governance and leadership that is both effective and ethical are required for nations to be regarded as successful in the eyes of all stakeholders. It is impossible to achieve goals and deliver services needed by the citizenry without effective leadership and good governance at all levels in private, public, and civil organisations. Sloof and von Siemens (2021) confirm that effective leaders have a defined mission and vision for the future, and make decisions in accordance with those goals. Effective governance and leadership work collectively to implement a specific plan and contribute to the development of a successful management culture. Leaders are deemed crucial because they define how power and financial resources are distributed and make decisions that can have a significant impact on a country's prosperity. Finally, the proper administration of the state or society is the product of good governance and it safeguards the interests of the people, regardless of their social standing. It also places a strong emphasis on public sector management, the legal foundation for development, accountability, transparency, and information flow.

Reflecting on the qualities of leaders in the African context

According to Joyce (2017), leadership traits are the characteristics, talents, and behaviours of strategic leaders that result in outstanding performance. Mascagni, Nell, and Monkam (2017) confirm that many countries in the African continent have been unable to deliver basic services to residents due to strategic leadership challenges. When a country is subjected to ineffective leadership and poor governance, its economic growth is negatively affected. The slow pace and stagnancy of economic growth in most African countries is connected to a lack of regulatory quality, the ineffectiveness of governments, and total lack of corruption control. Weak governance is attributed to the inability of the government stakeholders to facilitate effective leadership and governance in fulfilling the service provision motive, social programmes, and infrastructural development. Real change will require courageous, bold leaders who exemplify value-driven leadership. Many African countries have robust policies in place to drive their economies and future growth, however, the gap between intention and implementation poses a stumbling block in rewriting the narratives of weak governance. This is often the case where leaders at the top know what needs to be done, but don't know how to position their structures to take action effectively. There is a need for leaders to create a sustainable implementation approach that can bring positive growth and change through sound policies. It can be argued that African politicians are to blame for the continent's current poverty and underdevelopment, as they have failed to identify or develop a leadership model or strategy that will work for the continent. One of the possible reasons for this failure is that they are focused on importing western-based concepts that simply don't work in most African countries.

The African continent continues to face major developmental challenges due to leadership issues. Corruption, fraud, undeveloped infrastructure, and unsustainable development have continued to plague the African continent due to the lack of effective leadership and governance (Amah, 2019). The numerous challenges, such as corruption and mismanagement of available resources, lie at the heart of all problems that have arisen in the past few decades since independence. The money spent on corrupt practices could instead be put to good use in Africa's development to fight poverty, and unless this is tackled, effective governance will not be achieved. Poverty in Africa will not be eradicated until African leaders work together to address the cause of the continent's underdevelopment. Africa as a continent may have achieved political independence, but it has not achieved economic independence.

Sadly, many African politicians are vying for leadership positions in government to control current resources and abuse the economy. Many individuals in Africa see government positions as a way to wriggle out of poverty. Most African countries cannot maintain their economies and provide public services with their current resources; therefore, they rely on assistance from western countries for financial assistance and loans. However, this financial aid provided by the western world is often abused by the African leaders who divert such funds for their personal use, leaving their countries' economies distressed and subject to recession. Africa urgently requires leaders who can transform their countries' economic conditions to ensure that basic services are provided to the citizenry. In the view of Mbandlwa (2020), African nations will never achieve any significant growth unless the bad leadership syndrome is addressed; and if corruption is not effectively handled, their development will be stifled.

The goal of the special issue

This Journal promotes academic scholarship through the publication of original manuscripts in the field of *Public Administration, Management, Governance, Leadership, Public Policy, Public Leadership*, and other related fields. This special issue presents scholarly articles based on governance and leadership in the African continent. The selected manuscripts provide insights on the effective governance methods to improve the functionality of the African continent, which has generally been riddled with poor governance. The intention of this journal the Millennium Developmental Goals (MDGs) while providing measures for African countries to establish efficient institutions that promote accountability, democracy, good governance, and effective leadership. In the twenty-first century, good governance and effective leadership are required for nations to be regarded as successful and prosperous in the eyes of all stakeholders. There exists a direct correlation between successful leadership, good governance, and economic development. The fundamental reason for the lack of development and poor service provision in Africa, compared with other continents, is ineffective governance and leadership. Africa could witness remarkable growth opportunities if its leaders are able to facilitate effective leadership and governance.

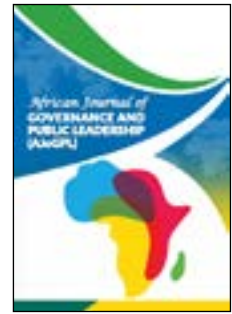
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Organized crime across the sub-Saharan African States: the case of corruption in Cameroon and Nigeria



Adewumi I. Badiora

adewumi.badiora@oouagoiwoye.edu.ng

Department of Urban and Regional Planning, Olabisi Onabanjo University, Nigeria

Oluwole Ojewale

ENACT Regional Coordinator for Central Africa, Institute for Security Studies, Senegal

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Abstract

Aside from sharing about 1975 km border length, Cameroon and Nigeria have issues in common which present a worthwhile opportunity for comparative research of certain socio-political occurrences manifesting themselves within the organized crime context. One of such is corruption. The 2020 Corruption Perception Index (CPI) rated both states at 149th position out of 180 states with a CPI score of 25 out of 100 (0=highly corrupt and 100=very clean). The aim of this study revolves around a comparison of corruption between Nigeria and Cameroon by way of a literature study and also measuring corruption prevalence by means of a closed-structured survey. A combination of purposive and convenient sampling was used to collect data that were analysed using frequency distributions and chi-square. Findings show that both states are not satisfactorily transparent. The judges, police, and how tenders' officials handle the government contracts are selected as the most corrupt in both countries. Although not statistically significant, findings show that corruption is more widespread among Nigerian police departments and judges. Conversely, results significantly show that self-enrichment is the order of the day in Cameroon compared to Nigeria, especially through prevalence of fraud in the administration of state development contracts. The study is of the view that whistle-blowing strategy, prompt trial of corruption cases, true independence of anti-corruption agencies and political willpower of government could serve as deterrence measures in both states".

Key words: Political corruption, Corruption - Africa, Sub-Saharan, Governance

Introduction

Transparency International (TI)'s 2018 Corruption Perception Index (CPI) shows that almost no country is completely free from corruption and related crime. This is understandable as not a single country out of one hundred and eighty nations surveyed in 2018 CPI comes close to top marks while over one hundred and twenty countries score below fifty on the scale of zero (highly corrupt) to hundred (very clean). This indicates that just about one third of countries are even above average. Among those nations below average, Sub-Saharan Africa is widely considered the world's most corrupt places.

Sub-Saharan Africa consists of countries found to the south of the Sahara desert (See Figure 1). The continent of Africa is commonly divided into five sub regions, four of which are in sub-Saharan Africa: West, East, Central and South Africa. The World Bank statistics from 2018 recorded a total population of 1.078 billion for the Sub-Saharan Africa, making it the second largest population region in the world (World Bank, 2018). The history of sub-Saharan Africa is characterized mainly by European colonialism, whereby white minority governments controlled the economic and political affairs in most countries. The 20th century witnessed armed struggles and violent confrontations as black majority parties and groups fought for their independence from colonial governments. Colonialism plundered the continent while stifling local political and economic development, and left behind a legacy with ramifications for the present, as reflected in the patterns of contemporary globalization (Ocheni & Nwankwo 2012; Heldring & Robinson 2013; Frankema, 2015; Austin, Frankema, & Jerven, 2016). Across the continent, many countries (e.g. Nigeria, Cameroon, Ghana, South Africa, Senegal, Kenya, Rwanda) have made significant strides in the social, political and economic spheres since the turn of the millennium, although some of these successes have yet to be firmly consolidated, with corruption proven to be playing a major role (TI, 2018).

Corruption is a factor seen as contributing to the stunted development and impoverishment of many countries in the Sub-Saharan region (TI, 2020). According to TI (2018), a leading global watchdog on corruption, six of the ten countries considered most corrupt in the world are in Sub-Saharan Africa. High levels of corruption across the Sub-Saharan Africa have become a threat to many countries considerable efforts towards the vision of a democratic, prosperous, and peaceful continent (TI, 2020). Sub-Saharan Africa is the poorest-performing region in the Corruption Perceptions Index (CPI), which uses a scale of zero (0) to hundred (100), where zero means that a country is perceived to be highly corrupt and a hundred means it has no corruption at all, in other words, it is clean. In the last three years, Sub-Saharan Africa's average score in Transparency International's CPI is thirty-two (32); a score that is well below the global average of fourth-three (43) (TI 2020).

According to TI's 2020 CPI, perceptions of corruption in a number of Sub-Saharan African states show little improvement from the previous years, nonetheless, major regional players continue to struggle. Alongside the problem of bribery, money laundering and mismanagement of public funds which is extensive in some parts of the region, the interrelated phenomena of fragility, crony capitalism, and poor governance have resulted in shocking forms of corruption, notably state capture (Crabtree & Durand, 2017; Logde, 2019). In response, countries in the region have enacted various anti-corruption legal instruments. Besides, regional organisations, civil society, and the media are also tackling the problem head-on. With all these anti-corruption instruments, a number of Sub-Saharan African states have improved both their scores and rankings in 2020 CPI, with countries like Seychelles, Botswana, Sierra Leone, South Africa, Guinea-Bissau, Benin, Cabo Verde and Guinea as regional outperformers. Nevertheless, some of the region's major economies such as Cameroon, Ghana, Nigeria, Kenya and Senegal continue to underperform with flat or (in Cameroon and Nigeria's case) declining scores. At the bottom of the index are Sudan, Somalia and South Sudan (TI, 2020).

According to 2020 CPI, Côte d'Ivoire has considerably improved, by nine points since 2013. However, the political crisis surrounding the re-election of the country's president, which erupted into violence and human rights violations, risks derailing progress.

With a CPI of 19, the Republic of Congo significantly declined by seven points since 2012. This performance is reflective of endemic corruption and impunity by the country's political elite. The Republic of Congo has an anti-corruption framework in place, but its implementation remains weak. TI submits that, in Senegal, the political will of its leaders to tackle graft has declined in recent years. Nigeria also continues to under-perform, notwithstanding the country's anti-graft stance of its president. Similarly, Corruption in Togo continued to worsen in 2020, potentially undermining authorities' otherwise successful efforts to entice foreign investors, such as reducing corruption and bureaucracy (TI, 2020).

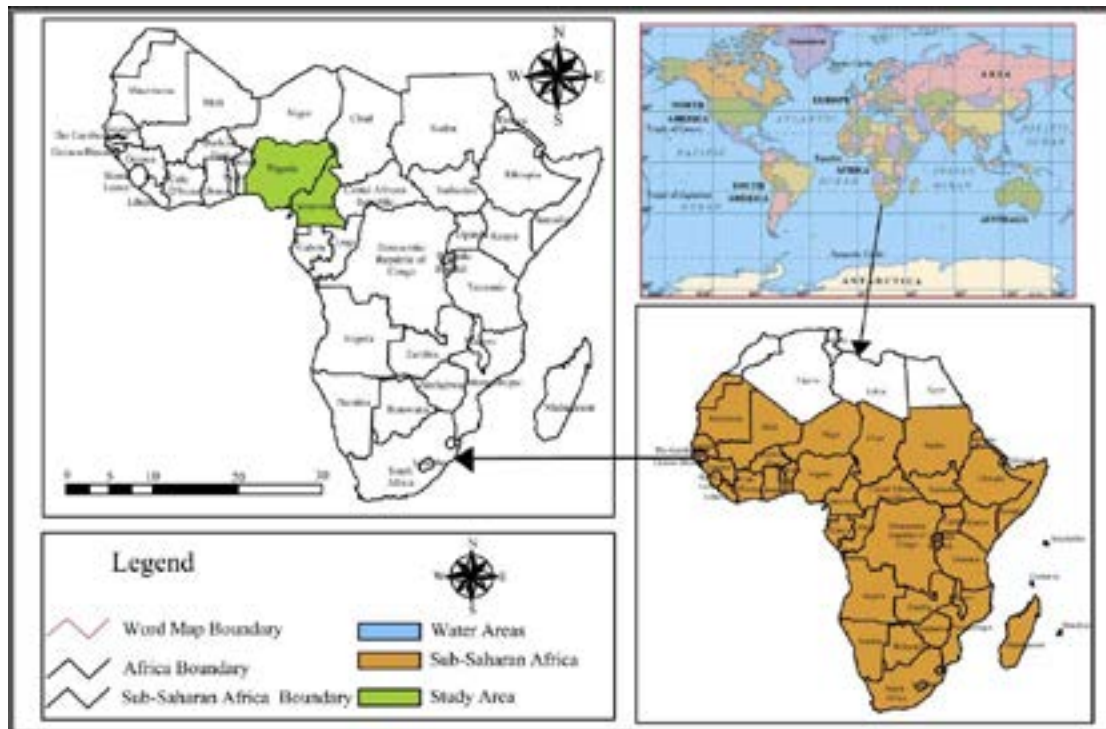


Figure 1: Study area in Africa and Global contexts

With CPI of 30 and 33 respectively, TI ensigns Malawi and Zambia as Sub-Saharan states to watch. Malawi is a significant decliner, dropping seven points since 2012. The country continues to grapple with misappropriation of funds after the notorious “cash-gate scandal” of 2013, involving high levels of public sector corruption. A recent government audit revealed public sector corruption of astronomical proportions, with an estimated one billion US Dollar allegedly stolen by the previous government (TI, 2020). However, the new government elected in June 2020 promises a fresh start, with several investigations into corruption already ongoing, and some key arrests made in connection with a cement import scandal (TI, 2020). Besides, the extradition of a high-profile Malawian pastor accused of money laundering in South Africa may be another test of the country's pledge to anti-corruption (TI, 2020). Zambia is a country to watch having dropped five points since 2013. Corruption is pervasive in Zambia and affects people's access to essential public services. According to TI (2019), nearly one in five Zambian citizens paid bribes to receive essential services like health care or education. The mounting levels of corruption may be attributed to an inefficient national public procurement system, operating against a backdrop of rising foreign debt and high levels of poverty (TI, 2020). Hence, stronger commitment to procurement reforms and open civic spaces will support greater transparency and accountability.

Nigeria and Cameroon (See Figure 1) are republics who are still in their nursing stages. Both were governed by dictatorial colonial masters and self-governments with an oppressive history. Particularly, Wallechinsky (2006) ranked President of Cameroon, Paul Biya with three others (Robert Mugabe of Zimbabwe, Teodoro Obiang Nguema Mbasogo of Equatorial Guinea, and King Mswati of Swaziland) as the most corrupt dictators in the world. Having been ruled by military and authoritarian governments, both states were plagued by political violence. While Nigeria was beset with a civil war, Cameroon was plagued with two violent conflicts. Yet, both countries face rising ethno-political tensions. In Cameroon, main conflict is between the government and separatists from the English-speaking minority who felt neglected. The situation is not in any way different in Nigeria as minority ethnic groups have revolted against the government because of nepotism. Moreover, there is a growing body of evidence of corruption in both countries, particularly as a result of political impunity. For instance, the same set of elites has been ruling Nigeria since the transition to democracy in 1999. In fact, two of the four presidents who have ruled from 1999 till date were also former Military Heads of State. Cameroon has been ruled by a single political party since independence and only two authoritarian presidents.

Although located in different sub-region of the African continent, Nigeria (West Africa) and Cameroon (Central Africa) have several issues in common which present a viable opportunity for comparative studies of certain social-political occurrences manifesting within a criminal justice context. One such issue worthy of studying is corruption. The common ground, denoted by a number of evidences making such a study reasonable includes: the political background of both countries; economic disparity and underdevelopment of certain sectors of the populations of both states; the ruling class and politicians often misuse their powers; nepotism, favouritism, and clientelism; the obvious lack of political will to get rid of bribery; and corruption, which exists worldwide, in Global North and South, predominantly, those with infant democracies.

Furthermore, the CPI ranks countries based on how corrupt their public sector is perceived to be (TI, 2018). The CPI provides the best information on corruption and that international comparison is a vital way of assessing a state or a region's performance objectively (Check, Madise, Majozi, & Hamada, 2019). According to the 2020 CPI, both Nigeria and Cameroon have been ranked 149th respectively and in terms of a CPI score rating, both countries were allocated twenty-five (25). Compared to their 2017 CPI score, Cameroon rating remain unchanged, while Nigeria dropped two score in the direction of becoming worse on corruption despite the country's anti-graft stance. Although corruption as a social phenomenon has previously been subjected to scientific scrutiny in Sub-Saharan Africa (e.g. Prinsloo & Naude, 2001; Folarin, 2009; Agbor, 2019; Badiora, 2020; Badiora & Bako, 2020), the prevalence of this crime has never been investigated by means of a comparative study between two countries like Cameroon and Nigeria.

This study therefore tries to compare the levels of corruption between the two respective republics in an empirical approach. The aim of this study revolves around a comparison of corruption and anti-corruption through legal measures, protocols, agencies among others, between Nigeria and Cameroon by way of a literature study and also measuring the prevalence of corruption by means of a closed-structured survey. The study is both exploratory and descriptive, and is used to design a more comprehensive solution and further research inquiry as crucial issues surrounding corruption in the region are properly identified and described.

Before proceeding, it is important to note that in many cases, the newspaper media are the sole source of information about the Nigerian and Cameroonian corruption. Certain information such as government levels of corruption, and mismanagement practices is not always readily available to the public through official sources, and even when data is available at a given time, frequent and drastic changes in the political system and structure can often lead to changes in availability over time. As a result, journalists often investigate these topics and subsequently make them available to the public through various media outlets. Therefore, much of the information throughout the following paper is drawn from journalistic sources rather than official statistics or academic research.

Concept of Corruption

The term, Corruption is a concept with diverse meanings and explanations. It could mean: to destroy, ruin, to turn from a sound into an unsound, impure condition, to cause to rot, to make morally unsound, to pervert, to lead somebody to act dishonestly or unfaithful among others. Nye (1967) defines corruption as a behavior that digresses from the formal obligations of a public role for the purpose of private gains. Similarly, TI (2012) defines corruption as the abuse of entrusted power for private gain. It is the abuse of public power and role for private benefit (Chiodelli & Moroni 2015).

To United Nations [UN]-Habitat (2010), corruption is defined as the misuse of office for private gain. This may include bribery (misuse of power in favour of someone in exchange of benefits given by the person); fraud (misuse of discretion for personal gain without third parties involvement); various forms of favouritism, such as nepotism and cronyism (whereby someone in an official position exploits their power and authority to provide a job or favour to a family member or friend, clan, ethnic group, even though he or she may not be qualified or deserving) and patronage (whereby a person is selected for a job or government benefit because of affiliations or connections and regardless of qualifications or entitlement); clientelism (a system of exchanging resources and favours based on an exploitative relationship between a patron and a client); conflict of interest (a situation where an individual is in a position to derive personal benefit from actions or decisions made in their official capacity); trading in influence (using one's connections with persons in authority to obtain favours or preferential treatment for a third party (person, institution or government), usually in return for their loyalty or any undue advantage) (UN-Habitat, 2010).

Corruption can involve various actors, ranging from public officials and local leaders to private investors. Actors may include government officials and individuals that command socio-political and economic influence. The communal authorities, civil society organisations and even, the mass media may also get snarled in corruption's web. Although, corruption comes in a variety of forms, three main types are identified: legislative and regulatory; bureaucratic and public works corruption. The legislative and regulatory corruption refers to the manners and the extent to which legislators can be influenced. According to Chiodelli and Moroni (2015), decision makers can be bribed to introduce and/or revise regulations that can change the socio-economic benefits connected with certain situations. Bureaucratic corruption refers to fraudulent acts of the appointed administrators in their dealings with the public, while public works corruption is the systemic graft involved in building public infrastructures. Individuals bribe bureaucrats either to speed up bureaucratic procedures or to obtain a service that is not supposed to be available (Chiodelli & Moroni, 2015).

From the above concepts, three theoretical approaches explaining corruption and illegality are identified: political-economic, sociocultural and neo-institutional. The political-economic approach appears like mathematic expression that corruption equals monopoly plus discretion minus accountability (Chiodelli, 2018). A reviewed form of this proposition reflects the role of confidential information as well: backhanders can be paid also so as to gain access to this type of information (Della Porta & Vannucci, 1999; 2012). Thus, the political-economic approach highlights the role of economic incentives, disincentives and opportunities for corruption. It upholds that corruption is a result of a rational scheming, and its spread is associated to the expected costs and benefits along with other alternatives.

The socio-cultural approach explains the spread of corruption with reference to traditions, moral norms, civic culture and values that form the moral inclinations of individuals (Chiodelli, 2018). This approach upholds that internalised values and social pressures drive individuals to engage in corrupt practices. Furthermore, this approach underscores the “moral costs” of corruption and emphasises that individuals are less predisposed to corruption within a communal system that respect the rule of law (Chiodelli, 2018). To the neo-institutional method, corruption is beyond external factors such as moral costs or economic incentives to internal factors such as the dynamics of networks and transactions (Chiodelli, 2018). This approach stresses the impact of the corruption legacy in a specific setting (Della Porta & Vannucci, 1999). Considering these approaches concurrently, Vannucci and Sberna (2014) cited in Chiodelli, (2018) provide all-inclusive viewpoint and recognise six (6) main roots of corruption within a given system: (i) the economic yields generated by a communal decision; (ii) the degree of discretion allowed to the public administrators in creating, distributing and expropriating those economic yields; (iii) the potential of reserved information accessible to public administrators; (iv) the extent of accountability within the public organisations; (v) the “moral weight” of the illegitimate transaction; and (vi) the build-up of corrupt acts and how this promotes further participation in corruption.

Perceived Prevalence of Corruption in the Sub-Saharan Africa

Corruption has been around for a very long time. Some countries and regions are more affected by corruption, some are less. TI's 2020 CPI ranks Sub-Saharan states (South Sudan, Somalia, Syria, and Yemen) as the most corrupt countries in the world. This seems to corroborate a popular perception of the sub-region as the world's most corrupt region. Such a general description may be true, yet it hides significant differences between Sub-Saharan states: whereas a few are among the fairly-ranked in the world, others struggle with pervasive, if not endemic corruption. Cameroon and the other countries in the region of Central Africa belong to the category of countries which are considered to have a serious corruption problem. Other countries in the region of study are also rated low on the 2020-CPI index. Central Africa Republic, for example, is ranked 146 with a CPI score of 26. The Democratic Republic of Congo was ranked 170 with a score of 10, Chad was ranked 160 with a score of 21 while Gabon, for instance, was rated 129 with a CPI score of 30. Some of the West African regional states are also low on the CPI, with Cape Verde rated the best with a score of 41 in 2020. Guinea Bissau appears to be the worst in terms of corruption in this sub region with a CPI score of 19 on the index of 2020, followed by Nigeria with a rating of 23, Togo and Mauritania on 29 each (TI, 2020).

The reasons for such low ranking of the countries in these regions are multiple. Studies have shown that traditional and cultural heritage favoured high levels of corruption (Folarin, 2009; Roelofse, Potgieter, & Simonovic, 2014; Agbor, 2019; Badiora & Bako, 2020).

Since the belief that corruption and nepotism are inseparable twin companions and thus deeply rooted in the minds of the ruling class as well as the common people of the two countries, corruption has never been viewed as a serious problem. Some authors argued that it was the colonisation by foreign power structures. In another case, the Africa culture, by tradition, did not really make a distinction between private interest and public function (Roelofse, Potgieter, & Simonovic, 2014; Badiora & Bako, 2020). For Nigeria, previous studies have linked the reasons for high levels of corruption to political prohibitions in military regimes which were in power until about twenty-three years ago (Folarin, 2009; Badiora, 2020). Similarly, for many of the Central African countries (e.g. Cameroon), the current problems of government and police corruption could be traced to the elaborate and extensive system of corruption that existed in these countries during the period when they were under military and authoritarian form of government (Hammadi, *et al.*, 2019; Agbor, 2019). For instance, since independence, in 1960, Cameroon has been ruled by a single political party and only two authoritarian presidents: Ahmadou Ahidjo and Paul Biya. Both repeatedly used the security forces to stabilize their authoritarianisms. President Biya's Cameroon People's Democratic Movement (CPDM) was the only legal political party until December 1990.

As far as West and Central Africa is concerned, quite a number of countries (e.g. Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Nigeria, Cameroon, Central African Republic, Chad, the Democratic Republic of the Congo) of this region were conquered by and lived for long periods under the influence of colonial powers under whose rule, the exploitation of natural resources as well as the inhabitants through the slave trade took place primarily to benefit the economies of those rulers. Previous studies believe that the reasons for corruption should not be sought in remote or recent history, but in the economic underdevelopment, lack of economic freedom, monopolistic markets which have been common in countries of Sub-Saharan Africa, including Nigeria and Cameroon where colonial power ruled for many decades (Acemoglu & Robinson, 2012). Other researchers have shown that corruption blooms in areas lacking economic freedom. Corruption is not more or less linked with the character of people in a particular region, but is, principally, a product of a system (Roelofse, *et al.*, 2014; Chiodelli & Moroni, 2015; Badiora & Bako, 2020). Since the system, especially after transformation in Nigeria, 1999 into a democratic dispensation is the one that generates corruption, the emphasis should be put on the reparation of the system. This perception closely relates to the Klitgaard's formula: $C = M + D - A$, where Corruption equals Monopoly plus Discretion minus Accountability (Klitgaard, 1998).

When comparing events in Nigeria and Cameroon, there are some obvious similarities. First are the colonial periods. Where the Germans elite and latter (when Germans were defeated during the 1st World war), France and Britain were the main benefactors of the political and economic systems in the Cameroon, the previous British colonial system exploited the Nigerian economic system. Nigeria, Cameroon and the other countries in the Sub-Saharan region are characterised by a weak state, weak government institutions, disorganised societies with large political influence, all of which being fertile soil for the development of corruption and its persistence. States from the Sub-Saharan region represents undeveloped societies with few and weak defensive mechanisms and, in cases of unrestrained state expansion, may easily result into a relapse anti-democratic sentiments. Researchers from other regions of the world also point to the same problem relating to weak states and undeveloped democratic institutions (Ogitcu, 2005; Roelofse, *et al.*, 2014). Particularly, Ogitcu, (2005: 207) stated that "*corruption and abuse of public authority occur in countries where the rule of law institutions are weak or non-existent, where a free and independent professional media and civil society agencies are absent, and where there is no independent judiciary or oversight mechanisms*".

While Cameroon is made-up of a political system consisting of French Cameroun and British Southern Cameroons, Nigeria is characterised by a political system consisting of three main ethnic groups and a two-thirds majority system. These features make it possible in both states to manipulate administrative decisions, tamper with tender documents and to cover-up related misdemeanours. Nepotism appears to be everyday occurrences, especially in political and cadre appointments to key government positions. In the Republic of Cameroon, human rights organisations allege that the government suppresses the freedoms of opposition groups by preventing demonstrations, disrupting meetings, and arresting opposition leaders and journalists (Amnesty International, 2006). Furthermore, press freedom seems to be an important requirement if the Nigerian government wants to uproot corruption (Odey & Eric, 2017).

According to comparative studies at global level, there are some obvious indicators which are common to both countries which fall in the category of highly corrupt states and those experiencing a low level of corruption. It seems that there is a mutual dependence between the degree of economic development and the degree of corruption. Research has indicated that corruption is widespread and has particularly serious economic consequences in developing countries (Mutonyi, 2002; Roelofse, *et al.*, 2014; TI, 2020). Highly corrupt states are, by rule, unsuccessful and expensive states, with a low level of foreign investment. The police and judiciary in these countries are extremely inefficient in discovering corruption and successfully prosecuting offenders which sends a negative message when planning a general strategy to act against such dangerous phenomenon in a repressive way (Fijnaut & Huberts, 2002; Agbor, A. (2019).

With political changes taking place globally, and given that significant processes in all spheres of social, economic and financial life as well as other ties and interdependencies between states and regions are also present, there is an awesome belief that the issues of corruption and organised crime cannot be discretely treated as the exclusive internal affairs of states. Organized crime, and especially corruption, have the tendency to proceed beyond national borders and adversely affect international eco-political relations and, thus, must be globally addressed in a planned and systematic way. All these positions led to the creation of an idea about the necessity to define international standards and develop positive practices in controlling organized crime in general, and corruption in particular. The United Nations' Convention against Corruption adopted in 2003 and similar regional and national conventions that followed, have contributed largely to the development of international standards against bribery and corruption. Regrettably, the adoption of such international and regional standards and anti-corruption strategies have not yet been realised with the same pace and success in all the countries and regions of the World. For instance, Cameroon established anti-corruption bureaus in twenty-nine ministries, but only seven (25%) became operational (UN Office for the Coordination of Humanitarian Affairs, 2007).

It has been noted that some states, separated by a large geographic distance from each other and which share short traditions of civil or social institution building, encounter common problems in combating corruption. These countries, with a high level of corruption, share a common trait such as the absence of a genuine will and readiness on the side of the government to seriously tackle corruption. For example, the Cameroon anti-corruption campaigns serve the purpose of showing the public that something is being done, but they do not seriously attempt to eliminate the problem (Agbor, 2019). This observation can be fully applied to all anti-corruption strategies in many other countries in the Sub-Saharan Africa. The keenness to fighting corruption, verbally expressed by politicians, is very often confined to speech-making in the framework of political campaigns, lacking sincerity and intentions and thoughtful designed actions.

However, with political pressure from the international community, donors, investors, and the ratification of various anti-corruption initiatives, it becomes clear that a distinctive disproportion between verbal political declarations of government officials and adopted international and regional anti-corruption regulations and standards are observable on one side and challenges with the execution of anti-corruption laws in practices, on the other.

It is therefore significant to carry out comparative studies related to the implementation of anti-corruption standards in practice in the Sub-Saharan states that belong to different sub-regions, but still share some mutual comparative indicators. Hence, the research problem captured in this paper entails a comparison of anti-corruption state strategies in Nigeria and Cameroon showing some common features: lack of tradition in developing democratic institutions, high political influence and weak state institutions. In addition, both states have made efforts to adopt major international corruption standards, pass anti-corruption laws and orders. However, they are staggering at the implementation of such formal prescriptions in daily practice. Besides, corruption has gotten worse, regardless of the existing anti-corruption bureaus, as TI ranked both countries 149 on a list of 180 countries in 2020.

Research Methodology

Since it is technically impossible to include the large populations of Cameroon and Nigeria, samples of the countries' people were taken. A combination of purposive and convenient sampling was employed. Purposive sampling was used because it allowed researchers to use their knowledge of the populations to select a sample that are conveniently situated within their reach. Therefore, the first selection criterion is that respondents must be and/or above the age of 18 years. This is the official adult age in both countries. Furthermore, the selection was on respondents from major, randomly selected towns such as: Abuja and Lagos (Nigeria), and Yaoundé, Douala and Bamenda (Cameroon). These are the federal and regional capitals of both countries. The cities are cosmopolitan in nature; thus, diverse ethnics and population groups that constituted both states could easily be accessed. Supported by convenient sampling approach, the current study included suitable respondents who are employed in a public and/or private position, agency, department or ministry which may encounter corrupt activities by officials.

In the final sample, a total of 156 respondents were secured in the case of Cameroon while 233 respondents were secured in the Federal Republic of Nigeria. Although both samples are not representative of either Cameroon or Nigeria people, they nevertheless allow the researchers to at least compare the opinions of the respective respondents as far as their perceptions of corruption are concerned. To allow equal samples for comparative purposes, the original Nigerian sample of 233 respondents had to be statistically worked-out and reduced to 156 respondents.

The questionnaire was prepared and presented to respondents in English. The authors and assistants helped respondents in completing the questionnaires only when they encountered unclear language relating to statements in the questionnaire. Furthermore, few Cameroon respondents were served with French translators. The survey was conducted using a pre-coded, closed-structured questionnaire. A 5-point, Likert-type scale with five response categories (1-strongly agree, 2-agree, 3-neutral, 4-disagree and 5-strongly disagree) was used to measure the perceptions of the respondents. Data from both Cameroon and Nigeria were then transformed and entered into the SPSS version 16 and was analysed using frequency distribution, percentages and chi-square.

Before its application, a pilot study was conducted on 15 respondents from a conveniently available pool of respondents. The rule of thumb is to test the survey on at least 12 to 50 people prior to full-scale administration (Tavakol & Dennick, 2011). Feedback was obtained about the length of the instrument, the format of the scales, content validity, and question ambiguity. The instrument was revised and further administered to 12 residents. Besides, a social psychology expert checked the developed scale. Improvements were made on the overall style of the instrument. With his expertise, only relevant and necessary questions were retained. The questionnaire length was also shortened to reduce respondent's burden and ensure the seamlessly flow of the instrument from one questions to the next. For analysis of the internal reliability of the items in the questionnaire, Cronbach's alpha values were tested with a cut-off value of 0.75 (Tavakol & Dennick, 2011). Reliability analysis has revealed the instrument used is acceptable (alpha coefficient: 0.82) which exceeded the recommended satisfactory level of 0.70 (Tavakol & Dennick, 2011). Unless where otherwise stated, the tables through which data were summarized are extracts of a survey carried out by the authors and their field assistants

Results and discussion

Description of respondents

In the case of Cameroon, results (as presented in Table 1) show that 53% of respondents were male while 49% were in the age group of 41 to 60 years. Findings show that most of the respondents (62%) had post-basic education with some 31% employed in the nation's public and civil services. In the case of Nigeria, findings show that 19% of the respondents were 60 years and above, the proportion of male respondents was 62% while 39% had tertiary and advanced education. As obtainable in Cameroon case, findings show that majority of the people sampled in Nigeria are employed in government services. Significantly, there appeared to be variation in the demographic characteristics of the respondents in these two states (none of the variables were the same in the two nations). Thus, these give the impression of no problem with skewness, and the demographic variables appeared to be normally distributed even though purposive with convenient sampling approaches were used.

Table 1: Demographic information of respondents

Item	Variable	Cameroon		Nigeria		Total	
Gender	Male	82	53.0	97	62.0	179	57.0
	Female	74	47.0	59	38.0	133	43.0
Occupation	Business and private enterprise	28	18.0	30	19.0	058	19.0
	Government (civil and public) services	49	31.0	56	36.0	105	34.0
	Industries and manufacturing	19	12.0	15	10.0	034	11.0
	Education and training services	22	14.0	17	11.0	039	13.0
	Health and medical care	18	16.0	13	08.0	031	10.0
	Others (including students, retirees, etc.)	20	13.0	25	16.0	045	14.0
Age	18 – 40 years	46	30.0	39	25.0	085	27.0
	41 – 60 years	77	49.0	87	56.0	164	53.0
	Above 60 years	33	21.0	30	19.0	063	20.0
Education	Basic education	42	27.0	25	16.0	067	22.0
	Post-basic education	62	40.0	71	45.0	133	43.0
	Tertiary and advanced education	52	33.0	60	39.0	112	36.0

In general, data summary presented in Table 1 shows a fairly large difference between the total figures of male (57%) and female (43%) respondents. Similarly, convergence between age distributions, some educational qualifications and occupation are also noticeable. The highest collective concentration among the age groups was found among the 41 to 60 age category (53%). This is immediately followed by the age group, 18 to 40 years (27%). The largest number of respondents (43%) obtained a Post-basic education. Respondents with tertiary and advanced education accounted for 36%. The majority of respondents (34%) who are workforce were found in the nations' civil and public services. This is followed by business and private enterprises (19%) and then, others occupation category. It is important to note that included in the 14% of the other occupation category are students, retirees and unemployed residents; all of those who do not form part of the actively employed groups.

Perceptions of aspects relating to corruption practices

Presented in Table 2 is the summary of respondents' perception relating to aspects of corruption in the two countries. The first aspect is on regular, general, free and fair elections. It should be mention that regular elections afford citizens the right to decide whether or not their government officials are fit to remain in office, particularly as far as management functions at all levels of government are concerned. On the other hand, unstable governments may precipitate large scale corruption which may lead to mismanagement, money laundering, and other related crime. In this regard, results show that a good proportion (65%) of Nigerian respondents specified that their country is holding regular, general and fair elections since the advent of democracy in 1999. On the other hand, only half of the Cameroonian respondents (50%) favoured regular, general and fair elections, suggesting their country also holds regular, general and fair elections. However, it is interesting to see nearly half (46%) of Cameroonian respondents opposed that their country holds regular, general and fair elections. There may be several reasons for this assertion. Since independence in 1960, Cameroon has been led by two presidents, Ahmadou Ahidjo, for 21 years, and the incumbent president, Paul Biya. President Ahidjo, who was designated by the French to take over Cameroon at independence, held five terms as president of a single-party democracy with no political oppositions. In November 1982, due to ill health, Ahidjo transferred power to his constitutional successor, Paul Biya. Since 1982, seven Presidential elections have taken place in Cameroon; two under a single-party system and five under a multi-party system and all of which were won by Paul Biya: the victories, many Cameroonians has attributed to rigging and illegal use of armed forces. Wallechinsky (2006: 288) describes Cameroon's electoral process in these terms: "Every few years, Biya stages an election to justify his continuing reign, but these elections have no credibility.

Findings show that 61% of Cameroon respondents believe that their government is not open and transparent enough compared to the perceptions of 53% of the Nigerian respondents who have also indicated that their government cannot be viewed as open and transparent as is expected of a democratic government. This finding may be the reason why Cameroonian respondents (71%) strongly opposed the existence of an open flow of information between their government and citizens. Some Nigerian respondents also denied open flow of communication between government and citizens, however, to a lesser extent (48%) compared to that of Cameroon. Nigerian respondents almost equally responded favourably and unfavourably regarding their views on media freedom. Those who perceive media as being not totally free from government interference accounted for 47% while those who consider the media to be free from government snooping accounted for 43%. On the other hand, over half of the Cameroonian respondents (55%) do not consider the media in their country to be free compared to the minority

(39%) who perceive the media to be free of government interventions. With these findings, it could be established that in relation to press freedom, both countries are just partly free. However, a free press plays a key role in sustaining a healthy democracy, as well as contributing to greater accountability, good government and economic development (Freedom House, 2019).

Table 2: Comparative evaluation of perceptions relating to aspects of corruption

Aspects of Corruption (Dependent Variables)	Cameroon (N = 156)			Nigeria (N = 156)		
	Favour	Neutral	Oppose	Favour	Neutral	Oppose
Regular, general, free and fair elections	78 (50.0%)	06 (4.0%)	72 (46.0%)	101 (65.0%)	14 (9.0%)	41 (26.0%)
Government is open and transparent	58 (37.0%)	03 (2.0%)	95 (61.0%)	62 (40.0%)	11 (7.0%)	83 (53.0%)
Media are free from government interventions	61 (39.0%)	09 (6.0%)	86 (55.0%)	67 (43.0%)	16 (10.0%)	73 (47.0%)
Information flow between citizens and government	42 (27.0%)	03 (2.0%)	111 (71.0%)	25 (16.0%)	56 (36.0%)	75 (48.0%)
Government corruption in the past four years	119 (76.0%)	28 (18.0%)	09 (6.0%)	116 (74.0%)	34 (22.0%)	06 (4.0%)
Regulation to check corruption and related crime	50 (32.0%)	03 (2.0%)	103 (66.0%)	73 (47%)	17 (11.0%)	66 (42.0%)
Corruption charge against government officials in the past four years	108 (69.0%)	15 (10.0%)	33 (21.0%)	111 (71.0%)	17 (11.0%)	28 (18.0%)
Regional agreements to deal with corruption	16 (10.0%)	101 (65.0%)	39 (25.0%)	22 (14.0%)	90 (58.0%)	44 (28.0%)
Compliance with UN anti-corruption protocols	59 (38.0%)	95 (61.0%)	02 (1.0%)	75 (48.0%)	78 (50.0%)	03 (2.0%)

Note: Favour = (1) Strongly Agree + (2) Agree while Oppose: (4) Disagree + (5) Strongly Disagree.

Both Cameroonian respondents (76.0%) and Nigerian respondents (74%) react positively to the claims of government corruption in the past four years. Perhaps, some allegations of corruption during the past four years among the ranks of government by the mass media prevail on both respondents to closely react positively and favourably to the claims of government corruption in the past four years. Further findings show that no less than 70% of Nigerian respondents indicate that some government officials have been charged for corruption. Similar findings was found with Cameroonian respondents as 69% indicate that some government officials have been charged for corruption and related crime compared to only 21% who opposed this. Some contemporary examples in the news are evidences of these favourable and disagreeing views.

For instance, in 2016, the Nigerian Senate ad hoc committee led by Senator Shehu Sani indicted the then secretary to the Government of the Federation, Mr. Babachir Lawal in a N200 million contract scandal (The Sun Newspaper, 2017: 3 November). On October 30, 2017, President Buhari sacked Lawal based on the report of a three-man panel led by Vice-President Yemi Osinbajo. Also, in 2016, Buhari was presented evidence that his chief of staff, Abba Kyari, took five hundred million naira bribe from Mobile Telecommunication of Nigeria (MTN) to help it slash the five Billion USD fine slammed against it for violation of Nigeria telecommunications regulations bothering on national security. The MTN fired the staff involved in the bribery scandal (Sahara Reporters, 2016: September, 20).

However, Abba Kyari was left intact in his position as chief of staff. This led to national outrage forcing Buhari to announce the probe of Kyari (Vanguard News, 2016: October, 21). The findings of the investigation were never made public. Besides, in 2017, former director general of the National Intelligence Agency (NIA), Mr. Ayodele Oke and his wife were charged with the theft and laundering of staggering amounts of public money. One of the charges relates to roughly \$43 million, £28 thousand, and ₦23 million (all in cash) that were found in their apartment in Lagos following a raid (Premium Times, 2019: January, 30). Another charge relates to \$160 million that the couple allegedly diverted from the Nigerian federal government for their own use (The Guardian, 2019: January, 30). In 2017, Mr. Oke was suspended as director general of the NIA. Vice president Yemi Osinbajo headed a committee that investigated the incident and recommended to President Buhari that the director general be removed.

Unlike Nigeria, in Cameroon, President Biya himself, after about 4 decades in power has never fulfilled article 66 of the constitution of 1996 by declaring all his property. This article 66 demands all government officials to declare their assets before assuming a position in government so that it will be possible to measure what they have gained (or lost) during their tenancy. This is a credible means to fight against government embezzlement, but Paul Biya has never declared any of his assets. President Biya created the CONAC (National Anti-Corruption Commission) in 2006 in order to actively fight corruption. Indeed, the CONAC has done multiple arrests of top government officials. The notable ones being Marafa Hamidou Yaya, former Minister of Territorial Administration and Decentralisation, arrested and convicted for having embezzled US\$ 29 million in the case named "*presidential jet*" by local media. Similarly, Edgar Alain Mebe Ngo'o, former Minister of Defence was arrested on corruption charges with US\$5 million recovered in cash at his residence (Takambou, 2019: March, 18). These are only a few of many incidences of corruption within government of both countries.

Compared to Cameroon respondents (66.0%) who oppose that their country has effective anti-corruption legislation, findings show that almost half of the Nigerian sample (47.0%) perceives their country as having effective anti-corruption regulations. Nonetheless, almost an equal number of respondents (42%) oppose that their country has effective anti-corruption legislation. Findings show that majority of respondents in both countries (65% - Cameroon and 58% - Nigeria) are not sure whether or not their countries subscribe to regional agreements (such as the African Union Convention on Preventing and Combating Corruption [AUCPCC]) that deal with corruption and organized crime. The large numbers of uncertainty among respondents may be indicative of a lack of knowledge in this regard. However, Nigerian respondents (14.0%) are somewhat persuaded that their country is part of regional agreements to deal with corruption compared to Cameroonian respondents (10.0%) who are less persuaded in this regard. Furthermore, Nigerian respondents (48.0%) are somewhat more aware that their country abides by the UN anti-corruption convention (United Nations Convention against Corruption [UNCAC]) compared to the Cameroonian respondents (38.0%). It is therefore evidence that Nigerian respondents are more cognisant of regional and global corruption interventions compared to Cameroonian respondents.

The prevalence of and counteracting corruption in Cameroon and Nigeria

Presented in Table 3 is the summary of respondents' perception relating to the prevalence of corruption within government and steps taken to counteract it in Cameroon and Nigeria. Although, no significant difference exist ($X^2 = 57.11$; $p = 0.078 > 0.05$) findings show clearly that corruption is somewhat more widespread Nigeria among the police (91.0%) and benches (89.0%) compared to Cameroon.

Of a truth, reports abound of high-level police officials who embezzle staggering sums of public funds meant to cover basic police operations in Nigeria.

In 2005, former Inspector General of Police (IGP), Mr. Tafa Balogun was sentenced by a Federal High Court, Abuja to a six months imprisonment for concealing vital information to the Economic and Financial Crimes Commission (EFCC) over his alleged business concerns and interests in some companies amounting to over N17.7 billion (Vanguard Newspaper, 2017: 19 August). In 2012, another former Inspector General of Police, Sunday Ehindero faced trial for embezzling money meant for the police force. An Abuja High Court judge said Ehindero, in his capacity as Inspector General of Police embezzled N16 million, meant for the police. The Independent Corrupt Practices and other Related Offences Commission (ICPC) had said Mr. Ehindero, and a Commissioner of Police in charge of Budget at the Force Headquarters, John Obaniyi, connived to embezzle the funds. While Mr. Ehindero was retired from the police, Mr. Obaniyi was suspended (Vanguard Newspaper, 2017: 19 August). These are just few cases among many sexual harassments, extorting money at checkpoints to top officials embezzling public funds, beating and even killing of innocent civilians.

In a survey carried out by the Anti-Corruption Academy of Nigeria, an arm of the ICPC indicated that the Judiciary is on top of the Nigeria Corruption Index between 2018 and 2020 (The Guardian, 2021: 26 January). ICPC report had claimed that about N9.458 billion was offered and paid as bribe by lawyers to the benches. The ICPC through its chairman Prof. Bolaji Owasanoye (SAN), said six female judges reported that they were offered N3,307,444,000 billion and five male judges reported N392,220,000 million. The anti-corruption agency explained that cases of outright demand and offer of bribes were mostly linked to election matters (The Guardian, 2021: 26 January). Similarly, recent studies like TI, (2016) and Agbor, (2019) have found Cameroon judges and the police department to be the most corrupt institutions.

With chi-square ($X^2 = 73.32$; $p = 0.01 < 0.05$), findings significantly show that self-enrichment is the order of the day in Cameroon (92.0%) compared to Nigeria (87.0%), especially through prevalence of corruption in the way government contracts (at all levels) are being administered. Public procurement in Cameroon generally lacks transparency, and details about government contracts are generally not made public. Most large-scale projects put up for public procurement involve the decision of the president directly (TI, 2016). Perhaps the most recent allegations of possible corruption in Cameroon levelled against contractors and President Paul Biya is regarding the hosting of the 2019 Africa Cup of Nations (AFCON). The 2019-AFCON project was one of the largest projects recently rocked by a financial scandal in Cameroon. Whistleblowers claim that an estimated 1.8 billion euros of Cameroonian public money has been mismanaged through contracts shrouded in controversy (Kindzeka, 2019). In a recent article on Deutsche Welle (DW), a Germany's international broadcaster, John Ako, a university lecturer and civil society activist in Cameroon, said that the prices of the 2019 AFCON infrastructure were ten times more than is usual for the same kind of infrastructure in other Sub-Saharan African nations. Within Cameroon, those who implement decisions or grant the order for contracts always have a percentage reserved in their name (Kindzeka, 2019).

Table 3: Prevalence of corruption within government and steps taken to counteract it

Corruption prevalence and steps taken to tackle it	Cameroon (N = 156)			Nigeria (N = 156)		
	Favour	Neutral	Oppose	Favour	Neutral	Oppose
Corruption in the Police	138 (89.1%)	92 (59.0%)	16 (10.1%)	140 (89.7%)	90 (57.7%)	17 (10.9%)
Corruption in the benches	135 (87.2%)	92 (59.0%)	19 (12.2%)	139 (89.1%)	93 (59.6%)	14 (9.0%)
Corruption in tenders of government contracts	144 (92.3%)	90 (57.7%)	13 (8.3%)	136 (87.2%)	98 (62.8%)	12 (7.7%)
Corruption in the appointment and promotion of senior government officials	42 (27.0%)	93 (59.6%)	111 (71.2%)	28 (17.9%)	96 (61.5%)	75 (48.1%)
Government officials protects corrupt employees	118 (76.3%)	28 (17.9%)	13 (8.3%)	115 (74.3%)	16 (10.3%)	25 (16.0%)
Special agencies that can investigate corruption	81 (52.0%)	92 (59.0%)	13 (8.3%)	142 (91.1%)	90 (57.7%)	14 (9.0%)
Such agencies are free from political interference	93 (59.6%)	28 (17.9%)	128 (82.1%)	98 (62.8%)	22 (14.1%)	126 (81.4%)
Such agencies are successful in the investigation of corruption	28 (17.9%)	36 (23.1%)	95 (61.0%)	22 (14.1%)	99 (63.5%)	75 (48.1%)
Public private partnership that can deal with corruption	28 (18.0%)	47 (30.1%)	81 (52.0%)	84 (53.9%)	49 (31.4%)	23 (14.7%)
Public private partnership counteracting corruption is effective	19 (12.2%)	34 (21.8%)	103 (66.0%)	17 (10.9%)	48 (31.4%)	91 (58.3%)
<i>Not Favour = (1) Strongly Agree + (2) Agree + (3) Oppose + (4) Disagree + (5) Strongly Disagree</i>						

Findings further show that corruption is almost evenly present in both countries when kinsmen and family members of politicians and senior public office holders are appointed in senior political posts of government. In this regard, Nigerian respondents' perceptions (85.0%) are almost equal to that of the perceptions of Cameroon respondents (84.0%) regarding corruption in the appointment and promotion of senior government officials. For instance, it has been mentioned that the entire staff of the Nigerian president are his direct biological relations (The Guardian, 2020: June 20). In fact, the president has been described as the most nepotistic leader that Nigeria has ever had (The Guardian, 2020: June 20). It also appears that corrupt public and private officials are protected by government (i.e. suspended by one MDA but re-appointed by another one) according to both Cameroonians (79.0%) and Nigerians (81.0%) respondents. For instance, in 2015, the Economic and Financial Crimes Commission, EFCC, pressed charges of corruption on Mr. Maina and his accomplices. However, Mr. Maina fled before the trial. Despite the Interpol arrest warrant, he still managed to return to Nigeria, where he was said to have enjoyed protection from the Buhari's government (Vanguard Newspaper. 2017: 27 October). Besides, Maina was dismissed from his position by Jonathan's government in 2013.

Nonetheless, Mr. Maina surreptitiously resurfaced, reinstated to the Nigeria civil service in 2017 and was issued a double promotion as acting director of Human Resources at the Ministry of Interior under the Buhari administration (Premium Times Nigeria, 2017: October, 20; Premium Times Nigeria, 2017a: October, 22).

Nigerian respondents (91.0%) are to a great extent convinced that special agencies, units and commissions exist to curb corruption (See Table 3). In 2000, President Olusegun Obasanjo, for instance established the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and subsequently the Economic and Financial Crimes Commission (EFCC) in 2004 with power to investigate corruptive practices at all three government levels: national, state and local authority levels (Folarin, 2009). Few years later, the same government echoed her intentions to introduce the so-called Advance Fee Fraud and Other Related Offences Act and Money Laundering (Prohibition) Act to clamp down on dishonest civil and public servants and speeding-up disciplinary trial processes. Despite the existence of the National Anti-corruption Commission (CONAC) in Cameroon, it is surprising that only 52% of Cameroonian respondents favoured that special agencies exist to curb corruption. An undecided score of 40.0% as well as an opposing response of 8.0% may just point to the functionality, operations and/or a lack of knowledge about whether or not any of such anti-corruption units do exist in Cameroon.

Whatever the case, both countries (Cameroon - 82.0% and Nigeria – 81.0%) have opposed the possibility that, should any such anti-corruption agencies exist at all, they would neither be independent nor free from political interference. This is in agreement with literature. In their study, Anders and Page (2019) argue that the anti-corruption agencies' independence has not proven to be an effective safeguard against political influence in Africa. Presidents and their allies (as in the case of Cameroon and Nigeria) are still able to intervene in the anti-corruption agencies' investigations, as the Director General is appointed and crucially dismissed by the President (Anders & Page, 2019). For example, in Nigeria, very few Chairmen of the EFCC have served a full term, and many of those who were prematurely dismissed either attracted the President's resentment and/or were dismissed when a new President was elected. This shows the anti-corruption agencies' vulnerability to political influence in spite of their independence from the rest of government.

With the chi-square value ($X^2 = 91.22$, $p = 0.00 < 0.05$), findings further indicate that such agencies are not really successful in their endeavours in Cameroon (61%) as compared to Nigeria (48.0%). For instance, since its establishment, President Biya's CONAC has done multiple arrests and have prosecuted more cases of the embezzlement of astronomical amounts of money, but with very few or no successes recorded (Agbor, 2019). The notable unsuccessful ones being Marafa Hamidou Yaya, former Minister of Territorial Administration and Decentralisation, arrested for having embezzled US\$29 million and Edgar Alain Mebe Ngo'o, former Minister of Defence arrested on corruption charges with US\$5 million recovered in cash at his residence. Efforts to combat corruption in Cameroon have proven to be inadequate, ineffective and shallow due the absence of credible political will that ought to complement all legislative and institutional mechanisms in place (Agbor, 2019).

Whether any public-private partnerships exist, capable of dealing with corruption in a reactive way, is favoured to a large extent by the Nigerian respondents (54.0%), but is opposed in a similar way by Cameroon respondents (51%). Perhaps, the Nigerian Whistle-blowing policy might have informed these

findings. Whistle-blowing Policy in Nigeria is an anti-corruption programme that encourages people to voluntarily disclose information about fraud, bribery, looted government funds, financial misconduct, government assets and any other form of corruption or theft to the Nigeria's government. A whistle-blower who provides information about any financial mismanagement or stolen funds is rewarded or entitled to 2.5% - 5% from the recovered funds (Premium Times, 2016, December, 21). Furthermore, both Nigerian (58.0%) and Cameroonian (66.0%) respondents doubt the possibility that such public-private partnerships would be effective in counteracting corruption and related crime in their countries. The disappearance of crucial evidence, witnesses, withdrawal of cases by the Anti-corruption agencies prosecutors, plea bargain, poor crime reporting culture, fear as to what could happen to whistle-blower and his/her family are only some factors hindering the successful functioning of such public-private partnerships.

Conclusion and recommendations

This study revolves around a comparison of corruption and anti-corruption through legal measures, protocols, agencies among others, between Cameroon and Nigeria by way of a literature study and measuring the prevalence of corruption by means of a structured survey. In each case, responses of the respondents of both countries had been empirically analysed, compared and described.

Obviously, the research findings cannot be generalised to the total populations of both countries due to a non-probability sampling procedure that was used. However, quite a number of comparisons representing the perceptions of the respondents in the two countries have unveiled remarkable similarities on certain instances. The research was based on the assumption that while Cameroon and Nigeria both survived oppressive authoritarian pasts, they would be well-suited for a comparative inquiry into the social phenomenon and crime of corruption. The data on both sides reveal tangential points. For instance, corruption is somewhat more widespread in Nigeria among the police and the judges compared to Cameroon, yet the responses are reasonably close with no statistical significant difference but, more importantly, and very high for both countries. Findings further show that corruption is almost evenly present in both countries when kinsmen of politicians are appointed in senior political posts of government. Furthermore, Nigerian respondents are to a great extent more convinced that special agencies, units and commissions exist to curb corruption compared to Cameroon respondents. Whatever the case, both countries have opposed the possibility that, should any such anti-corruption agencies exist at all, they would neither be independent nor free from political interference.

It is recommended that similar corruption whistle blowing policies like the one introduced into the Nigeria civil and public services be extended and introduced in all other spheres of public and private lives of citizens of Cameroon and Nigeria. Speedy trials for those who have been indicted of corruption and related crime should be given the highest priority. Moreover, evidence (documents, whistle blowers and eye witness) about corruption already mentioned, ready to be presented to the courts should be secured in safe custody and in a manner that is above suspicion in an effort to ensure the best outcomes of the trials. Furthermore, the entire Act that created Anti-corruption agencies should be replaced with one which places emphasis not so much on independence, but on even-handedness.

For this to happen, composition of the anti-corruption body would be the sole responsibility of a Board of Trustees drawn from members of the civil society, labour union, and retirees of honour from the civil service and judiciary. In addition, the political parties should also have the right to nominate one representative each onto the anti-corruption body. With that multiple locks clamped in, the soul of the Anti-corruption body would be tied to everybody, and to nobody. Efforts to combat corruption in the study area have proven to be ineffective due the absence of credible political will. This study therefore makes the case for the inclusion of political will in this regard.

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The neglected governance challenges of solid waste management in Uganda: Insights from a newly created City of Mbarara

Mesharch W. Katusiimeh

mkatusiimeh@kab.ac.ug

Department of Governance, Kabale University, Uganda

Boaz Nabimanya

Department of Economics, Kabale University, Uganda

Derrick Komwangi

Department of Social Sciences, Ankole Western University, Uganda



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Abstract

The challenges of rapid urbanization threaten governance of many urban centers especially in developing countries. However, to achieve these challenges, the gaps in governance of waste management need to be addressed. There is no comprehensive analysis examining the governance related challenges in solid waste management (SWM) even when a large body of research indicates that governance issues are highly significant in the effective delivery services. This paper addresses this question: What solid waste management governance challenges must be addressed to avoid the problems of the past? This study was carried out in the City of Mbarara. A semi-structured in-depth interview was chosen as the method for qualitative data collection. In-depth interviews were administered to city solid waste managers, managers of private sector companies in SWM, political leaders especially local councilors and opinion leaders. These respondents were purposely sampled. Findings reveal that the organization of solid waste management is poor exemplified by weak capacity, poor implementation of laws and regulations, poor record management, misappropriation of funds among others. There is therefore need to strengthen capacity (financial, institutional, technological and infrastructural) to drive environmentally solid waste management practices for sustainable solid waste management.

Key words: Refuse and refuse disposal, Municipal solid waste, Solid waste management

Introduction

The challenges generated by rapid urbanization in developing countries threaten the governance of urban centres (Satterthwaite 2017; Saghir, Jamar and Santoro, Jena 2018). One of the challenges faced by urban authorities is Solid Waste Management (SWM). In developing countries, solid waste management (SWM) problems are accelerating rapidly, and are posing significant challenges for local authorities. With growing problems associated with poor waste management practices, local governments are coming to recognize that solid waste management is more complex than originally thought. More effective environmental governance is required to reverse the effects of poor waste management planning (Yousif 2007)

An increasing volume of published and unpublished literature is available on governance. The European Commission (1995) defined governance as the sum of the many ways individuals and institutions, public and private, manage their common affairs.

Governance is about the management or mismanagement of socio-economic activities in the public, private and community sectors and the involvement or lack of involvement of civil society in the management of society as a whole (Onibokun & Kumuyi, 1999).

In the context of urban governance, good governance will lead to the institutionalization of appropriate policies, programs and strategies for urban management that may help or ameliorate the problems posed by rapid urbanization (Meyer & Auriacombe 2019; Onibokun & Kumuyi, 1999). Among the many challenges that stem from rapid urbanization is solid waste management. Solid waste management is a public service with impact on the environment, public health, and the appearance of a municipal area. Many developing cities in the third world are still struggling with solid waste collection and management and Ugandan cities are no exceptions.

Traditionally, SWM was handled by the public sector because it has the characteristics of a 'public good' (Seren, 2019). However, given the level of investment, the running cost of solid waste management, and the competing priorities (water, health, education, roads, etc.), the public sector alone could not deliver the solid waste services. The private sector is partnering with the public sector to provide the needed resources for the solid waste service delivery. But for this arrangement to have impact on total service coverage and environmental cleanliness, it depends on governance arrangements - the rules and enabling environment (policies, legal and regulation) created and maintained by the local and central governments to provide the needed incentives for more investment and improved service quality.

Good governance calls for improvements in administrative systems that deliver goods and services to citizens, to human resources that staff government bureaucracies, to the interface of officials and citizens in political and bureaucratic arenas. Through the process of governance, the essential link between the civil society and state is established, giving a shape to the way decisions are made for serving public interest (Basheka, 2019).

Although the body of literature and practical knowledge about waste management in Africa is large and growing, governance aspects are largely unexplored. Recent studies have made important contributions to identify the current drivers of solid waste management challenges in developing countries (Bundhoo 2018; Nzalalembe et al 2020). Some studies draw attention to challenges such as lack of resources, but often these factors are mentioned in passing and existing studies (for example Godfrey *et al* 2020) have not analyzed these challenges and their underlying dynamics comprehensively. To our knowledge, there is no comprehensive analysis systemically examining the governance related challenges in SWM even when a large body of research indicates that governance issues are highly significant in the effective delivery services (Gakyoki *et al.*, 2022; Helliwel *et al* 2018).

The central aim of this article is to contribute to the debate about the governance challenges for solid waste management. This paper aims to contribute to closing this knowledge gap by presenting a case study on the governance challenges of solid waste management in Uganda's emerging cities. This country has just created 15 new cities in all regions of the country. Against this background, this paper addresses the following research question: What solid waste management governance challenges must be addressed to avoid the problems of the past? To answer this question, this paper makes a conceptual and an empirical contribution in terms of how to fix the governance challenges for solid waste management in developing countries with similar conditions.

Methodology

This study was carried out in the City of Mbarara. The City of Mbarara is approximately 266 kilometres from Kampala City along the Kampala-Kabale highway and is located in the southwestern region of Uganda. The Municipality is the main commercial centre and houses the political and administrative headquarters of Mbarara District then and now the City of Mbarara. One of the factors responsible for Mbarara's steady growth has no doubt been the fact that it is situated at the Kampala-Kabale-Fort Portal cross roads, and that it is the nerve centre of most of the numerous feeder roads linking up Ankole's huge territory. The opening up of Rwanda and the Congo has tripled Mbarara's logistical importance, for now the town is the gateway to Kigali, Bujumbura, Tanzania and several towns in the eastern D.R. Congo. The Municipality's boundary encloses a total area of about 51.47 sq. kilometers, that is, 5,147 hectares.

A semi-structured in-depth interview was chosen as the method for qualitative data collection. In depth interviews were administered to city solid waste managers (10), managers of private sector companies in SWM (12), political leaders especially local councilors (3) and opinion leaders who are at the same time consumers of the solid waste service (13). These respondents were purposely sampled. We were guided by a set of predetermined questions that are, typically, open ended and clearly defined. The objective of the interview would be directed towards attaining greater insight regarding governance arrangements and challenges of SWM, through an in-depth exploration of the participant's opinions, perceptions, and expertise. Despite the interviewees being subject to a fixed set of questions, semi-structured interviewees are characterized as being dynamic, allowing the interviewer to adapt to the flow of the conversation. Flexibility in the wording and order of the questions allowed for the rearrangement, addition, or elimination of follow-up questions when probing the interviewee, all while ensuring that key points or questions are not omitted in the process. Interviews were conducted in either Runyankole or English, depending on the preference of the interviewee. Data had been collected via hand written notes. The information that the stakeholders provided was treated confidentially and names were not displayed in the report. Before carrying out the interview, consent was taken from the interviewee. Individual responses have not been linked to individual respondents.

In addition to in-depth interviews and observations, desk research was also carried out. For desk research, we used reports, policy documents, academic articles and newspaper articles to provide an overview of municipal solid waste management Uganda and specifically Mbarara Municipality.

Thematic analysis was employed to thoroughly examine and evaluate the transcripts comprehensively, following the main purpose of the study. The interviews were categorized and coded into topics/themes where transcripts had been sorted out according to the study questions. Data analysis was conducted by hand, using grids and matrices to summarize themes and organize findings. Furthermore, direct quotes from participants were used to support common themes.

Findings & Discussion

Setting

The organization of waste management in Mbarara City

Mbarara City is legally responsible for solid waste management.

Solid waste collection and disposal in Mbarara City follows formal and informal approaches. The formal approach is the sole responsibility of the city government also delegated to private sector companies in what we may call an 'informal public private partnership'. The gap left by the public sector's failure to manage solid waste in the municipality meant that the private sector filled the gap even without being permitted until it was recognized and allowed to operate.

With the introduction of the formal private sector most community containers have been removed except for a few poor and densely populated areas. The lack of capacity of the municipal government to deploy adequate numbers of vehicles and waste containers was responsible for encouraging the private sector to operate formally. Besides, containers are not protected from rain and sun, which makes the rubbish rot and smell, creating unsightly urban spots, and leading to the deterioration of neighbourhoods and a disturbance of human activities. The sites are also exposed to stray animals that scatter the waste while scavenging.

Current Status and capacity to handle solid waste

Mbarara generates an estimated 31.423 tons of garbage daily and the average per capita solid waste generation rate is 1.284-kg/per person/ per day with a high organic content and bulky density (Gumisiriza and Kugonza, 2020). Solid waste management is a responsibility of the council according to the SWM ordinance of 2005. This requirement needs Mbarara City to at least have on average 22- ten (10) tonnage Lorries disregarding the private sector contribution to be able to collect and transport garbage from the whole city to achieve 100% performance, on the assumption that each vehicle makes 3 trips per day. However, we noted that some of the divisions operated on an average of 5-five tonnage Lorries which was 30% of the fleet required to enable prompt waste collections and disposal in the city. This was due to poor maintenance and operation of the trucks that have led to many of the allocated trucks to be grounded. Besides, the vehicle fleet used in management of solid waste. The study also acknowledged that the department of solid waste was understaffed. On average according to the Acting Solid Waste Engineer, the division needed over 250 workers to efficiently collect, enforce, supervise and dispose off solid waste but only 64 staff was available by the time of the study. This limited capacity to manage solid waste in Mbarara City has resulted into many people using unconventional methods of disposal which include pits within the backyards where it is regularly burnt, collect them in polythene bags and dumping them in streams, road sides and water drainage channels which leads to blocking of water drainage channels and streams and subsequently causing flooding in the low lying areas during the rainy season unpleasant odours.

Governance arrangements for Collection and disposal of solid waste

Section IV (2) of the Mbarara Municipality Council (Solid Waste Management) Ordinance 2005 places the responsibility of collection of solid waste in the hands of Council in this case the division, either by its agents, servants or licensed collectors to ensure that solid waste is collected and conveyed to treatment installations (sites/centers) or approved disposal sites to the extent required to satisfy both public health and environmental conservation requirements. However, there are four (4) arrangements under which solid waste was collected in Mbarara some of which were illegal. First, the council in some areas which were accessible, the local community placed their solid waste in non gazetted places like the roadsides, convenient road reserves where the council trucks collected solid waste for final disposal at the land fill. Second, in areas where the council trucks could not access, there were private arrangements some known

to the municipality (Private collectors who are registered like Homeklin) collected solid waste at a fee and deposited at the landfill some times and other times to council collection points for final disposal. Third, another group of collectors were the illegal and non-licensed collectors most times young boys with wheelbarrows, bicycles and others using their heads who collect solid waste from households at a fee and deposit either illegally in the drainage channels, council collection points and sometimes non gazetted places. These groups also included mentally disturbed people who may not easily be brought to account. Forth and last is the self-loading strategy - employed by the division authorities in collection of garbage. By self-loading the local community occasionally are encouraged to load their garbage on the municipal trucks on designated days and the truck finally dump the solid waste to the final place of disposal.

Frequency of collection

The same ordinance under section IV (7) stipulates that the frequency of collection of solid waste shall be in accordance with the regulations of the collection agency but shall be regular enough (at least once a week) not to cause a public health nuisance. The study however found that prescribed frequency of collection of solid waste was only maintained in very few places (road sides) due to both logistical like trucks and fuel which were overwhelmed by the amount solid waste generated. The lack of consistence in some places has created permanent illegal dumpsites and accumulation of garbage which has become a public health concern. Respondents interviewed indicate that in that some places go up to 2 weeks without seeing a council truck or the private sector agents while in other places the council trucks have never been there at all due to poor road connection.

Collection of solid waste

Through interviews and review and analysis of documents and waste management records, it was established that the level of collection of solid waste generated within the city was still unsatisfactory. In most of these divisions solid waste collection is mainly in areas of high visibility (roads and Streets), business centres (such as markets, and abattoirs) and residential areas where people are willing to pay. The low collection levels were attributed to insufficient and old collection skips and garbage bins as well as shortage of functional garbage collection trucks. The collection and transportation trucks were also insufficient, old and unreliable, and would frequently break down causing interruptions in the collection. This was exacerbated by the irregular maintenance which sometimes results in grounding and in service interruptions.

Collection fees

The Council is also empowered to prescribe fees for the collection and final disposal of solid waste by the council under SWM ordinance of 2005. However, findings from the study show that the Council did not provide guidelines on the amount of fees to be collected for which quantity of solid waste generated. Respondents reported that the amount of fees charged was at the discretion of the private waste collectors depending on the amount and receipted in some cases. Generally according to interviews with clients of some private waste collectors, the licensed private collectors charged in the range of 1,000 shillings to 3,000 shillings per day which is quite exorbitant for the urban poor while the illegal collectors charged very low fees (between 200 shillings to 1.000 shillings) for collection.

Solid waste disposal

According to the SWM Ordinance of 2005, the responsible person at any dwelling unit (home), industrial or institutional establishment (premises) or ground within the corporate limits (center) of the city where solid waste accumulates shall ensure that solid waste is placed in a container prescribed and approved by the Council, depending upon the type of collection service provided. The holder of a permit shall dispose off all solid waste in accordance with the method approved by the council and at an approved site and approval must be obtained in advance (before) the commencement of the operations and before any change of method of disposal or site. All solid waste collected by the municipality is dumped at the gazetted landfill plus some of that is collected by the private collectors. However much of the solid waste collected by the illegal and unlicensed collectors and some poor informal households dump their garbage in ungazetted places like the roadsides, illegally constituted dumpsites and the drainage channels when it rains due to the costs involved in waste management. It was also reported that the place where they dump garbage is located about 7 kilometers from Mbarara town and for each truck that dumps solid waste is charged a fee of 10,000/= Ugandan shillings per trip. This cost in addition to the surging fuel costs, the private collectors are sometimes forced to dump in areas where the council can then collect the waste for final destination which contravenes the management arrangement. At household level, solid waste is collected and contained in ungazetted containers such as sacks, polythene bags and cut jerricans and dumped illegally most especially in informal settlements of Mbarara City. Parents are also reported to give their children sacks of garbage which they deposit at dumpsites and some times in the middle of the road. This is done mainly at night when the authorities are not watching.

Transportation of solid waste

It is an offence under the SWM ordinance of 2005 for any person to haul (transport) or cause to be hauled (transported) on or along any public street, right of way or alley (passage) in the city, any solid waste, unless that waste is in a vehicle or receptacle (container) so constructed or covered as to prevent the contents from falling, leaking or spilling and to prevent any obnoxious (unpleasant) odor escaping from waste. It is also an offence under the SWM Ordinance, 2005 to collect, transport, remove or dispose refuse for a fee or other consideration without a valid permit from the Council. It was observed that Kakoba division had a fleet of trucks designed to collect and transport solid waste in the study area. In total the division had six (6) box body trucks and five (5) tipper trucks to transport solid waste in the whole division. However, by the time of the study no trucks which are specifically designed for solid waste transportation were operational and none of the tippers though not appropriate in transportation of garbage was operational due to mechanical problems. By implication, out of the 17 trucks need to effectively manage solid waste in the division only one are available. None of the private collectors (registered or illegal) had prescribed transport mechanisms of transportation of solid waste where majority of them were using open trucks, bicycles and others carried solid waste on wheelbarrows. These transportation mechanisms contravene the ordinance on which solid waste management is governed in the area.

Community awareness about solid waste

According to the Solid Waste Management Strategy (SWMS) of 2006 Para.7, members of the public are supposed to be educated in matters of waste management such as; sorting/separation of waste according to their categories of organic and inorganic, efficient use of skips, waste recycling, home composting, waste minimization and adherence to waste management laws.

It was observed in some community places that a small effort towards sensitization and awareness of the local community about solid waste management was under taken in Mbarara. Among the common awareness creation methods were posters pinned in both local languages (Runyankore and English) instructing people to keep their environment clean. These posters were mainly produced in partnership with NGOs and other development partners. The respondents also reported that, several attempts had been made by the CSOs working in the area towards proper solid waste management approaches through community sensitization meetings, building of community structures, establishment of garbage recycling plants and garbage reuse mechanisms in the area. Section 39 of the ordinance also imposes a fine not exceeding two currency points or imprisonment not exceeding six months for a person who commits an offence under the ordinance. In an attempt to enforce the solid waste management byelaws, the division through the law enforcement arm is responsible for brings all individuals who contravenes the ordinance to book however due to man power limitations, majority of the offenders go unpunished. Cases in point are the landlord who set up dwelling places without solid waste management mechanisms and options. This has further aggravated the problem of solid waste in the area. Other attempts by the division to curb indiscriminate dumping of solid waste are erecting of warning notices (“No Dumping sign posts”) with a fine if the ordinance is contravened but these are subsequently abused since there is no body to enforce the notice.

Roles of the different actors in solid waste management in Mbarara

To understand issues surrounding solid waste management, it is important to know how it is organized in terms of who is supposed to do what.

NEMA is responsible for drafting and enforcing national laws, regulations and guidelines to guide the management of municipal solid waste. Examples include: The National Environment Act, The National Environment (solid waste Management) regulations, NEMA is also responsible for regular monitoring to ensure that municipalities implement municipal solid waste management activities in compliance with existing environment laws and regulations, and that their activities do not harm the environment. NEMA coordinates the planning and implementation of national solid waste management programmes, for example, the Uganda Municipal Composting Programme.

The ministry of Lands is responsible for ensuring that there is a national municipal solid waste management policy and strategy. The ministry is also responsible for ensuring that this policy and strategy are implemented, and that the municipal solid waste strategic plans are aligned to the national strategy and policy. In addition, the ministry coordinates implementation of some aspects of municipal solid waste management through programs such as the Uganda support to Municipal infrastructure improvement programme (USMID). The Attorney General reviews and certifies that byelaws, ordinances and any other regulations drafted by the municipalities are consistent with existing laws and regulations. Once this certification is obtained, the municipalities can proceed to enforce them.

Municipalities and cities derive their mandate to manage solid waste from the Local Government Act, Cap. 243 of the Laws of Uganda, which requires them to provide a number of services including sanitary services, removal and disposal of night soil, rubbish, carcasses of dead animals and all kinds of refuse and effluent. Municipalities undertake the following activities in relation to municipal solid waste management: Strategic and operational planning for municipal solid waste management activities; Managing the

processes of collection, transportation, treatment and disposal of solid waste and Developing byelaws, and ordinances to support the management of municipal solid waste. Once the drafts are developed they are reviewed and submitted to council for approval. After approval by council, these drafts are submitted to the Attorney General for review and confirmation that they do not conflict with any existing laws, regulations and guidelines. Once approved by the Attorney General, these laws and ordinances are widely disseminated to create awareness and to foster compliance.

There is also enforcing national laws as well as the local byelaws and ordinances on municipal solid waste management and generating and keeping up-to-date data and records about all process and transactions relating to Municipal solid waste management. Enforcement of these laws is done by the municipal enforcement officers. Enforcement entails coming up with enforcement work plans and ensuring that the planned enforcement activities are undertaken. Enforcement officers conduct periodic inspections within the municipality to ascertain if the provisions of the byelaws are being complied with. This is usually done for commercial buildings and places such as markets, hotels, where cases of non-compliance are noted, and the offenders are apprehended and penalized as obligated by the byelaws. Penalties for offenders include fines, arrests and sometimes prosecutions depending on the magnitude of the offense and what the legal framework provides.

The development of municipal solid waste plans and strategy is another function of municipal governments. Planning and budgeting are critical aspect in the management of municipal solid waste. Plans are both strategic (usually spanning 3-5 years) and operational covering a period of one year or less. Strategic planning begins with identification of municipal solid waste targets a municipality desires to achieve in a given time. Once this has been done, the municipality costs these activities. The activities identified and the estimated costs form the drafts which are then forwarded to the technical planning committee for review and finally to council for approval. These plans should be aligned to the national municipal solid waste strategy and policy. Annual planning on the other hand starts with obtaining annual Indicative Planning Figures (IPFs) from the municipal treasurer or finance department. With these, the heads of department who are responsible for municipal solid waste management, particularly the department of health, identifies activities on which these resources are allocated to come up with annual work plans and budgets. These are also presented to the technical planning committee and council for approval.

Municipal solid waste activities at the municipalities are managed by mainly three departments the Department of public health, the Department of engineering, and the Department of natural resources/ environment. These departments closely work with the divisions of the municipalities.

The private sector includes solid waste collectors and service providers contracted to undertake some of the processes on behalf of the municipality. The municipal governments coordinate and manage all the other actors include the private actors. The private collectors collect and transport solid waste from mainly residential areas and commercial premises at a fee to the treatment points. There is another category of the private sector – the informal sector. Informal waste collectors operationally use simple tools like plastic containers, wooden boxes, and wheelbarrows among others for solid waste collection. Their involvement in the solid waste management sector has signaled the institution of a new form of waste management services alongside the old: substantively rational delivery. They are innovative and risk-taking because they have the ability to plan and manage waste collection for economic gains.

They are taking advantage of the failure of government and formal private sector based systems. As formal SWM companies fail to keep pace with growing demand for waste management services that are effective and efficient, a “niche market” has been created for the informal collectors. Contrary to the findings by the researchers, that the informal collectors operated in low income areas, this study has found out that the informal collectors serve all income categories. The informal collectors are however becoming more professional in their pursuit and therefore more acceptable in all neighborhoods which is similar to the findings of other studies for example (Oteng-Ababio, 2012).

Municipal governments also coordinate the public. The public is an actor in that it generates solid waste, and are the key beneficiaries of municipal solid waste services. The public is also expected to comply with municipal solid waste laws and regulations in addition to embracing better modern municipal solid waste management practices.

Governance Challenges in solid waste management in Mbarara Municipality

Poor record management

Good governance and service delivery can never be realized unless proper records management systems are put in place (Kenosi 2011). A poor record keeping culture is one of the many factors that accounts for poor governance, poor service delivery, under development and the general lack of accountability in solid waste management and governance. In Mbarara city, there is lack of an effective system of municipal solid waste management that can be able to capture records. While the city tries to collect and keep up-to-date data relating to solid waste volumes (for example volume generated, collected, treated composition of the solid waste etc., there are other issues. There are no human resources records (for example number of staff involved in municipal solid waste management). It is also very difficult to access financial data (for example costs, budgets, revenues) and also the quality assurance data (for example process monitoring data). The operations and maintenance data (for example equipment maintenance schedules), health and safety data (for example pollution levels, gases emitted, level of water and surface contamination etc.) among other forms of data is also very hard to come by. It was also observed that these records are not regularly updated by the records officers and they are not organized into a system where they can easily be managed and accessed.

No National Solid waste management Policy & Approved Byelaws

Mbarara Municipality had a solid waste management strategy. The only problem is that there is no solid waste management policy and therefore the strategy is not aligned with the national solid waste objectives and strategies which is a point of weakness. According to the report from the Auditor General, the process of formulating a national solid waste management policy commenced in 2012 but the policy is still in draft form pending the completion and approval of the regularity impact assessment. Without an approved policy a national solid waste management strategy cannot be developed.

In the same vein, Mbarara Municipality has a solid waste management byelaw that was enacted in 2005. It is a requirement under the Local Governments Act 1997 for urban councils to make byelaws in relation to their powers and functions that are not inconsistent with the constitution, any law made by parliament or ordinance of the district council or any byelaw passed by a higher council. The byelaws should be certified by the Attorney General that they are not inconsistent with the constitution or any other law

enacted by parliament before they are enforced. The Mbarara Municipality bye law and strategy however was not approved by the Attorney General and therefore may not support solid waste management activities since they are not enforceable. The implication is that the city uses the existing national law, which is too general to support the solid waste management function in the city.

There are also legal gaps to contend with: The Mbarara solid waste management ordinance lacks the powers to “bite” despite the existence of the law enforcement officials. For example, section 39 of the ordinance imposes a fine not exceeding two currency points or imprisonment not exceeding six months for a person who commits an offence under the ordinance but the process of enforcing the penalty is long which make many people dumping garbage to go unpunished. The ordinance also proposes a fee for solid waste to be borne by the generator of solid waste. However, it doesn't provide a mechanism of collecting these fees which have made fees collection unrealistic hence increasing volume of solid waste generated in the city as a result of the growing urban population, concentration of industries in the city, poor behavior and consumption habits of residents and inappropriate waste management practices due to limited awareness provided by the Ordinance.

Misappropriation of funds allocated for Solid Waste Management

With the involvement of the private sector in solid waste collection and transportation, the public sector rarely gets involved except in rare circumstances when there is a public outcry. This became more serious when Homeclin was informally contracted as a private company to collect and transport waste in the rich and poor neighborhoods ignoring the protests of sister private companies. It has not been clear where the funds allocated to the municipality is used for. Interviews especially from the private firms in SWM suspect the funds meant for SWM is swindled among the top officials at the expense of improving the general sanitation. Most of the stakeholders, municipalities, the official waste collection companies, and households acknowledge the need for better monitoring and regulation of SWM but cite challenges of misappropriation of public funds by top officials in government. This finding is in agreement with the findings of (Gumisiriza & Kugonza 2020).

Weak Enforcement of Laws and Regulations

In Uganda environmental policymaking remains largely a function of the central government, but implementation of policies and legislation is devolved to the Local Governments. The existing laws on waste management are not being effectively enforced, which may be attributed to inherent weaknesses of the laws themselves. The informal sector and the community therefore operate with little or no regulation at all. This is made worse by the fact that, there is no comprehensive national urban policy and the institutional framework to regulate and support urban development.

Limited funding and the scale of the challenges facing public health officers dealing with SWM hamper their ability to enforce cleanliness and punish dumping. Weak oversight of environmental protection laws enables solid waste dumping to go unpunished. In other words, the current system of enforcement is not effective in supporting solid waste management. The enforcement function is characterized by absence of work plans for enforcement activities, poor record keeping (evidenced by missing registers of offenders, missing registers of prosecutions, missing records of fines and penalties). In addition, the number of enforcement officers is insufficient in Mbarara. There is no enforcement officer specifically deployed for solid waste management.

The weakness in enforcement is attributed to non-prioritization of the activity through adequate planning and resource allocation. A weak system of enforcement negatively affects the effective administration of byelaws and other NEMA regulations and guidelines which are critical in supporting the solid waste management function.

The National Environment (Waste Management) Regulations, S.I. No 52/1999 Section 4(4) of the National Environment (waste management) regulation states that: A person who generates domestic waste shall sort the waste by separating hazardous waste from nonhazardous waste in accordance with the methods prescribed under sub-regulation. Section 5 of the same regulation empowers a generator of domestic waste with or without a license issued under these Regulations, dispose of non-hazardous waste in an environmentally sound manner in accordance with by-laws made by a competent local authority. Section 6 (6) provides for a person who, before the commencement of these Regulations was carrying on the business of transporting or storage of waste, shall apply to the Authority for a licence for the transportation of waste or a licence for the storage of waste as the case may be, within ninety days after the commencement of these Regulations. Section 7 (2) also states that a person granted a licence to transport waste shall ensure that: a) The collection and transportation of waste is conducted in manners that will not cause scattering of the waste; b) The vehicles, pipelines and equipment for the transportation of waste are in such a state as not to cause the scattering of, or the flowing out of the waste or the emitting of noxious smells from the waste; c) The vehicles for transportation and other means conveyance of waste follow the approved scheduled routes from the point of collection to the disposal site or plant Policy gaps: Enforcement of these regulations have been challenged with weak punitive measures for example anybody contravening the sections of this regulation is only liable, on conviction, to imprisonment for a term of not more than six months or to a fine of not less than three hundred and sixty thousand shillings or both which penalties don't improve or repair the state of the environment degraded.

Lack of Implementation of planned activities

Strategic planning forms the basis for implementation of strategies and activities planned for the achievement of the long term goals and objectives. While the strategy is there, a review of the implementation of activities planned reveal that key planned activities remained either partially or not implemented at all. Part of the problem is that the strategic plan is largely unrealistic as the cost of financing far exceeds the resources available and the municipality did not identify the sources of financing for these activities. The cost of financing the activities does not compare well with the resources accessible by municipality. Failure to implement planned activities negates the purpose of planning, and makes it difficult to transform and improve the municipal solid waste management function. For example, there is little community involvement and participation of key stakeholders in solid waste management mainly because the planned sensitizations in the municipality were not implemented.

Disjointed and overlapping mandates

Tasks can be spread across several government departments. For example, different bodies are responsible for the maintenance of vehicles for waste collection, the monitoring and enforcement of solid waste management laws and regulations and employment of waste collection staff. For example, in Mbarara, the Engineering department is responsible for the maintenance and repair of vehicles for waste collection but other aspects of SWM are under the public health department. This is therefore the challenge of disjointed and overlapping mandates that should be dealt with.

Informalism

The formal and informal sector co-exists in solid waste management and solid waste collection by ICs follow similar geographic pattern as the formal sector. While the informal sector serve clients from all residential categories, their services were more visible and relevant in the low-income communities to the extent that a good number of neighborhoods patronize their services. Through the in-depth interviews, issues such as affordability, reliability of service, and personal affiliations were among the reasons offered for their popularity. Again, the nature of access routes in the unplanned and semi-planned communities benefited informal collectors because they were able to navigate through the narrow and erosion-ridden roads to the door-step of their clients. Additionally, the popularity of informal collectors stemmed from their reliability and promptness. Again, it was observed that informal collectors operated in their immediate geographical and social space and that enhanced the frequency with which they serviced their client. These gave them competitive advantage and so were able to retain their customers than the formal service providers. This means that service beneficiaries had higher level of trust in the informal collectors.

Limited Government and waste management budgets

The city government is dependent on national government for finances for most services including for waste management services. National government often does not prioritize waste management services. So while waste management services have been decentralized, fiscal decentralization has generally not followed. Most Mbarara city dwellers live in informal housing, and poverty and inequality is high. This means the ability of local government to raise sufficient revenue for waste management services is limited. It is also clear from interviews with city officials with key informants that waste management is not regarded as a priority in the light of so many pressing needs such as access to electricity, water and housing, and therefore don't prioritize budget allocation for it. This finding is similar to the findings of (Godfrey et al 2020).

The local government Act empowers the councils to collect revenue for service provision but did not provide the different avenues on how to collect such taxes and revenues. Revenue sources presently constitute less than 10% of total local government funding. Worse still, local governments used to depend mainly on graduated personal tax but this tax was abolished in 2006 and was replaced by local service and hotel taxes, which local governments are yet to fully understand and appreciate due to challenges in its collection.

Too few workers amidst poor working conditions

There are too few workers employed to carry out the work that needs to be done. There are too few municipal workers, as well as too little equipment (both trucks and the fuel to run them). Waste collection is often less frequent than the prescribed minimum of at least once a week. The working conditions are also a deep concern. This is particularly acute for both informal and formal waste workers who must deal with dirty, contaminated and toxic material every day. This daily exposure to harmful substances that waste workers face – whether they are informally or formally employed; whether they collect household waste, or hazardous medical waste, or work on landfill sites – impacts on their rights to health, safe food and water, safe and healthy working conditions, and a healthy environment. It is thus vitally important that proper attention is given to improving the health and safety standards for all waste workers.

Infrastructural challenges

Collection and transportation operations from informal settlements constitute the largest infrastructural challenge in solid waste management. Many poor informal settlements are not easily reached by both the division and the private collectors due to the poor road network. Also the landlords have not been sensitized on the need to manage solid waste and have from time and again put up structures without solid waste management places due to limited land. This has therefore led to several unofficial dumping sites in and around the area mostly located in wetlands, abandoned building and the road sides.

Conclusions and Policy Implications

This study has revealed that one of the major issues preventing urban authorities to manage solid waste effectively and efficiently is the deficiencies in governance aspects. Since solid waste management is a sustainable development issue that cuts across socio-economic activities, it is imperative that it is considered a political priority. Good governance is crucial for creating an enabling environment for sustainable waste management. As such as there is need to strengthen capacity (financial, institutional, technological and infrastructural) to drive environmentally solid waste management.

A clear definition of jurisdiction and roles is essential. Appropriate distribution of responsibilities, authority and revenues between national and local governments must be determined so that waste management programs may succeed and be effective. There needs to be a shift in the role of government institutions from service provision to regulation. Also, contribution of informal waste collection workers may be significantly improved through appropriate organizational measures. It is a fact that formal systems in Uganda have not yielded the desired results in-keeping the city clean. This realization call for a more integrated approach, which is in sync with the philosophical grounding of the SDGs that recognizes the contribution of informality in all aspects of development. Such integration will not only empower the Informal Collectors, but will also take into account specific local conditions.

Utilizing a governance approach to solid waste planning in developing countries would entail the development and implementation of an action master plan and policies/by-laws with the participation of the community and key actors from different sectors and political parties.

Adequate public participation involves the stakeholders from the beginning and provides a creative forum for the public to discuss issues, identify key actors, generate possible solutions and alternatives, implement part of the selected solutions and participate in the monitoring and evaluation of solutions. Communities should be involved in making decisions concerning waste management strategies. There should be a method of communicating waste management system performance and proposed strategies with the community in order to get feedback and support from the community.

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Determinants of effective outsourcing of solid waste management in Tanzanian Local Government Authorities

Isaria Kisoli

School of Public Administration and Management, Mzumbe University, Tanzania

Wilfred U. Lameck

wlameck@mzumbe.ac.tz

School of Public Administration and Management, Mzumbe University, Tanzania



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Abstract

Over the years, many countries have adopted outsourcing of service delivery as a means of increasing efficiency and recovering cost in service delivery. Nevertheless, in most cases, the outcomes of the outsourced services does not reflect the standards and expectations set at the beginning of the process. The situation also is similar in Tanzania where the solid waste management was outsourced to private service providers in local government authorities but overall, the outsourcing process resulted in mixed results with negative outweighing positive results. Literature on outsourcing cites various factors contributing to the failure or success of the outsourcing process. These include the capacity of local government, the nature of service, trust between partners and the institutional context but some of these factors have received little attention in the literature and the research studying the combination of these factors and the way they influence outsourcing process is scarce. The aim of this paper was to explore the determinants of effective outsourcing of solid waste management in Tanzania Local Government authorities and the way these factors (capacity of local government, the nature of service, the trust between partners and the institutional context) influence the process and its outcome. The study used a cross-case analysis with documentary reviews and 80 interviews conducted with local government officials, local politicians and service recipients in the four cases selected for this research. Data analysis involves contents analysis of policies and guidelines for outsourcing process in local government and thematic approach was used for the analysis of interview transcripts. The findings of this research shows that the outsourcing process in the four LGAs is guided by several regulations such as the Public Procurement Act, Public-Private Partnership Act and the guideline manual for the outsourcing process all of which together define the institutional context. On the other hand, the findings show that the four local government authorities involved in the research lack capacity, especially in the provision of dustbins. But also there is mistrust between the parties that has to a large extent affected the performance of the outsourcing process and the outcome. The overall conclusion is that, the outsourcing performance particularly of solid waste can be influenced by not only the nature of the service or capacity of local government but also the institutional context in which actors are operating. Therefore, policy reforms in outsourcing solid waste management should pay attention not only to the capacity of local government, nature of service or trust between the parties but also to the institutional context in which the actors are operating.

Key words: Solid waste management – outsourcing, solid waste management, Refuse and disposal, Tanzania Local Government

Introduction

Outsourcing has gained popularity in the literature across the globe. Some authors (Kern 1997; Child 2005) define outsourcing as a decision taken by an organization to contract out its activities to a private service provider who in exchange provides and manages services for monetary return over an agreed time.

Isaria Kisoli is a Phd Student at the School of Public Administration and Management, Mzumbe University, Tanzania.

Dr. Wilfred U. Lameck is a Senior Lecture & the PhD Program Coordinator at the School of Public Administration and Management, Mzumbe University, Tanzania.

On the other hand, Lopez-sala and Godenau (2020) understand outsourcing as a process through which organizations assign the execution of some of its tasks or services to private service provider to improve the quality of service provided.

Currently, there is a growing agreement in the literature globally that the production of solid waste from human activities is inevitable because of the nature of the production of goods and services and the availability of technology and space for disposal. This agreement has influenced several initiatives taken nationally and internationally to address this problem. The initiatives are echoed in the different national and international policies. For instance, one of the sustainable development goals aims at striking a balance between the rate of consumption and production of solid waste without endangering the environment (UN 2020).

In Tanzania, in both the constitutions of the United Republic of Tanzania, different laws and policies have been enacted to support the management of solid waste. For example, the Constitution of the United Republic of Tanzania of 1977 makes it mandatory to protect the human health of each citizen in Tanzania. To support this, the Government enacted the Environmental Management Act No. 20 of 2004 and the National Environment Policy intending to strengthen individual and community awareness and participation in the protection of the environment and handling of SWM services. In addition, the government has enacted the Public Procurement Act and Public-Private Partnership to guide the process and conditions of the outsourcing process. Nevertheless, the literature shows that in Sub Saharan Africa, the overall amount of waste products increase by three times in the year 2050 (World Bank, 2020). In Tanzania, urbanization together with the rising standards of living have resulted in the increase of solid waste generation by industrial and domestic activities. All these are expected to have negative impact on the environment, health, and prosperity of the population. Although the solid waste management has been outsourced to private providers in local government, the results of outsourcing presents a mixed results with negative results outweighing positive ones.

Literature has identified factors that may influence the performance of outsourcing management; these include service characteristics (Corra & de Ridder, 2012), the institutional context (Domberger & Jensen 1997; Jensen & Stonecash 2005), and the availability of resources and the capacity of Local government in service delivery (Eisenhardt 1989; Laffont & Martinort 2001). Others factors identified include the level of knowledge on what counts for a service to be core or non-core, how to select a service appropriate for outsourcing (Barthelemy 2003) and the trust between the organization and the outsourcing vendor (Elmuti 2003). Studies on the combination of these factors and the way they affect the outsourcing process in local government are still scarce. This motivated the current study to investigate how service characteristics, availability of resources, institutional context, the level of knowledge and contract affect the outsourcing process in local government in Tanzania.

Outsourcing conceptualised

Outsourcing is defined as a decision taken by an organization to contract out some activities of the organization to a service provider who provides and manages services in exchange for monetary return over an agreed time (Kern 1997, Juras 2008). Other scholars (Child, 2005, Gradus *et al.* 2018) perceive Outsourcing as activities organisations contract out to private service providers for increasing its efficiency and effectiveness. Yet other scholars such as Weinert and Meyer (2005) perceive outsourcing as one of

the activities used by organizations to improve the quality of service. Overall, the outsourcing of services has become a strategy in the restructuring of a business for increasing efficiency (Burnes & Anastasiadis 2003, Andersson *et al.* 2019).

According to Child (2005), outsourcing can be categorized into two, outsourcing of core activities of the organization and outsourcing of support activities. Core activities of an organization include the supply chain activities such as distribution while the outsourcing of support activities include management of human resource and facilities. In addition, Alexander and Young (1996) distinguish between activities that are critical to the performance of an organization but only support the core such as the supply of spare parts and activities that provide competitive advantages such as IT services. According to the authors activities that support core functions should be considered as noncore. Overall, outsourcing initially involves non-core activities to reduce costs and improve efficiency in service delivery.

The theory of outsourcing

One of the professed goals of outsourcing is cost recovery. According to theoretical argument on cost recovery, public funds should pay for public goods and services and the agent should deliver the services (Altaf & Deshazo 1996). But in most case, governments particularly in developing countries lack enough capacity to finance the public goods and services; this leads to the use of cost recovery method as an alternative. Regarding solid waste management, most of SWM activities such as streets cleaning involving sweeping public streets and cleaning public parks and lands are considered public goods because they are provided to the public and not to specific individuals. As a public good, the local governments revenue is expected to cover all the costs of these services. However, most of the local governments in developing countries often fall short in meeting their revenue needs from tax bases. Therefore, user to cover cost of solid waste to facilitate service delivery (Cointreau, 1994). User charges also provide the private service provider some autonomy to be accountable for residents for the cost and value of SWM services that they provide.

The second goal of outsourcing is to increase efficiency; as observed by Clegg *et al.*, (2009), many organizations must use outsourcing as a method of increasing efficiency and gaining competitive advantage. This implies that the private sector provider is more efficient than the public sector provider because of the skills and resources the latter (PSP) are endowed with (Thomas *et al.*, 2008). Efficiency results from management flexibility, freedom of action and financial discipline of the private service provider. Apparently, in the competitive environment, private firms must perform efficiently to make a profit and maintain their position in the market. Therefore, optimum efficiency may not occur when there are no opposing competitive forces or when there is a public or private monopoly (Besley & Ghatak, 2003). In addition, Efficiency may not occur where private companies collude over prices or work practices.

Another goal of outsourcing is to increase accountability. The LGAs that represent the public at large have a special obligation to be accountable to the public. Therefore, outsourcing of solid waste management for example can result in the commitment to public values because it provides clear guidelines on how goods and services are produced, how equitably they are provided, how they are paid for, the benefits and working conditions of those who produce them. All these measures are important in increasing accountability (Cointreau 1994). Governments need to be accountable for fair safe labour practices. When LGAs outsource SWM services, PSP is accountable for any complaint of poor service delivery.

SWM services are highly visible and uncollected SW generates dissatisfaction among city residents. After outsourcing, LGAs is prone to blame the PSP whenever residents are unhappy with the SW service rendered. LGAs remain accountable for SWM services even if the services are outsourced. Accountability of LGAs is stipulated in the Local Government Act giving LGAs the mandate of being responsible for SWM services. Accountability challenges arise mostly due to performance measurement, problems essentially in the outsourcing process, principal-agent relationship terms and conditions in the contract (Saliterer & Korac 2013).

Literatures for example Barthelemy, (2003), Elmuti (2003), provides several factors that either constrain or facilitate the realization of the objectives of outsourcing discussed above. One of these factors is the service characteristics of a specific service whereby choices in each stage of the outsourcing process. The more complex the service the more difficult it is to define and measure the outcomes (Corra & De Ridder 2012). For example, outsourcing revenue collection can be easy because the results of revenue collection are more quantifiable and measurable than the results of other social services. Institutional context is another factor that influences the effectiveness of the outsourcing process. Institutional context includes both legal framework and policies that govern service delivery. Institutions define service goals that justify the outsourcing of a particular public service. A good example is procurement regulation that defines the goal of outsourcing but it can also limit or facilitate the outsourcing process. While public procurement ruling tends to influence the options and alternatives LGAs have at their disposal, availability of information on the quality of service providers and their products is another challenging area to LGAs during the outsourcing process (Domberger & Jensen, 1997; Jensen & Stonecash, 2005). The third factor is the availability of resources and the capacity of the Local government in service delivery (Eisenhardt, 1989; Laffont & Martinort, 2001). The theory suggests whatever resources (– whether finance or human resource) the local government is disposed of can to be an important determinant in the success or failure of the outsourced services (Eisenhardt, 1989; Laffont & Martinort, 2001). This implies that if the local government does not have enough financial resources to construct and maintain a landfill, install the dustbins for waste disposal or staff to manage the process, then that local government is unlikely to achieve the intended objective of outsourcing.

Finally, understanding core and non-core activities is another factor. literature (i.e., Barthelemy, 2003) shows that for the LGAs to be successful in outsourcing, they must have a clear understanding of the core activities, development of clear objectives, goals and expectations of outsourcing. In addition, trust or contract between the companies and the outsourcing vendor is significant in ensuring successful outsourcing. This includes contract negotiation and the signing of the contract by both the agent and the buyer. The contract should identify items, activities and services. It should also include terms of payment, an escape clause for each party and methods for making changes to the agreement (Elmuti 2003).

The case of outsourcing process of solid waste management

Like other services, outsourcing of solid waste management has also received attention in the mainstream literature across the globe. Authors such as Moosa (2007) and BSB (2020) perceive outsourcing of solid waste management as the process of storage, collection, transportation, processing and disposal of solid waste materials in a way that best addresses a range of public health, conservation, economic, aesthetic, engineering and other environmental considerations. This implies that disposal of wastes materials without proper management can damage not only the environment but also the development of the human race.

Furthermore, in order to reduce the problem of unmanaged solid waste, individual countries, international organizations and private organizations are currently working together through the formulation and implementation of solid waste management policies, laws, rules and regulations. For instance, at the global level, one of the sustainable development goals (SDGs): the twelfth goal concerns the strategies for “responsible consumption and production” of solid waste. This goal aims to help the world to strike a balance between the rate of consumption and production of solid waste without endangering the environment (UN 2020). Nevertheless, despite these efforts on solid waste management (SWM) by individual countries at regional and global level, out of 2.01 billion tons of municipal solid waste (MSW) produced yearly, about 33 per cent are not managed according to the environmental safe standards (World Bank, 2020).

In the past twenty years, the Tanzanian government as is the case in many other countries around the world adopted outsourcing as part of wider public service reforms. The goal of sourcing was to increase performance in public service delivery through contracting out service delivery to private service providers. Nevertheless, the problem of unmanaged waste is still increasing. This problem is even compounded by the increasing trend of urbanization and urban population which produce waste that is not within the management capacity of the urban authorities. Although the government has established several laws such as the Environmental Management Act No. 20 of 2004, the Local Government Act of 2000 and the Public Procurement Act of 2001 as amended in 2004 and 2011, the production of unmanaged solid waste is still increasing particularly in urban areas and the collection of SW is below half of the produced waste. Overall, the collected waste especially in cities and outskirts areas is about only 44 per cent of the total solid waste produced (World Bank, 2020). The question is what has gone wrong? How do local government capacity, service characteristics, resources and institutional context explain the failure or success of outsourcing in solid waste management in LGAs in Tanzania?

Methodology

The methodology is guided by the research question: How does local government capacity, nature of service, resources, contract and institutional context explain the failure or success of outsourcing in solid waste management in LGAs in Tanzania?

To answer this question, the study employed a qualitative approach with an exploratory case study design. The exploratory design was relevant because this paper aimed to gain detailed insights on the factors that influence the success or failure of outsourcing management in LGAs in Tanzania. To this end, the four cases were studied namely: Moshi, Arusha, Meru and Dodoma Municipality. The four cases were selected in order to increase the maximum variety and richness of data, Although the four local governments are subject to a similar formal administrative system, they vary substantially with regards to LGAs capacity, the nature of services and availability of resources. For example, Arusha City Council (ACC) is the first city in Tanzania that contracted SWM to private Service Providers through in door to door collection. Furthermore, Moshi Municipal Council (MMC) is leading in keeping its environment clean. It is among 17 municipalities in Tanzania that have successfully maintained the records of the clean city for more than five years. Meru District Council (MDC) on the other hand performed well in solid waste management in the years 2017 and 2018 but recently it encountered problems with the quality of dustbins and the landfill (MoH 2018).

Finally, the City Council of Dodoma (CCD) has outsourced solid waste management to CBOs, but the performance has not been good. Overall, the factors which account for these variations are still uncovered. To explain these variations, a sample of 80 respondents was selected purposely from the four cases and the research activities began with the analysis of important documents such as the Public-Private Partnership Act of 2010, the Public Procurement Act of 2011, the Local Government Act no 8, the minutes of the meetings and annual and quarterly reports. Others include contract documents, tendering documents, tender Evaluations reports, council strategic plans, regulations and guidelines, council environmental by-laws and LGA laws. The review of documents was followed by an in-depth interview with 80 respondents from the four cases. The information from the documents was analysed through content analysis and interviews transcripts were analysed through thematic analysis.

Formal institutions for outsourcing management

The formal rules and regulations show that the governance of outsourcing in Tanzania consists of a set of responsibilities, roles, objectives and controls which define the institutional arrangement for the outsourcing process. Institutional arrangement is a process that an organisation needs to adapt to provide a common, consistent and effective approach to the outsourcing arrangement. The procurement rules for example identify actors who are involved in the process of outsourcing public service. In this law, rules and parties with their functions and responsibilities are identified. According to this rule, the parties involved are the user departments in which the activity originates, Procurement Management Unit which deals with processes and tendering, Tender Board which deals with awarding of tender, Accounting Officer who authorises the requirement and the Evaluation Committee which evaluates proposals and makes recommendations. The role of each party in different stages of outsourcing is presented below.

The first stage is initiation. This begins with the identification of needs, approval of needs, conducting a feasibility study, analysing costs and writing technical specifications. Most of the activities in the initiation stage are undertaken by the user department in collaborating with the Procurement Management Unit. The feasibility study is the activity that should be carried out by a team of experts formed in the council after the approval of needs.

The content analysis shows that parties involved in this stage are those prescribed in the rule. In ACC and MDC, parties involved in the initiation stage conducted the activities as required by the rules. The User Department in MMC and CCD did not fulfil their duties as required by the rules. In MMC, there was no feasibility study conducted, no analysis of costs nor was the preparation of technical specification done. The reason provided is that in MMC SWM, services have been delegated to the wards. However, the wards are not user departments and cannot be taken as user departments. The need can originate from the wards but the should be forwarded to the department responsible for that need and discussed and thereafter approved. The User Department is staffed with experts and headed by the Head of Department who reports to the Council Director. However, it is good to conduct a feasibility study, analyse costs and prepare technical specifications, expertise in carrying out these activities is not available in the wards.

In the CCD the User Department did not analyse cost and prepare technical specifications. A review of the evaluation report shows that no-cost analysis was made. Regarding technical specification, the report shows that the assessment of equipment and vehicles cited by the SP was used as the criteria for the selection. In conclusion, the parties responsible for the initiation were able to play their role in ACC and MDC but failed to do in MMC and CCD.

Besides the review shows that the procedure for the selection of competent SP follows that of open tendering. Open tendering is the one-stage bidding process where all interested SPs are invited to submit a tender. The normal procedures are followed in the selection process except for CBOs where the selection process is conducted at the ward level under the WDC. The roles of parties in the granting process start from the approval of requirements up to the contract management. According to the HPMU from these councils, the process should be guided by public procurement rules. This part presents the roles of parties in the granting process activities.

as for the approval of the need for outsourcing SWM as noted earlier, all the requirements in the councils should be approved by the relevant authority. Research shows that in all cases, the approval of the requirement was done by the relevant authority. In MMC and CCD approvals was conducted at the ward level whereby WDC approved the need for outsourcing. The parties involved in the approvals are the user department where the requirement for outsourcing originated. The user department presents to the Council Management Meeting the need to outsource SW. The council management team discusses the proposal and forwards it to the Finance Committee of the councillors for deliberation. The full Council, which is the highest organ in the council, is the final organ to approve the need. All these parties played their role except for the cases mentioned above.

Furthermore, as for the identification of Service Provider, as narrated earlier an open tendering procedure was used and which, in the end, awarded the tender to the winner. However, the identification starts with pre-qualification where those who respond to the advertisement and submit their proposals are first listed and thereafter awarded the tender after their suitability has been examined. In these cases, the pre-qualification was not conducted instead the tender was advertised and applications were received evaluated and thereafter awarded to the winner. In the tender documents, one of the requirements is for bidders to indicate their area of interest to operate. After evaluation, the winner is given the specified area as requested. With CBOs, it is different because they are required to apply and indicate the ward where they reside. CBOs are automatically be awarded tender according to the Ward they come from. In CCD for instance, CBOs were not required to apply but to be awarded tender as long as they are from the ward I question. The Evaluation Committee, the User Department and the Tender Board are the parties involved in the identification of SP. All these parties played their role according to the procurement rule.

Nature of SWM services outsourced in the four cases

Solid waste management refers to the collection, transfer, treatment, recycling, resource recovery and disposal of SW in urban areas. Solid Waste Management has emerged as one of the greatest challenges facing LGAs in Tanzania. The volume of SW being generated continues to increase surpassing the ability of the SP to handle the load. In the selected cases (LGAs), SWM is characterised by inefficient collection method, inefficient coverage of the collection system and improper disposal of SW. The selected LGAs have different problems in SWM in terms of composition, the waste amount, access to waste collection, awareness and attitude. The collection of SW was done by contractors and CBOs for a fee. Stationary containers and door to door collection system was adopted.

The performance of SW collection in LGAs showed that 43 to 81percent of the total SW generated were collected. In the past, LGAs focused on the technical aspects of different means of collection and disposal.

However, recently, the attention has been on enhancing institutional arrangement to the services with emphasis on outsourcing. To guide the management of SW, LGAs established Environmental by-law which encompasses the outsourcing of SWM services. In Arusha City Council, the collection of SW accounted for 81 per cent of the SW generated; the cost of collection was also reduced to a significant amount. Another significant positive result was an increase of the awareness among the beneficiaries of the service on the payment of SW fee. In this regard, the ACC managed to collect revenue above the estimated budget for three consecutive years.

The findings from MMC indicate that SW was collected at the rate of more than 72 per cent and the service receivers were ready to pay more than half of the SW fees they were paying. Generally, the environment of the Municipal was clean. In MDC, more than 76 per cent of the SW generated was collected. The frequency of collection was known and documented in the contract. The cost of SW collection was reduced and the council remains with the cost of supervision and monitoring. In CCD, the collection of SW was poor whereby only 43 per cent of the SW generated was collected. The city did not manage to reduce the cost and therefore the cost of transportation of SW from the household to the landfill was very high compared to what is paid by clients.

LGAs capacity and the availability of resources in the four cases

The LGAs capacity was measured based on the capacity to provide the enabling environment for the waste collection which include maintenance of collection centres, maintenance of landfills, the provision of dust bins and the capacity to collect revenues from the service provider.

Concerning landfills, the findings revealed that ACC has one dumpsite located at Muriet- outskirts of Arusha city. The findings show that the management of the dumpsite encounters some challenges of being too close to the residential houses. Therefore crude dumping activities are insensitive to environmental protection. Despite this deficiency, the city has constructed one cell of the sanitary landfill and other infrastructures to facilitate the operation of the sanitary landfill. Although the landfill has some of the necessary infrastructures it has missed operating machines such as compactors, weighbridges to measure the weight of the SW brought in and office accommodation for the landfill manager to monitor all the landfill operations. Concerning the collection of SW from collection centres, the city can collect 81 per cent of the SW generated. Storage of SW is done by dwellers and the collection is from door to door and is done by PSP who collect in six wards in the city centre and CBOs in the outskirts of the city. The collection points are found in the market using a vehicle that parks from morning to an evening where the entrepreneur in the market put their waste in it. Monitoring of the SW services is done by the Ward Health Officer.

On the other hand, the MMC management of SW has been decentralised to the ward. The ward has been mandated by the municipalities to monitor the collection of SW from households make environmental and cultural awareness and law enforcement making municipality have easy management of SW. MMC has 12 collection points operated by both the municipal and CBOs. The collection system is based on door to door. Skip buckets, which are normally placed in the collection point are used to collect SW. Thereafter the council transports the waste to the dumping site.

The use of communal collection points is another system used in the collection whereby all nearby residents dump their waste at one point. The collection point must have a container recognised by nearby communities. MMC has one dumpsite located at Kaloleni- the outskirts of Arusha city. The dumpsite, which is close to the residential areas lacks a weighbridge and security fence. The dump is not highly managed, in that anyone can dispose of waste without permission. In addition, the dumpsite lacks important equipment such as wheel loaders to dispose of waste with effective use of space.

On the other hand, the management of SW in CCD is done by both CBOs and the city. CCD provide free SW transportation services. Collection and removal of SW amount to only 34 per cent of the generated waste. Landlords store their SW in the dustbins which are then collected and transported to the collection points by CBOs. The city takes the responsibility of transporting waste from the collection point to the dumpsite for final disposal. Collection points in the CCD are few and mostly located in the marketplace and bus stops. Since skip buckets are not enough many of the collection points are on the open grounds. The World Bank once funded the CCD to construct and operate a new landfill for proper management of SW. The landfill, which has received some of the operating equipment, is now located at Chidaya. The dump has not been able to operate due to the lack of other important equipment such as compactors and weighbridge machines. There was no landfill manager to monitor all the landfill operations.

The management of SW in MDC is done by the council and the nominated PSP. In this council, the collection of SW amounts to 76 per cent of the SW generated. SW generators store their SW in the dust bins to be collected by PSP and transported to the landfill. The SW is collected by the PSP, but the council intervenes only where SP fails to perform. A few dust bins are located in the centres where SW is highly generated; these include the marketplaces and bus stops. The PSP and the council are responsible for ensuring that all the waste from the households is collected and transported as per the timetable. The Ward Health Officer and the Ward Executive Officer are responsible for the coordination of the service and for ensuring that thorough inspections are conducted in every street and the household. Regarding the management of the landfill, MDC has acquired land for the construction of the landfill. However, MDC faces challenges in managing SW which include an insufficient budget for operations and maintenance and purchasing of SW equipment.

Capacity in the provision of dustbins

According to guidelines, the LGAs are required to provide dustbins in the streets for SW collection. This role is vital as it facilitates the easy removal of waste by the service provider and the council. The study findings however reveal the following from the selected cases.

In practice, in ACC, dustbins are not available in many parts of the city. Responding to the question on the problems regarding the lack of dustbins for garbage collecting in the street, one of the respondents said, "In the past, the government bought us the materials (dustbins) but people took them for domestic use" On the same, another respondent said, "In my memory, I remember the council issued dustbins but people stole them for personal use" The two extracts are the testimony that the council provided dustbins but people misused these bins.

The study findings reveal that the lack of dustbins in the city streets for waste collection is attributed to the belief among the respondents that the council lacked goodwill to supply the bins.

This view was held by 72.7 per cent of the respondents as shown in Table 1. About 25.4 per cent believed that dustbins are not necessary because people will still litter the city streets, 1.9 per cent thought that financial constraints on the part of the council were the cause of this situation. Table 1 provides the causes for inadequate dustbins in the four cases.

Table 1: Causes of inadequate dustbins in the four cases.

Causes of inadequate dustbins	ACC		MMC		MDC		CCD	
	Frequency	%	Frequency	%	Frequency	%	Frequency	%
Lack of goodwill of the council to provide bins	40	72.7	32	61.5	38	69.1	13	23.6
Financial constraints	1	1.9	17	32.7	6	10.9	6	11
Lack of knowledge	14	25.4	3	5.8	11	20	36	65.4
Total	55	100	52	100	55	100	55	100

Moreover, the study results from the researcher street visits and interviews show that dustbins are not supplied in most areas in Arumeru District Council including Usa River Township, Makumira and Leganga. Responding to the council's inability to provide dustbins for refuse collection, one of the respondents said,

“The council managed to provide dustbins in areas where they thought are important but some of these dustbins disappeared and the council did not replace them”.

Another respondent said the following regarding lack of dustbins in their township and street,

“Dustbins are very important for the cleanness of our environment; the council should provide more and replace some in areas where they were taken”.

The two extracts are a testimony that the council should provide dustbins to keep the town clean. The results from the survey show that the absence of dustbins in their areas is attributed to respondents' belief that the council lacks goodwill to supply them. This view is held by 69.1 per cent of the respondents as shown in Table 1. About 20 per cent responded that dustbins are not necessary because people will still litter their environment and 10.9 per cent thought financial constraints on the part of the council was the reason.

In CCD, I observed that many parts of the city are not well covered by dustbins. Responding to the council's inability to provide dustbins for refuse collection, one of the respondents said

“This council do not see the importance of dustbins that is why you see there are not enough dustbins in our city. There are other dustbins that disappeared and the council did not replace”.

On the same, another respondent said,

“The council is required to provide dustbins in every corner of this city to make it look clean otherwise there will be littering therefore in areas where dustbins are not installed council should ensure they are installed”.

The two extracts are testimony that dustbins are not enough in the council. The results from the survey show that the absence of dustbins in their areas is attributed to the assumption that the respondents believe dustbins are not necessary because people will still litter their environment.

This view is held by 65.4 per cent of the respondents as shown in Table 2. About 23.6 per cent reported that the council lacked goodwill and 11 per cent thought that financial constraints on the part of the council were the reason for the problem.

The capacity to collect revenue

For the SWM services to be sustainable, receivers of the service have a duty of paying SWM fees according to the council by-laws. These by-laws set a payment structure for each group in the council starting from households to business premises, hotels and industries. The payment structure for SW fees in the selected cases is as follows:

In ACC, the SWM fees range from Tsh. 1,000 to Tsh.20,000. One of the service providers had this to say on the modality of payments by service receivers,

"Payments are made after services and normally the end of the month and after issuing an invoice. After receiving cash from service receivers, an official receipt is issued".

Another service provider said the following,

"Monthly charges are imposed from households and businesses. Market wastes are charged on weekly basis. Invoices are issued to hotels and big businesses so that they can prepare payments. We normally issue an official receipt given by the council."

Service providers were required to remit 15per cent of all collection made from service receivers. This has been stated in the contract signed by the council. According to the Council Treasurer, the council was able to collect the required amount due to compliance of service providers to this agreement.

According to data from the Council's Revenue Accountant, the council was able to collect 15per cent of the estimated amount. Table 2 shows the amount collected against the estimated collection.

Table 2: Revenue received from SWM fees (15% of the actual collection) in Tsh.

Years	Estimates	Actual	Percent
2011/2012	54,000,000	40,758,397	75.5
2012/2013	44,000,000	39,422,013	89.6
2013/2014	44,000,000	47,252,630	107.4
2014/2015	45,600,000	57,503,860	126.1
2015/2016- to April	42,408,000	42,841,575	101

Source: ACC Revenue and Expenditure report 2016

According to the findings in table 2, the council was able to collect the estimated amount for the three years consecutively. Therefore, outsourcing of SWM services enhanced revenue collection, which enabled the council to have sustainable SWM services. An interview with the head of the Environmental and Cleanness Department reveals that the city council is not worried about the expansion of the city where the delivery of solid waste services is crucial. This is because the communities are aware of the importance of managing solid waste and are ready to cooperate with the existing SP.

For MMC, SW fees were paid by receivers of the services as per the council's by-laws. These by-laws are used by service providers in charging fees for SW services.

The SWM fees range from Tsh. 10,000 to Tsh.50,000. Those who litter the environment, are charged a fee with a fine of Tsh. 50,000. According to the WEO of Bondeni Ward, service providers were required to remit 20per cent of all the collection made from fines of defaulters of the by-law every month. This has been stated in the contract signed by the council.

In MDC, SW fees were also paid as required by the Council Environment by-laws. One of the service providers had this to say on the modality of payments made by service receivers:

"We pay after the service normally at the end of the month; the service provider is issuing an official (electronic) receipt. the amount of fees is categorised in two groups of users of the services."

Service providers are required to remit 20 per cent of all collection made from service receivers. This has been stated in the contract signed by the council. According to the Council Treasurer, the council was able to collect the required amount and met the budgeted amount due to compliance by service providers on this agreement.

The findings from CCD revealed that SW fees were not paid as required by the council by-laws. An interview with the Environmental and Cleanness Officer revealed that some of the service receivers were resisting paying because they believe that it is the responsibility of the council to provide the services without charging any fees. Service receivers who are paying SW fees are very cooperative with the SP. One of the service providers had this to say on the modality of payments made by service receivers,

"SW fees are paid monthly. The payment is done to the council and the council paid back to the service provider"

Service providers were required to remit 20 per cent of all the collection made from service receivers. This has been stated in the contract signed by the council. According to the Council Treasurer, the council was able to collect the required amount due to compliance of service providers to this agreement.

Conclusion

Outsourcing of SWM in LGA was carried out to improve waste management and overall governance by transferring SWM functions to the PSP. Because of this new approach, the findings from the selected cases show that the performance of SWM is influenced by LGAs capacity, service characteristics, resources and institutional context. Private participation varies in its focus when engaged to deal with the provision of SWM services. The main challenges of solid waste collection revolve around service quality, institutional arrangement, LGAs capacity and resources issues. The efforts made by LGAs to build their capacity are vital in the provision of SWM services, especially during the transition period where SWM functions were transferred to PSPs. Achieving urban SWM that will be effective in the long term requires participation of stakeholders who plays vital role in the while process of outsourcing SWM services. The strength of the institutional arrangement in the outsourcing of SWM services is an indication of the delivery of improved services that enhance efficiency and effectiveness. This is a result of close monitoring and evaluation of the outsourcing process. Clear terms and conditions of the contract have enabled PSPs to provide SWM service in the selected LGAs covering a wide area and ensuring stakeholders' involvement, despite decentralization of MSWM to the ward in one of the LGAs.

Consequently, adequate waste collection, frequency and payment of SW fees are the major public concerns and contribute to users' satisfaction with the services. Meanwhile, the capacity of LGAs in terms of management of the collection points and landfills has been important in eradicating SW problems while the provision of dustbins by both LGAs and service receivers led to reliable and sustainable service. In an institutional context, the competition during the tendering process, allowing broad participation of competent service providers must be encouraged and adopted by all local governments. In this transition and specific local context, responsibility, competitive tendering and transparency with regards to financial accountability are essential for enhancing system viability. The study revealed that despite the LGA's adoption of outsourcing strategy, waste management issues have not been fully addressed among the LGAs. However, the cases may vary based on the political will and commitment of stakeholders including the central and local governments, the private sector and the communities.

Recommendations

Based on the findings and critical review, the following recommendations can be made:

Enhancing community participation: LGAs can enhance the SW collection system by involving the community and other stakeholders by considering the public interest, economic interest and preventing political manipulation and involving the will of LGAs.

LGAs need to have the capacity and good resource management in order to be self-sustaining in their waste management funding to reduce reliance on the private sector and the central government subsidy. One of the roles of LGAs in SWM is the provision of collection bins for SW collection which helps in compliance with environmental by-laws and the reduction of illegal dumping. This should be enhanced in any new policies regarding SWM.

Reduction of the fiscal and financial burden, LGAs must implement feasible SW fees that will adequately fund the LGAs and provide viable financing to PSP for a modern and sustainable system.

LGAs should monitor the quality of service offered and prioritise cooperation between the PSP and LGAs so as to improve the quality of SWM services.

The capacity of LGAs in dealings with SWM has to be enhanced so as to have adequate personnel through proper training of this personnel as suggested in other studies (i.e., Seng *et al.*, 2010; 2013; 2018; Spoann, 2010; NLLC, 2016).

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The causes and remedies for perennial ghost workers fraud in payroll in Tanzania

Kassim Ally Bwaki

School of Publication and Management Mzumbe University, Morogoro-Tanzania

Oscar W. Tefurukwa

otefurukwa@mzumbe.ac.tz

School of Publication and Management Mzumbe University, Morogoro-Tanzania



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Abstract

With the advent of information communication technology (ICT), Tanzania launched human capital management information systems (HCMIS) to create, store, and share human resource information to solve perennial challenges like ghost workers on the payroll. Despite these efforts, ghost worker fraud on the payroll remains a recurrent problem. This situation undermines the quality of public service and creates losses on the wage bill. Previous studies did not clearly explain the reasons for perennial ghost workers on the payroll in Tanzania. Therefore, the paper explains the causes of perennial ghost workers on the payroll and proposes potential measures to curb it. Data were collected from the President's Office, Public Service Management and Good Governance which is the custodian of Human Capital Management Systems of all government public offices in the Tanzanian government. Drawing from a thematic analysis of ten interviews and a systematic literature review, the paper provides insights into the subject matter. Findings reveal that HCMIS is not a panacea in addressing perennial ghost workers fraud on the payroll. It depends on ethical and professional bureaucrats. However, the persistence of ghost workers on the payroll is amplified by the weak management systems and unethical bureaucrats' lust to squander public funds on the payroll. Without strengthening HCMIS and taking stern measures to prosecute fraudsters and regain lost funds and trust, ghost workers will be a common feature of the payroll in Tanzania.

Key words: Payroll Fraud, Corporations - Corrupt practices, Fraud - Prevention, Ghost workers, Tanzania

Introduction

The United Nations documents consorted efforts for transforming institutions; strengthening integrity, transparency and accountability; and preventing and combating corruption, which could contribute to advancing development in all spheres (United Nations, 2019). At the core of development, the quality of civil matters a lot. It is an engine of the development and growth of any nation. The desired quality of civil service, among other issues, is free of ghost workers on the payroll (Nyaledzigbor, 2015). Ghost workers are names of formerly employed or fictitious civil servants who are ineligible to be paid salaries and any other fringe benefits. There were several efforts to remove ghost workers from the payroll like retrenchment, the headcount of employees, and the installation of ICT supported systems in the public offices to create civil servants database (Stevens and Teggemann, 2004). However, disappointingly, ghost worker fraud on the payroll continued to gain momentum and popularity (WHO, 2020).

For instance, in 2007 Ghana reported over 1937 ghost employees (Nyaledzigbor, 2015); in August 2013, Zimbabwe unveiled more than 75,000 ghost workers (Moyo, 2017); between 2014 and 2016, Nigeria removed 110,000 ghost workers and saved more than 33 million dollars (Haruna et al., 2015). In 2014, due to ghost workers fraud, Kenya paid \$million to ghost workers (Hope, 2014). Wastage of public resources decreases public sector performance and weakens the government's role in improving the quality of service provision.

In Tanzania, efforts against three enemies (i.e. diseases, ignorance, and poverty) translate the wage for independence (Nyerere, 1967). Arusha Declaration in 1967, African socialism and other reforms aimed at combating the three enemies. In 1991, Tanzania initiated the Civil Service Reform Program (CSR) for staff retrenchment, identification of ghost workers, and establishment of payroll controls (Therkildsen, 2001). In 1997, further initiatives established Payroll Verification Exercise (PVE) (Therkildsen, 2001). This exercise required employees to appear in person, authenticate their particulars, and sign off against payroll-sourced lists. The PVE enabled the government of Tanzania to detect and remove about 4,600 ghost workers from the wage bill (Kiragu, 1999). Another strategy was launching ICT supported operations (LAWSON) that had to streamline two lists of civil servants from the Public Service Management office and the Finance Ministry (Schalkwyk and Widner, 2012). The strategy enabled the detection and removal of about 1,400 ghost workers on the payroll. From this phase onwards, bureaucrats could not easily collude with salary payments. Ideally, the users could not temper with the new system (IRMT, 2007). However, ghost workers' fraud on the payroll continued. It undermined the government efforts because it perpetuated siphoning of public resources and worsened public service delivery. These situations exacerbated further the level of poverty, ignorance, and diseases in Tanzania.

Tireless reforms in public service resulted in the launching of the Human Capital Management Information System (HCMIS) in Tanzania (IRMT, 2007). The HCMIS stores, retrieve, and shares reliable human resources information between and amongst ministries, departments and agencies (MDAs) and Local Government Authorities (LGAs) (Silva and Lima, 2018). The HCMIS increases efficiency and effectiveness (Daniel, 2015). It captures names, birth dates, professional qualifications, positions, and salaries (URT, 2016). All this supports informed decisions concerning employees' recruitment and hire; promotions, transfers, leaves, performance appraisals, salaries, training, turnover rates; and personal information. Notwithstanding the use of high technology and some notable triumphs, in 2014/2015, formerly employed civil servants received Tshs. 392 million. In 2015/2016, the same phenomenon increased to Tshs. 1,007 million (IMF, 2016; Safe Global, 2021). The Controller and Audit General (CAG)'s review reveals that the Rural Energy Agency 2019/2019 paid Tshs. 146 million to ghost workers (National Audit of Tanzania, 2020). This situation raises doubts about the efficiency and effectiveness of the HCMIS. In addition, reviewed empirical studies on HCMIS which include but are not limited to Haruna, Joseph and Samson, 2015; Ndaro, 2016; Njau, 2017; Oguzierem, Sofiri and Okodudu, 2017) concentrated on the consequences of ghost workers on the payroll. Most of the studies tangentially explain the emergence and persistence of the ghost workers on the payroll in Tanzania. Thus, the paper specifically explains the causes of ghost workers' fraud in the payroll, explores the persistence of ghost workers fraud in payroll systems, and suggests possible solutions to the menace.

Theoretical premises

To explain the causes of ghost workers on the payroll, we subscribe to the Fraud Triangle Theory (FTT) and its derivative; Diamond Fraud Theory (DFT). In exploring the persistence of ghost workers on the payroll, we apply Fraud Management Lifecycle Theory (FMLT). The FMLT provides a framework for reasons behind the repeatedly/ regeneration of ghost workers on the payroll in Tanzania. In the subsequent sections, we identify each theory, its tenets and linkages to explain ghost workers' frauds on the payroll.

The fraud triangle theory

According to Cressey (1953), there are reasons for ghost workers on the payroll. Cressey orates that bureaucrats in cooperation with other people engage in fraud related to stealing government funds. However, fraudulence cannot occur without the presence of synchronized factors. Those factors are; "pressure, opportunity, and rationalisation" hence a triangle theory (FTT) (Cressey, 1953).

Figure 1. Fraud Triangle



Source: Abdullahi, Masor and Nuhu (2015:32)

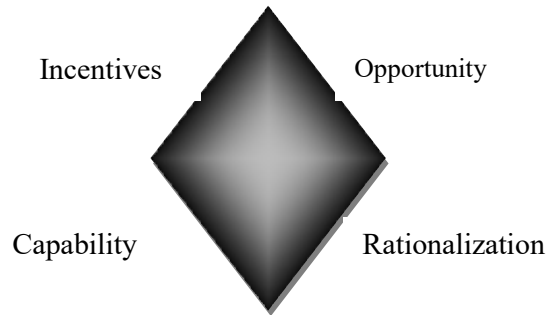
The pressure denotes political, financial, non-financial, and social issues bureaucrats experience (Cressey, 1953). They include lavishly living and lack of or inadequate discipline. For example, gambling exemplifies non-financial pressure. Social and political pressures happen because bureaucrats believe they cannot drop their prominence (Kassem and Higson, 2012). For example, the bureaucrats involved in salary payments would manipulate the systems to squander public money to fulfil social obligations. However, nothing happens without the bureaucrats identifying an opportunity for committing fraud. Perceived opportunities for fraud are weak internal-control mechanisms or pitiable supervision systems that pave the way for bureaucrats trusted to manage HCMIS to embezzle salary and fringe benefits funds (Abdullahi, Masor and Nuhu (2015). However, pressure and perceived opportunities cannot result in fraudulence on the payroll without bureaucrats rationalizing their behaviours. By subscribing to this ill-gotten notion, wretched bureaucrats bring forth validations to defend decadent demeanour. Some of the elucidations and alleged reasons bureaucrats use may include but are not limited to, "some people did it why not me too", "and others justify their action as "I had to steal to meet my family obligations". Despite the FTT's powerful explanations on the causes of the ghost workers on the payroll, it is yet to respond to, why does not everyone who experiences pressure, opportunity and rationalization commit fraudulence in the organization? The Diamond Fraud Theory could provide the most probable answer.

Diamond fraud theory

The diamond Fraud Theory is an extension of the Fraud Triangle Theory. Wolfe and Hermanson just added one element (capacity) to the triangle theory to convert a Fraud Triangle Theory to a Diamond Fraud Theory.

Wolfe and Hermanson (2004) suggest an answer to the above question. Even under tighter control and broader oversight, fraud acts would persist on the payroll in Tanzania as Wolfe and Hermanson assert, "...despite intense efforts to stamp out corruption, misappropriation of assets, and fraudulent financial reporting, it appears that fraud in its various forms is a problem that is increasing in frequency and severity" (2004:38).

Figure2. Fraud Diamond



Source: Wolfe and Hermanson (2004)

Capability refers to the individual's ability and traits because they are a prerequisite of frauds whenever there are other three elements (i.e. perceived pressure/motive, opportunity and rationalization). Lister (2007) and Rae and Subramaniam (2008) demonstrate that incentives and rationalization can only bring the people toward the doorway created by the opportunity to commit frauds on the payroll. Persons who commit fraud on the payroll for a long time or on a large amount of money possess various traits. They use their positions and functions in managing HCMIS to create the ability to seize opportunities not available to other employees. For example, corrupt bureaucrats whose capabilities permit them to verify the payroll can do it maliciously.

The capabilities of the fraudsters originate from a situation whereby they are more involved in processing monthly wage bills. They gain more knowledge and control over time. Secondly, fraudsters are clever, inventive, and knowledgeable of all organization's control procedures and faults. In turn, fraudsters access the system or assets against the rules and regulations. Wolfe and Hermanson reaffirm that about 46% of the public fraud involved corporate Chief Executive Offices. Moreover, "...51% of the perpetrators of occupational fraud had at least a bachelor's degree, and 49% of the fraudsters were over 40 years old..." (Wolfe and Hermanson, 2004:40). Thirdly, fraudsters are confident enough to take the trouble to solve problems if caught. Fraudsters are egotists- determined to attain their objectives at all costs. Success in one fraud act justifies the next one. Those involved feel like proving how smart they are. Fourthly, they can compel others to hide or harass their subordinates to commit fraud. This state of affairs creates ways to avoid some processes that can deter or reveal fraud. It results in producing loopholes for deception. Fifthly, fraudsters are permanent liars who keep in mind all lies. They hide documents or constantly present incorrect information to a variety of authorities. Lastly, fraudsters control nervous tension too well to be detected. Despite Wolfe and Hermanson (2004)'s expression and amplification of the capability factor, Lister (2007: 63) argues that hardly ever capability is the basis of fabricated employees' names on the payroll. It is just "the source of heat for the fire" because not all bureaucrats under pressure seize opportunities, and rationalise the situation for frauds (Wolfe and Hermanson, 2004). Additionally, not all workers with skills and good positions in the public service department commit fraudulence (Sorunke, 2016).

Sorunke brings on the scene ethical issues (Personal Ethics) into the equation of the cause and prevention of deception on the payroll. An ethical person would perform duties according to well-established standards about right and wrong that stipulate what one ought to do in the light of rights and responsibilities to society (Sorunke et al., 2014; Safe Global, 2021). Ethics is the summation of norms that guide the individuals' behaviours in the public office (Sorunke et al., 2014). It is not just capability, pressure/incentives, opportunities, and rationalizations that make fraudulence on the payroll for personal gains, but the level of personal ethics matters. Findings demonstrated that a high level of integrity matters because even under pressure, some bureaucrats do not commit fraudulence (Sorunke, 2016). Committing fraud by unethical bureaucrats does not need any pressure, but one just wants to accumulate wealth. Some bureaucrats are already wealthy due to gluttony. But they continue amassing wealth through deception. Sorunke (2016) insists that individuals with the capability and low personal ethics with determination to advance the ill-gotten agenda collaborate with internal or external bureaucrats for grand or long-term deceptions.

For that reason, motivation, integrity, opportunity, and capability of the employees explain the cause of ghost workers on the payroll in Tanzania. Rationalization is associated with personal integrity (Kassem and Higson 2012:194; Rae and Subramaniam, 2008:106). Employee veracity is about "the personal code of ethical behaviour each person adopts" (Albrecht et al., 1984:18). Unlike pressure and rationalization, personal integrity is the fundamental element. It reveals itself through both one's decisions and the decision-making process (Kassem and Higson, 2012:193). It is important to acknowledge that the cause of ghost workers on the payroll is a versatile occurrence. To curb it requires one to know all possible reasons for ghost workers fraud on the payroll in Tanzania. The proceeding section tersely uses a Fraud Management Lifecycle Theory to exhaust explanations of ghost workers on the payroll.

The fraud management lifecycle theory

Wilhelm (2004) uses fraud management lifecycle theory (FMLT) to explain how to stop or significantly decrease deception in the workplace. Managing fraud involves a lifecycle of the network where each stage in the lifecycle is a collective entity (Wilhelm, 2004). Eight linked measures make up the theory; "deterrence, prevention, detection, mitigation, analysis, policy, investigation and prosecution" (Wilhelm, 2004:9). Deterrence involves ending fraud on the payroll earlier than its occurrence by making the path difficult and fear of corollary for fraudsters to migrate. It intends to avert or dishearten fraud before it occurs. Deterrence is the result of each stage of FMLT to restrain and detracts elements of fraudulence. Its triumph is dependent upon the performance of other steps of FMLT.

Prevention involves activities to stop fraud from occurring. Here, the fraudsters hide from performing or perpetrating fraudulent actions. It is reasonable to end losses to occur versus continuity of fraudulent activity. Detection intends to disclose the existence of a fraud attempt, for instance, using detective measures based on statistics to know fraud before it occurs. By design, HCMIS should contain defensive measures, processes, and authentications to make it harder for fraudsters to temper payroll data. If governments pay all salaries and fringe benefits through the employees' banks, it is more difficult for the fraudsters to create fraudulent bank accounts (Tefurukwa, 2021). Mitigation intends to avoid damages from occurring or accomplishing fraudulent actions. For instance, making a bank account inactive whenever suspicions arise on any financial transactions such as salaries and other fringe benefits can stop fraudulence. It could avoid severe losses due to fraud on the payroll.

It aims at quick actions to reduce the extent of efforts and losses incurred to regain or correct the impact of fraudulence. However, mitigation performance is the function of the business environment and detection tools.

The analysis intends to comprehend the occurrence of losses despite deterrence, detection, prevention, and mitigation actions. For example, the government has to assess the consequences of the fraud on the payroll and study to determine the factors behind the losses, and impacts and find sustainable answers. The government can apply a method like root-cause analysis (Wilhelm, 2004). The policy aims at creating, evaluating, communicating, and assisting in the formulation of rules and regulations to lessen the occurrence of fraud and the nuisance to lawful customers. For instance, the government should allocate enough resources to fight against ghost workers' fraud on the payroll. The policy must well stipulate deterrent value, loss decrease, operational scalability, and efficiency.

Investigation assists to collect sufficient proof and information that can assist in curtailing deceptive action, returning assets, and presenting evidence for trial and conviction of the fraudsters. Deception investigations involve three main issues, “internal investigations, external investigations, and law enforcement coordination. The first area, internal investigations, includes investigations of employees, contractors, consultants, or vendors. External investigations examine customers (fraudulent claims), fraudsters (individual crooks), and groups (an association of criminals)” (Wilhelm, 2004:14). Lastly, the prosecution is due to all the achievements and breakdowns in the FML. It embraces regaining assets, criminal compensation, and conviction with its attendant deterrent value. The prosecution aims at punishing fraudsters. It curtails deceptions by establishing, maintaining and enhancing the reputation and obtaining recovery or restitution wherever possible.

Previous studies on ghost workers' fraud on the payroll

Empirical studies have covered several issues concerning human capital management systems and ghost workers on the payroll. For example, Haruna, Joseph, and Samson (2015) examined “the performance of the Integrated Personnel Payroll and information system (IPPIS) to ghost works problem in LGAs in Nigeria”. Findings reveal a negative association between the fake workers' problem and productivity. The ghost workers cause low employee morale, epic deception, decreased employee career prospects, and reduced efficiency and effectiveness. The study found the effects of the ghost workers' syndrome, which included low morale among workers, irregular payment of salaries to ghost workers, low efficiency, corruption, reduced career prospects, and carrier training opportunities. In a vicious cycle, these effects are motives/pressure for bureaucrats to commit fraud (Cressy, 1953). While Haruna, Joseph and Samson advocated political support to make IPPIS effective, both Haruna et al.,2015, and Cressy's, 1953 studies do not explain how ghost workers could appear on the payroll and the way the IPPIS could combat ghost workers fraud in the payroll. It is difficult to wipe out ghost workers in public offices without knowing their genesis.

Oguzierem, Sofiri and Okodudu (2017) examined ghost workers fraud and its effect on the payroll and unemployment in the education sector in Bayelsa state in Nigeria. The study subscribed to the FMLT of Wilhelm (2004) and adopted cross-sectional and ex-post-facto research designs. The study shows various dimensions of ghost worker fraud used in the public service.

It includes multiple employments, multiple salaries with different names, receiving more payment than one is entitled to, backdated employment and inherited employment. Furthermore, the study shows that ghost workers' fraud inflates the wage bills in the public sector and reduces employment opportunities for newly qualified candidates. It resulted in the government continuing to ban new employment due to saturation of nominal and payrolls with ghost names. This article builds on the study by Oguzierem, Sofiri and Okodudu (2017). It subscribes to a similar theoretical framework to control the inclusion of fake ghost workers in the payroll in Tanzania.

Poncian and Mpambije (2015) examined how local government authorities (LGAs) work to meet objectives, probable grounds of failure to use funds as planned and implications to the poor Tanzanians. The study reveals that most of LGAs in Tanzania suffer from salary embezzlement. Money spent on ghost workers was Tshs 178,066,130 in 2007/2008 and Tshs 832,448,998 in 2012/2013. This situation shows that efforts to curb fraudulence in the LGAs were still weak as the embezzlement of the government funds on ghost workers increased by 21% in five years. Besides, Ndaro (2016) and Njau (2017) show that even when HCMIS was used to assist LGAs to manage human resources, LGAs were still facing inadequate information flow between and amongst MDAs concerning employees' information. Njau (2017) regrettably anticipated some LGAs to face serious problems using HCMIS. Nevertheless, studies by Poncian and Mpambije (2015), Ndaro (2016) and Njau (2017) did not shed light on the repeated cause of ghost workers in the payroll before and after the introduction of HCMIS. Unless we address these issues, governments could continue to waste funds on ghost workers.

Previous studies have explored well the consequences of ghost workers fraud in the country's economy, payroll, new employment opportunities, and employees' performance. They have also identified various dimensions of ghost workers' fraud and ways to eradicate it. On the other hand, knowledge regarding the emergence and persistence of ghost workers in the payroll system remains a paradox. This study bridges the gap by identifying the causes and management of ghost workers in the payroll in Tanzania.

Methods and Materials

We use a case study research design for in-depth examination and a rich understanding of the efficiency and effectiveness of the HCMIS in managing the predicament of fraud in the payroll system. The study employs a case study from the President's Office, Public Service Management, and Good Governance (PO-PSMGG) at Dodoma municipality. The researchers purposely selected the area of data collection because it is the centre for managing all human resources activities of the government in Tanzania. The study employs interviews as the main source of primary data. Ten interviews were conducted. In this category, purposively we selected a director of the division of human resource management, three staff responsible for managing HCMIS, four staff for the staff inspection section, and two staff from the payroll management section. All staff members were conversant with the human capital management system.

To obtain rich information from the interviews, we employed semi-structured interview guides with open-ended questions. This approach enabled us to use key questions and examine more details about the phenomena under discussion by posing more questions and occasionally allowing the interviewees to enrich their responses to cover all pre-determined questions. On average interviews lasted for half an hour.

All interviews were conducted in Kiswahili. Consent of the interviewees, we recorded all interview sessions. This enabled us to transcribe all audios. Therefore, the first versions of transcribed interviews were translated into English versions for easy and further coding processes.

We employed thematic analysis. For having a general idea of its background, we started by reading and re-reading the whole data. Then from each interview, we underlined words and or phrases and sentences in paragraphs that indicated the answers to the study. We generated codes for highlighted words such as weak, ghost workers, outdated, and inefficiency. Then by using codes we established themes. For example, we established themes such as an ineffective system for payroll, an unreliable employees' database and an unfaithful system manager. We compared original data with established themes to identify additional points and modify themes accordingly.

In the result section, we present quotations with established themes, without making any judgement. However, to establish the underlying meaning of the opinions and viewpoints of the respondents, we interpret data to get some reasons. We demonstrate this in the discussion section by presenting the meaning of the findings and discussing it.

Results

The interviews and document review form the foundation of findings in this paper. The presentation of the results follows the sequence of questions on the causes of ghost workers on the payroll, the capacity of HCMIS, and reasons for the perseverance of ghost workers fraud in the public offices.

Fake workers on the payroll systems

By using the interview guide, the findings show that ghost workers appear on the payroll systems such as ghost names, deceased ghost workers, and voluntary and retired ghost workers. However, the payroll contains ghost workers due to what the Director of the Human Capital Division narrated:

The old system generated ninety per cent of the ghost staff whose information was in hard copies before 2016. We have imported such information into the electronic system. There were many ghost workers on the payroll. We had to take further steps to remove ghost workers from the payment system. After re-auditing such kinds of ghost workers frauds are no longer a challenge as the exercise reduced them by 99%. However, possibly the staff retired in a government institution, but an employer who is not honest did not remove them from the payroll system, and we continued to make payments. Moreover, this often happens to retired voluntarily employees below 60 years of age. Also, for those who retire at a later age (i.e. above 60 years of age), for example, Professors and lecturers in high learning institutions the current system cannot identify their precise retirement date and conduct automatic terminations.

In addition to this, findings suggest more sources of fake workers on the payroll, which the government of Tanzania continues to incur at the expense of other costs. Shedding more light on this, one of the Human Capital Management Officers (I) had this to say:

Official authorities may terminate some employees due to disciplinary offences. We are not involved in the processes. Therefore, unscrupulous employers may not inform us or remove such staff from the payment system. We may continue to make payments as usual to terminated employees after a year or months, we

continued to make payments as usual, and that is when ghost workers become a gate of embezzlement of the public funds.

In addition to disciplinary cases, the deceased employed who remain on the payroll as actual civil servants create ghost workers, as well as one of the officers II, had this to utter:

Besides, the employee may have died many days ago without updating the information in the systems. Systems that remain outdated make MDAs and LGAs continue to pay unlawful employees as usual until when responsible office brings the updates on the scene. The worse scenario is when dishonest system users can change information such as account numbers of the employees in the system anytime without higher authorities being aware.

Reduction or stopping fake workers on the payroll

One of the functions of HCMIS is significantly to reduce or avoid ghost workers. Responses regarding the efficiency and effectiveness of HCMIS on this matter show varying inclinations. Responding to how HCMIS helps the government to decrease ghost workers on the payroll, the Human Capital Management officer IV had the following to say:

Through the system we have, the employee who has reached its retirement age of 60 years, the system immediately removes him without commands from the system user 'automatic termination at 00:01 AM. Through the existing system, it helps to have enough staff information, conduct physical inspections, and carry out audits of employees and payments when we go to government offices.

Furthermore, human resource officer VII systematically explains how they combined several steps alongside the HCMIS to resolve some perennial challenges as follows:

...to enter employee information in the HRMIS you must go through many steps. For new employment, Public Service Recruitment Secretariat and NACTE must verify their professional certificates. The employee has to report physically to his employer; the employer will send the information to the approver at PO-PSMGG; the approver will ask the employer for a confirmation letter from the NACTE and Secretariat of Recruitment connected to the 'HCMIS' system. Moreover, for promotions... system users are required to attach a special verification letter. It is given by the general secretary after the approval of PO-PSMGG. Thus, for a ghost worker to enter the payroll, an employer or a perpetrator must deceive every step and fake verification from the exams council, employment secretariat and approver is not easy. Therefore, this system prevents the entering of ghost workers from the payment system.

Adding to this, Human Capital Management Officer V had this to assert:

The system does not allow entering the same employee information. For example, the system requires the user of HCMIS to fill out the employee profile, including all the proven notes such as academic, birth certificates, employment letters, and a check number. Thus, the system user incorporates the same information to avoid double payments.

Identification of ghost workers

The study also examines how HCMIS detect and identifies ghost workers in the system. Responses on the usage of HCMIS to spot fictitious names on the payroll are divergent.

Some respondents agree that HCMIS can control ghost workers, but others disagree. For example, Human Capital Management Officer IX revealed the following:

The system can track and detect an employee who has reached his retirement age of 60'. However, the system cannot track or detect the presence of staff at work every day. Therefore, HCMIS cannot show employees who have just died, voluntarily retired and MDAs and LGAs terminated.

The other respondent; the Human Capital Management Officer X also had this to demonstrate:

The system cannot detect ghost workers, but through the HCMIS, we get enough information and use our unit Staff Inspection Section to verify this. We go to government offices and compare the staff list details at the government department with the staff list in the payroll system. If we usually hear rumours of fraud, we go there to find out more. We take measures that require all employees to be present and sign a form in person. We order the employers to act upon the situation according to the law.

Tracking fictitious compensation

Responding to the ability of the HCMIS to stop and or identify unlawful payments, Human Capital Management officer VIII explains the following:

No, HCMIS as a system cannot detect fictitious compensation, unless, the audit experts use the information they have in the system to check whether the paid employee is eligible or not.

Additionally, Human Capital Management Officer II provides further elaboration as follows:

The system does not accept two accounts for one employee. Therefore, it is not easy to make double payments. Nevertheless, the unfaithful system manager can change the account number of the staff to swindle government funds without other system managers being aware of the incident. The system does not verify data entered with other authorities' databases like NIDA on the birth certificate and other particulars. Due to this, systems managers may enter HCMIS incorrect data like employees who have passed away and conceal manipulated all details.

Persistence of Ghost workers on the payroll

Responding to why ghost workers seem to be a perennial challenge to public service even after the installation of HCMIS, Human Capital Management Director asserts that:

We installed HCMIS, but we are still facing challenges. The system cannot track or identify the existence of an employee at work every day. Unless the employer himself provides information, we do not know who has just died, whom MDAs or LGAs have just dismissed, or employees who have voluntarily retired. Above all, except for the Government Salary Payment Platform (GSPP), there is no proper connection between HCMIS and other e-government systems.

Other respondents provide more or less similar responses to the issues concerning the persistence of fake workers on the payroll. For example, Human Capital Management officer III adds the following opinions:

The system gives enormous power to the users to change the information at any time and without approval from a higher authority. For example, the users cannot make any changes without permission to change the account number of payments. All this may result in the continued existence of ghost worker frauds.

Adding to the above explanations, Human Capital Management officer VIII perceive the reasons for the persistence of fake workers on the payroll as follows:

Though the system has tried to reduce the number of ghost names on the payroll, it is like antivirus software. It cannot solve all problems at all times. You cannot say that the problems will not repeat or completely stop. As the government try to seal all loopholes, perpetrators create new techniques to advance their agenda.

The above results show chances for the continuation of ghost workers on the payroll due to the inherent features of HMIS and the human resource management of the HCMIS at PO-PSMGG.

Discussion of the findings

Findings (see section 5.1) reveal several reasons for ghost worker fraud on the payroll. Reasons include outdated databases, irregular employees, dishonest employees, and time lag. Literature review shows that the ghost workers in the payroll systems appear as non-employees, terminated staff, dead employees, and voluntarily retired staff (Tuffour, 2002; Ingrid, 2021; Safe Global, 2021). The findings imply two sources of the ghost workers in the wage bill. First, there were ghost names that the dishonest employees could add to the new Human capital management information system. Secondly, ex-employees (deceased, voluntary retired and dead staff) in the payroll system still earned a salary. All decadent demeanours of dishonest bureaucrats could result in ghost workers' fraud on the payroll (Tuffour, 2002; Lister, 2007; Tefurukwa, 2021). Additionally, due to the pressure, unethical bureaucrats could use the outdated status of every employee in the systems for financial gain (Ingrid, 2021; Safe Global, 2021).

Nafiu, Yalo and Aduku (2016); Oguzierem, Sofiri and Okodudu (2017) and Safe Global (2021) previously established similar findings. They confirm the presence of fictitious employees, dead, retired and terminated staff on the payroll. All these are sources of fraud on the payroll. Besides, the re-engagement of some rear professionals such as senior officials and lecturers in the education sector created irregular employees on the payroll. In the absence of a mechanism to deal with unique cases, perpetrators take advantage of these opportunities to advance fraudulence. According to Cressey (1953), pressure, opportunity and rationalisation could be the causes of fraud on the payroll in Tanzania. However, the findings of this study do not clearly show that pressure drives the bureaucrats to decadent demeanours. Inadequate measures to curb corruption in the payroll remained a perennial challenge.

The findings also show that a high percentage of ghost workers on the bill were not employees. They were names of retired or terminated employees imported in the old system 'paper-based form' to HCMIS (Bwaki, 2020). We infer that records in papers were not accurate because there were not enough attempts to audit human resources before transferring information into a new system. It is possible government perceive ICT supported systems as a panacea to the problem of ghost workers on the payroll (Oguzierem, Sofiri and Okodudu, 2017). The HCMIS and other ICT systems operate based on "garbage in garbage out". Due to laxity, unreliable and invalid paper-based data, unreliable information could be created in HCMIS. ICT systems like HCMIS can solve perennial problems on the payroll. However, there is a danger of the payroll management being pro-info logic and forgetting that efficient and effective e-government services depend on social, economic and political factors (Tefurukwa, 2019).

Any e-government project that depends on technology alone is doomed to fail (Leavitt, 1964; Bostrom and Heinen, 1997; Norman, 2015; Tefurukwa, 2019). The situation partly explains the persistence of ghost workers on the payroll even after the installation of HCMIS in Tanzania. The qualities of the bureaucrats behind the systems precede the technology employed.

From the above, we deduce that systemic problems create loopholes or opportunities for dishonest bureaucrats to advance ghost workers' fraud on the payroll. Before HCMIS, the Tanzanian government conducted several physical payroll verification exercises, which Sawe and Maimu (2001) commend as successfully identifying and removing ghost workers instantly without fancy technology. However, Sawe and Maimu disapprove of some dishonest bureaucrats involved in the auditing exercises because they maliciously retained some ghost workers on the payroll. We infer this is one of the reasons for the cause and persistence of ghost workers on the payroll. Furthermore, we deduce that fraud management procedures, if not well controlled, fraudsters take advantage of the loopholes instead of improving public services in Tanzania.

The findings show that HCMIS improves the payroll system by creating databases and information necessary for payroll. It can assist the investigation by the staff at the PO-PSMGG in tackling the problem of fake workers in offices. By design, the HCMIS is a central point of access to the employee database for human resource management (Bwaki, 2020; Dialoke and Goddey, 2017). Enakirerhi and Temile (2017) demonstrate that Integrated Personnel Payroll and Information System (IPPIS) is a poll of data for human resources in the government. Valid and reliable data are sources of information for making informed decisions in public service (Safe Global, 2021). Since HCMIS creates a database, it supports the management of fraudulence on the payroll. Similar findings from previous studies (see Enakirerhi and Temile, 2017; Dialoke and Goddey (2017) confirm that HCMIS positively contributes to decreasing ghost workers. Ndaro (2017) found out that HCMIS assist in detecting ghost workers in the Shinyanga region as it improves reporting procedures that result in removing ghost workers on the payroll. Likewise, Dialoke and Goddey (2017) found out that Electronic Human Resources Management (EHRM) cleanses the payroll system in Nigerian LGAs and somehow seals fissures for fraud.

The findings (see 5.5) show several weaknesses in the system. This situation may be the source of fraud on the payroll as it creates an opportunity for the bureaucrats under financial pressure to rationalise their ill-gotten agenda (Cressey, 1950). While this is just "the source of heat for the fire", in the same vein, Ndaro (2016) found out that the HCMIS does not automatically remove retired employees. The current and the previous findings (i.e. Ndaro, 2016) are not in harmony. Due to this divergence, Fraud Triangle Theory explains that intentionally or unintentionally, human resources officers do not terminate payments to deceased and resigned employees. This situation implies that bureaucrats behind the human resource systems are the determinants of the ghost workers' fraud on the payroll in Tanzania. Therefore, while HCMIS is a technical system, as an e-government service, it cannot be efficient and effective without ethical and dedicated bureaucrats to serve the public diligently (Tefurukwa, 2020).

The findings reveal that the HCMIS cannot track and detect fictitious compensations unless PO-PSMGG auditors decide. Auditors depend on HCMIS information to conduct physical inspections. It means if the employers (i.e. MDAs and LGAs) delay information, ghost workers continue receiving salaries as usual.

We infer delayed updating information from MDAs is one of the sources of ghost workers on the payroll. Similarly, Njau (2017) reveals inefficiency and ineffectiveness in HCMIS as the source of ghost workers on the payroll. The status is due to most of the heads of the departments presenting information to the PO-PSMGG very late or no updates at all. In addition, Oguzierem, Sofiri and Okodudu (2017) demonstrate that the human capital information system is not a panacea to perennial challenges. In Nigeria, the government installed Integrated Personnel and Payroll Information System (PPPIS) in 2004, but three years later, ghost workers' fraud was still rampant (Oguzierem et al., 2017). Fraudsters create double employments (Safe Global, 2021), which results in the government paying multiple salaries to the same persons. We infer that employees responsible for human resources purposely embezzle government funds. Compounded with inadequate or lack of management measures against frauds on the payroll, ghost workers continue and increase in magnitude.

Also, findings explain the recurrence of ghost workers on the payroll despite efforts like HCMIS to manage the situation in Tanzania. Except for the Government Salary Payment Platform, strategies did not integrate HCMIS with other e-government systems. It implies a database created by the HCMIS is in silos. Inadequate linkages result in the wastage of e-government resources (Tefurukwa, 2019). Tuffour (2002) perceives systems like HCMIS to get support from all available e-government systems such as biometrics that could not make HCMIS more efficient and effective.

Bureaucrats are the main fraudsters in the payroll system. According to Therkildsen (2000), all auditing employee exercises do not identify all ghost workers on the payroll in Tanzania. Fraudsters retain some of them and create others. The physical verification exercises (PVEs) are porous. Unethical bureaucrats falsify employees' data. Likewise, Tuffour (2002) found the reappearance of ghost workers on the payroll in Ghana. It is the product of the syndicate that create a fictitious database of retired employees. The unethical employees keep changing the vouchers, workstations, and other details to fetch funds from the payroll in Ghana. The unethical employees exist to create loopholes within the HCMIS and all systems that process the remuneration of the employees. However, not all these findings are self-sufficient to explain the cause of perennial ghost workers.

According to Lister (2007) and Kassem and Higson, (2002), as long as MDAs and LGAs lack stronger or continue to have permeable systems, ghost workers become permanent on the payroll. Likewise, Ndaru (2016) found that although the human resource officers and the executive directors are responsible for HCMIS, the system could not register any of this when logged in and what s/he did in the system. It implies, by design or deliberately, that the system perpetuates frauds on the payroll. Lack of or inadequate security undermines the HCMIS and other integrated Government Salary Payment Platform (GSPP). According to Cressey (1950)'s fraud triangle theory and Wilhelm (2004)'s fraud management lifecycle theory, the perennial ghost of workers on the payroll is due to several porous avenues in HCMIS, which fraudsters use to advance ghost workers' fraud.

Conclusions and recommendations

This paper examined the cause, persistence and remedies for management of ghost workers in the payroll in Tanzania. Drawing from the findings, ghost workers on the payroll occur due to dishonest bureaucrats responsible for managing human resources.

Like any ICT system, the HCMIS is somehow imperfect either by design or application. A combination of unethical bureaucrats managing payroll and systemic weaknesses of HCMIS are the causes of perennial ghost workers' fraud on the payroll in Tanzania.

Therefore, to stop or substantially reduce the menace of ghost workers fraud on the payroll in Tanzania, bureaucrats, in particular, those behind ICT supported operations like HCMIS should demonstrate the highest level of integrity and professionalism. All systems in governments are imperfect, but when managed by ethical and professional bureaucrats, they yield the highest level of service delivery. With ethical bureaucrats behind the current system for managing human resources and payroll in Tanzania, ghost worker fraud can be reduced significantly and eventually stopped. Additionally, HCMIS should be inherent with management features that can deter, prevent, detect, mitigate, and provide evidence and information to prosecute fraudsters on the payroll in Tanzania.

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Registering land offer letters in dealing with precarious/volatile security of tenure in the Zimbabwe fast track land reform

Gift Masengwe

masengweg@gmail.com

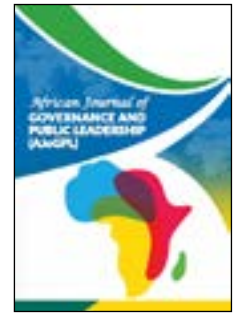
Independent Researcher, University of Free State, South Africa

Christopher Makuva

Independent Researcher, University of Free State, South Africa

Bekithemba Dube

Lecturer, University of Free State, South Africa



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Abstract

Zimbabwe had traditional-led; council-led and state-led land management systems until the emergence of the Fast Track Land Reform Programme (FTLRP) that used tenant letters called Land Offer Letters (LOL) also Land Rental Leases (LRL) with questionable issues of ownership, longevity of use, land rights, support for productivity and tenure policies. The study was aimed at establishing challenges associated with land registration after the 2001-2003 FTLRP in Zimbabwe using LOL that defied existing land management systems as the lessee received an insecure 99-year rental lease. The LOL were offered without land surveys and demarcations to give the beneficiary bankable title deeds that provided legal benefits to the lessee. The study used Mobile Instant Messaging Interviews (MIMI) as its study design for this qualitative study. The method was used to collect data from key informants and focus groups. Results from the study revealed that LOL demotivated beneficiaries from developing and increasing productivity on land allocations due to insecurity of tenure. Lessees, more often than not, engaged in land boundary conflicts on natural resource extraction and incessant ownership wrangles with former white farmers. Farmers struggled to source farming equipment and inputs. In conclusion the study found out that South African land registration laws were adopted in Zimbabwe during the colonial era. Postcolonial land registration in Zimbabwe should transform the LOL to become registrable using surveys, demarcations and entitlements that provide legal rights to the FTLRP beneficiaries. Land registration has been hailed for future land reforms in Zimbabwe.

Key words: Land Offer Letters, Land Reform - Zimbabwe, Land tenure - Zimbabwe

Introduction

Zimbabwe's agricultural land has three management systems, that is, the traditional (family); local authority and central government (the state); and the market systems (Rukuni, *et al.* 1994; Agarwal, 2003). The Fast Track Land Reform (FTLR) programme of 2001-2003 defied these management systems as they provided beneficiaries with tenant letters called Land Offer Letters (LOL) with questionable issues of ownership, longevity of use, land rights, support for productivity and tenure policies. For this reason, Rukuni (2012a, 2012b) advocates for maintenance of a multi-form of land management system to achieve tenure security in the post-FTLRP (Zikhali, 2008). Problems in the FTLRP have been created by lack of land registration processes, even though scholars in Agrarian Studies argue that there will never be a complete and efficient system in any country at any given time to provide perpetual security of tenure to land, as new issues always emerge at some point (Nel, 1991:28).

Zimbabwe's LOL provided leasehold for 99 years agricultural land, 25 years for forestry and game reserves. LOL did not undergo a process of registration to provide the binding nature of benefit such as collateral security and notice when the government wants to take over the land for other purposes. The leases given in the FTLRP were unfortunately unregistrable, and could not give significant long term real rights to leaseholders (Independent Staff Reporter 2021). This study was in the area of Land and Agrarian Studies where the use of LOL in the FTLRP has created controversy around security of tenure concerning family succession, which is perpetuating insecurity around land ownership, rights, use, productivity and tenure policies. The study was done using people engaged in political processes, or elite interviews, those who can tap into otherwise difficult areas to examine (Beamer, 2002). In these systems were government offered African Purchase Areas where people were given title deeds like white farmers and estates. Banks could offer loans for the development of these areas, which they cannot do to FLTRP beneficiaries with LOL where A1 farmers were given five hectares in the villagization scheme not controlled by traditional leaders as in rural and communal areas (Mkodzongi & Lawrence 2019). LOL were also given to A2 farmers above ten hectares with 99-year leases, while wildlife safari and forestry areas got 25-year leases. Leases and LOL do not provide beneficiaries with security of tenure as several beneficiaries have presented similar letters on identical geographical sites making use of LOL unsustainable for procuring bank loans for development, compared to use of title deeds.

Background

Land in Zimbabwe has always been a contentious issue even before the colonizers came, because agriculture has been the backbone of the national economy (Matondi & Dekker 2011). After colonialism, land was always a centre of conflict between a few white farm owners and a landless black-majority (Frankema, Green & Hillbom 2014). These imbalances were entrenched by the installation of legal frameworks that protected white interests. It created various insecurities on the majority of blacks. One of the national grievances that led to the liberation struggle, inclusive of forced labour, hut tax and education, was the land question. The types of land ownership in Zimbabwe included the state-led approach, market-led approach, peasant-led approach and the state-society driven approach (Musodza 2015). This means that after independence in 1980 to 1992, the land question remained an unresolved issue as Africans started to demand for more land because they had more cattle yet during the colonial era, whites used to do culling for their cattle, and they would tell blacks that they do not need extra cattle, and have to sell them out at a particular prize. There was no one else who could buy them but a white person who told the seller the prize at which the cattle would be sold. After independence, blacks exercised freedom with their cattle, whose herd became enlarged, resulting in the demand for more land (Masengwe 2011; Cliffe 1988). Between 1980 and 1992, Zimbabwe enjoyed the fruits of independence, but in the 1990s began to suffer from the legacy debt. The British who had promised to buy land for the landless black majority reneged on the promise, forcing Mugabe to accept the economic structural adjustment programme (ESAP) between 1990 and 1995.

Besides, the Lancaster House Constitution's willing buyer, willing seller principle, prevented Mugabe from taking the land. The 1990 election resuscitated it, that in 1992, the Land Acquisition Act became the first major law to address the issue of land but the pace was very slow, because one had to receive a certificate of no present interest from government for all purchases that were going to be funded by the British to be acquired (Onslow 2017, 2009; Coldham 1993). This led to widespread unrest, poverty and eventually the formation of the Movement for Democratic Change (MDC), an alternative threat to

the ruling ZANU PF party (Laurie 2016). On the backdrop of this, it culminated in the fast track land reform (FTLRP), which was done without proper planning, proper administration and implementation processes, without post-settlement and policy framework to support farmers (Musodza, 2015:81-95). The FTLRP was done without infrastructure development, and was supposed to be for master farmers, after the roads, houses and farmland areas have been designated (Madhuku 2004; 2007). The problem was on proving one's eligibility as a master farmer, and the issue of corruption where land was initially bought for people but was taken away by politicians. Thus the FTLRP cannot dissociate itself from the political considerations because of timing – it was something fundamental to rally support for economic issues, but was used to divert the attention of the people by using new rallying points with no proper planning in order to cut supplies for the opposition MDC from white farmers (Laurie 2016). Giving virgin land was a change of space in the politics and economics of Zimbabwe. Unfortunately the beneficiaries of the FTLRP were given Land Offer Letters (LOL) which did not have the value of title deeds to address security of land needs. People could be content with the LOL given by the government they loved, which gave them arable spacious land and farming inputs because the places from where they were coming, had no good soils and weather patterns (Lephakga 2017). LOL, like 'laugh out loud' used in social media, had negative implications for the future of having and owning land, because when new issues and challenges emerged, LOL were found to be inadequate and ineffective, especially if one fell out of favour with the authorities or when bigger and influential politicians came. The LOL also became vulnerable to corruption resulting with the initial beneficiary losing out, who probably fought to disperse the white owner. On women owners it is worse, because even culturally, women are not given titles to land hence a question was once asked, 'Please go and ask the government why, when it distributes land, we do not get a title. Are we not peasants? If my husband throws me out, what is my security?' (Agarwal, 2002:2).

The FTLRP produced A1 and A2 farmers, but the African Purchase Areas still remained with title deeds. The LOL had the perennial problems of land ownership because land belongs to government (A2 LOL [then 99-year leases] ; A1 LOL [then permits]); and the process is on slow pace, as the problem between government and commercial banks could not be addressed by the 99 year leases which have not yet been upgraded (Independent Staff Reporter 2021). Those in forestry and wildlife safari areas were also given 25-year leases with no requisite tenure security. The LOL also had problems of productivity, for they could not support a broad spectrum of development, which led to persistent inefficient use of allocated land for effective support of modern farming methods (Scones *et al* 2011:981). Most resettled farmers used village or rudimentary approaches to farming. The mode of production remained subsistence farming, with no capacity for agricultural mechanization, irrigation or processing (Leake 1998; Alexander 1994). This affected the nation's prospects for food security, leading to the need for disaster preparedness. For the most part, most resettled farmers received adequate land to build accommodation and decent housing, but most of them were satisfied with rural development standard accommodation which is susceptible to cyclones like Cyclone Idai that hit Chimanimani, in Manicaland region (Seers 1969). Also with LOL, land had no transferability to the bank to acquire development loans as LOL had no market value. Of the 18000 beneficiaries of the farming permits, land conflicts were common as no surveys were done before they resettled (Robertson 2006). This leads us to argue for security of tenure in the FTLRP, which should be measurable (Darden 2021; Moyo 2018) and to a large extent, perceivable in the land tenure systems security in Zimbabwe (Matondi & Dekker 2011).

In all, the FTLRP was exclusive especially on women (Sachikonye 2003). Land reform favoured male war veterans and other militants (Goebel 2005). In Chingarande it is stated that '86 percent of the women depend on the land for the livelihoods of themselves and their families, but women living in the communal areas are treated as dependants of men, not as landholders or farmers in their own right' (2004:1). Minority groups such as youths and the disabled were also excluded, hence 'the idea of exclusion under the Fast Track has been a challenge because most people feel that they don't own the land, since it is government land' (Matodi and Dekker 2011:28).

The Theory to the Land Tenure Systems Security in Africa

Nine out of twenty participants in the study regarded the FTLRP in Zimbabwe a success despite the LOL that did not provide security of tenure. In South Africa, it similarly promises land restitution, tenure reform and redistribution (Moseley & Mccusker 2008; Deininger 1999). In both instances, the issue of land is meant to address problems of unemployment in Zimbabwe and empowerment of farm workers in South Africa (Keefer & Knack 2002; Torstensson 1994). It was found that management systems in South Africa and Zimbabwe are largely similar on the three forms of management and land tenure security (Musodza, 2015; Kloppers & Pienaar 2014). In this case, land tenure establishes 'a set of rules that legally or customarily connects individuals or groups of people to landed property' (Musodza 2015:24). These rules govern how land is owned, utilized and managed, citing the owner's responsibilities, obligations and limitations (Berry 2002). Studies indicate that security of tenure identifies beneficiaries with access rights, length of time, and conditions for use. Secure landowners are assured of state protection from expropriations, forced evictions, or any other forms of property rights violations or infringements. The lessee in this case has guaranteed and exclusive control, use and transfer of land rights for his or her own interests. Results of the study in the next section demand that two theories that have a long history with democracy be established, namely: the Communitarian Social Capital Theory and the Neoclassical Liberal Economic Theory (Obeng-Odoom 2012). Though both were developed in very different contexts, the communitarian social capital theory appeals to African communitarianism proverbially rooted in collective/traditional land ownership systems; while the neoclassical liberal economic theory appeals to postmodernist systems of individualism and privatization as presented below.

The Communitarian Social Capital Theory

Communitarianism suggests that interpersonal relations are valuable to individuals in community. These interactions are shares to achieve individual and collective significance or desired results (Obeng-Odoom 2012). While the identity, ideology and interest of social capital is contestable, community activity facilitates the social life, identity and personality of an individual. Therefore social capital represents networks of common purposes in social interactions that enable a society to effectively function. Individuals in a group share a lot in common, which leads to common identity, trust and individual cooperation in society. Individuals benefit from these social networks without violating other people's rights (Coleman 1988). This encourages individuals to remain committed to group interests, which has led to agricultural network support among the Shona, summarised as *humwe*, meaning working together (Musodza 2015). This theory, first used by John Dewey in *The School and Society* (1899), has a long history of struggle with individualism and capitalism in the USA with James Madison's *The Federalist Papers* and Alexis de Tocqueville's *Democracy in America*. It encouraged network bonding through social cohesion and social connectedness. Individual members are protected from harm by network sanctions among family, friends and clansmen networks.

Social capital relates to land reform in that when we encourage strong networks of trust within families and communities can lead to sustainable economic growth (Musodza, 2015). Communitarianism, *humwe* in Zimbabwe and *Ujamaa* in Tanzania, provide needed traditional norms and values that favour collective rather than private ownership of land. It is useful when LOL, drawn up using marginalizing and disempowering capitalist, individualist and privatist systems of land ownership. LOL empower government with all land, and communities are not secure under that system (Obeng-Odoom 2012). To give security of tenure to beneficiaries, LOL must be aligned to customary laws that respect private property boundaries regulated by community property courts based in communities of interactions among resource users (Musodza 2015). This theory may be manipulated by traditional institutions that similarly have turned capitalist in an insidiously colonized postcolonial African state.

The Neoclassical Liberal Economic Theory

The neoclassical liberal economic theory was first used at the Arizona School by Andrew Sabl in his definition of libertarian philosophy as observational and empirical (Long 1996). The theory broadly focuses on demand and supply using productivity, pricing and market, hence has competed with classical economics since the 1900s. It is driven by capitalist and individualist economic theories of the liberal and neoliberal global financial institutions, the Bretton Woods institutions, the World Bank and the International Monetary Fund. The theory believes that individual ownership of property formalized through title deeds stimulates vital farm improvements to boost agricultural productivity. A privatized land ownership arrangement makes one secure and confident to invest in technical, mechanical and human resources without fear of losing because of tenure insecurity. Title deeds act as collateral access to commercial or private funding to support farming activities (De Soto 2000). Title deeds end battles between claimants to land ownership, especially during periods of transition. Decentralizing the administration and management of land boosts other agriculturally linked economic sectors and reduces public sector management costs, which reduces the cost of keeping or transacting in land (Thomas 2003). This further promotes public and private transparency on land administration and management for the sustainability of the economy (Obeng-Odoom 2012), because it is believed that 'all social phenomena can best be construed and explained in individual, rather than collective and structural, terms' (Obeng-Odoom 2012:162). The neoclassical liberal economic theory thus opposes the communitarian social capital theory because individual interests are limited in communally owned properties (Musodza 2015). In *The Tragedy of the Commons*, communitarian social theory has been accused of promoting irresponsible and harmful actions to the common good for people are generally motivated by self-interest, which is discouraged by communitarian social theory of land ownership. 'As such, they are prone to engage in unproductive and irresponsible land use tendencies' (Musodza 2015:28).

Unfortunately, the neoclassical liberal economic theory has its own challenges because land with title deeds has often been forfeited due to unpaid loans or debts, robbing livelihood to the farmer and family, relatives and farm workers who depend on the farm in the form of jobs, housing, and basic productive capital for their families. Title deeds are also dangerous because the farmer may sell land to cover health-related costs, business or travel, which may eventually concentrate land in a few capitalist institutions and individuals, hence reverse the land reform policy. In this way, Zimbabwe maintains that land is a state property, and no one can be paid for it, but their developments on it; which ensures that the African state keeps the land from capitalist vultures. This controls and protects the land of the poor to keep their livelihoods viable (Musodza 2015).

Methods

Study design

The study targeted land leaseholders who received LOL during the FTLR and are vulnerable to loss of land and lack of support by local banks. Leaseholders in Masvingo were purposively selected due to their vulnerability to the LOL. The study used published materials in academic journals and books, newspapers and court papers. Field studies used mobile instant messaging interviews (MIMI) due to SI 77 of 2020, on COVID-19 Prevention, Containment and Treatment Regulations to collect qualitative data. MIMI used a mobile messenger, WhatsApp, to collect in situ interviews, surveys and questionnaires. MIMI was developed by Kaufmann and Peil in 2020 to study real-time life experiences of participants (Kaufmann, Peil & Bork-Huffer 2021). MIMI is suitable for multi- and mixed methods designs and as well as longitudinal designs. MIMI demands smart ways of nudging research participants to elaborate their responses when well prepared and carefully coordinated (Kaufmann, Peil & Bork-Huffer 2021:1).

Data Collection Methods and Tools

Sampling procedures

Leaseholders and ministry of lands officers responsible for A1 and A2 farms in Masvingo were identified and contacted in three stages. The first stage selected ten (10) A1 farmers. The second stage consisted of seven (7) A2 farmers; and the third of three (3) lands officers. The sample constituted a total of twenty (20) participants; eight (8) male and twelve (12) female.

Mobile Instant Messaging Interviews

Key Informant Interviews

Three key informant interviews (KIIs) or elite interviews with three (3) purposively chosen experts (two female and one male land officers) were conducted in Masvingo. These experts were also engaged in political processes because the officers could tap into difficult areas on the subject (Beamer 2002). Professionals provided the study with invaluable data on the registration of land in Zimbabwe. MIMI connected the researcher to participants in their socio-technological spaces (Kaufmann, Peil & Bork-Huffer 2021:2) because social distancing required a 'socially distant method' (Lobe, *et al.*, 2020:1) that compiled results 'from home' (Lupton 2020). KIIs through written and voice responses provided new ways of research during lock downs (Lobe, *et al.*, 2020; Teti, *et al.*, 2020), including inaccessible data by these remote methods of research (Ohme *et al.*, 2020:2).

Focus Group Discussions

Focus Group Discussions (FGDs) were conducted with ten (10) women and seven (7) men volunteer participants purposively selected for the study. Data collected applied to the broader section of the national population in a way resettled farmers 'weave their everyday mobile mediated social interactions' (Aguado & Martinez 2020:439; c.f. Ohme, *et al.*, 2020:4) using participants' mobile phones to produce in situ data using WhatsApp. Collected data was collected from phone onto the computer. Data collected addressed research questions. Results applied to resettled farmers beyond targeted areas in the province. The study addresses the issue of LOL that failed to provide security of tenure, bankable support from banks and inheritance to family members.

Unfortunately, digital methods used failed to compensate for social interaction in the lives of participants (Costa & Conradie 2018; Rogers 2013). However, the relevance of the method is difficult to ascertain without social interaction with participants.

Data Management and Analysis

The researcher compiled participants' written and voice notes for transcription, translation and analysis using a computer package called Atlas.ti 8 (SPSS + Nvivo 8) to collate data into themes.

Ethical considerations

Participants were not coerced, deceived or induced to participate in the study. The study ensured and emphasised the ethics of informed consent, privacy and confidentiality. Participants signed informed consent forms that were passed electronically. They informed the participant about the study purposes and objectives; participant expectations; risks and benefits; voluntary participation and freedom to withdraw without explanation; anonymity; and right to contact investigators on any study questions. All participants were 18 years of age.

Presentation and Discussion of Findings

The Nature of the Fast Track land Reform Tenure Security

Although the study results indicated that there are more forms of land management in the world where social capital and liberal economic theory top the range, this study limited its criticism of the LOL to three common land management systems in Zimbabwe and South Africa, the state-led, council-led and community-led. These systems however do not have ideologies of their own as they tend to conveniently borrow from the two above. On a theory to use on tenure security in this study, participants indicated that leasehold, which is some form of legal entitlement theory. LOL thus are land permits that provided partial-legal title as proof of land ownership. LOL were adequate for emotional security of land to the new farmer who was coming out of community-led system. However 'The letters explicitly stated that the government could revoke the land offer at any time, under the discretion of the responsible Ministry, and this created tenure insecurity and was a source of a number of production problems due to uncertainty for the new farmers on the fast track farms' (Musodza, 2015:92). This realization has de-motivated most FTLRP beneficiaries from investing on farms using revocable letters rather than secure titles. Invested resources could possibly be lost without adequate compensation if revoked. Participants indicated that the volatility of the LOL made it impossible for them to secure any credits in the form of bank loans. Literature supported findings in that LOL did not offer farmers any forms of collateral, unless they gave up their houses and company titles to secure loans (Marongwe, 2013:180). Participants indicated that government was pushing banks to support agriculture in the ninety-one available categories of bank loans without altering the LOL without much success (Independent Staff Reporter 2021; Marongwe 2013).

Further, participants had mixed feelings on the behaviour of government to provide resettled farmers with agricultural inputs to increase agricultural output and farm development. Participants are aware of double-dipping by politicians who undeservedly and wastefully use connections to access state funding and resources (Scoones 2015). Literature supports findings that poor output was caused by lack of agricultural inputs in the forms of seeds, draught power, fertilizers and agro-chemicals (Moyo 2013). Most study participants were new farmers without adequate savings to purchase exorbitantly charged inputs.

Due to lack of subsidized inputs, most farmers interested in cotton, cattle-ranching and tobacco used their own resources to buy inputs at black-market rates (Mazingi & Kamidza 2011). Small-holder or A1 farmers confessed that they could only benefit from properly organized presidential input schemes. However, findings indicate that such farmers have poor agricultural training, access to extension services and farming equipment. The government has rather blamed western smart sanctions for failure to support farmers with inputs. Government reports thus have justified little progress in the farming sector in the 2019 land audits on sanctions rather than bankable Land Rental Leases (LRL) to secure bank loans (Mukeredzi 2019).

Finally, farms occupants who participated in this study revealed that at one time or the other were involved in land boundary conflicts. One piece of land was at once allocated to two claimants (Tom 2015:91) and 'conflicts on the ground are due to the fact of inadequate survey and demarcation' (Matondi & Dekker 2011:101). New farmers bemoaned wasting valuable agricultural productive time in courts attempting to resolve ownership wrangles due to these double allocations and un-surveyed boundaries. Some participants indicated that their farms were at once uninhabitable, and on several planting seasons, remained unused while waiting for court settlement (Musodza 2015). In A1 farms, some conflicts were resolved by traditional leaders including community elders and land officers (Tom 2015). Interestingly, the government agreed with participants and academics that LOL provided insecurity of tenure, yet remained reluctant to offer them title deeds. This has denied farmers from investing and maximizing on productivity (Musodza 2015). This led the study to investigate land registration and production processes in the history of Zimbabwe.

Land Registration in the History of Zimbabwe

Land registration in Zimbabwe is inseparable from the South African (SA) land registration system especially the issue of title deeds offered by the Deeds Registries Act (Mhishi 2004) that was brought by the British South Africa Company (BSAC). 'The system of land registration in Zimbabwe was therefore underpinned by the colonial history' (Sadowera 2016:10). The roots of this practice are found in the Germanic Customary Law, which stated that 'for a transfer of land to take place, the parties would gather on the land itself and in the presence of some witnesses the transferor would declare his intention to transfer his right to the land' (Mhishi 2004:2). In this traditional process, 'the transferee would be put in possession of the property or land (*investitura*) which constituted the handing over of a blade of grass or clod symbolising the land. This was followed by the solemn departure of the transferor symbolized by the throwing away of, for example, a twig' (*effusticatio*) (Mhishi 2004:2). The process does not mention registration in the transfer of land, but use of officials to witness the transaction.

Similarly, the Roman law, as cited, also used traditional methods on land transfers. Land was not legally registered, until a custom began to rise in Europe, of noting the transaction in a book kept specifically for land transfers and purchases. The process always began with both the seller and purchaser appearing before an official of the state 'in the presence of community members to witness that such a sale of land took place (Bvekwa 2017).

Further, the Zimbabwe Constitution, Amendment No. 20 of 2013 section 71(2), on property rights states that: 'Subject to section 72, every person has the right, in any part of Zimbabwe, to acquire, hold, occupy,

use, transfer, hypothecate, lease or dispose of all forms of property, either individually or in association with others'. This process is very clear. It begins with land surveys, and then it draws diagrams to demarcate the land. Nel argues that 'An efficient system of registration of title to land is impossible unless each registered unit of land is surveyed and represented on a diagram or general plan' (1991:1). The process of land registration in Zimbabwe is governed by the Deeds Registries Act and the Land Survey Act (Deeds Registries Act and Land Survey Act) (See Bvekwa 2017). In this case, the law is clear that the real right to ownership is adequately protected by its registration in the Deeds Office. Land registration has thus revolved in order to ensure that real rights are registered and there is no doubt of the person who owns a piece of property. The act of registration notifies everyone that a real right is registered to an owner. When a right is registered in the Deeds Office, ownership cannot be disputed, as the owner can meely produce a certificate of ownership in the form of a registered deed. In the case between Fryes (Pty) Ltd vs. Ryes, J. Hoexter 1957(3) SA 575 at 582 para A's judgment stated that 'If the registered owner asserts his right of ownership against a particular person he is entitled to do so, not because that person is deemed to know that he is the owner, but because he is in fact the owner by virtue of the registration of his right of ownership'.

The rationale for registering one's land by acquiring title deeds is that 'the right should be effectively registered so as to afford security of title [...] It follows then that the purpose of establishing the deeds registries was to keep records of title to land and other instruments' (Sadowera, 2016:13). In South Africa, where Zimbabwe acquired its land registration processes, getting a title to land prohibits the registrar of deeds from registering a grant from the estate of un-alienated state land unless a diagram is annexed thereto (section 18 of the South African Deeds Registries Act). On protection of real rights, it is said, in Fryes (Pty) vs. Ries above: 'as far as the effect of registration is concerned there is no doubt that the ownership of a real right is adequately protected by its registration in the Deeds Office' (1975 at 582 para A). Jones' remarks that: 'an efficient system of registration of title is impossible unless each registered unit of land is surveyed and represented on a diagram or general plan' (Nel 1991:1). This is envisaged in The Land Survey Act Chapter 20:1238 that: 'title of land originates in the survey of a unit of land to be registered' (The Land Survey Act [Cap 20:12]). According to The Deeds Registry Act a diagram is defined to mean 'a diagram which has been signed by a person recognized by law as a land surveyor and which has been approved or certified by the surveyor general' (Land Survey Act No. 8 of 1997 in South Africa).

In another case between Chapeyama vs. Chapeyama, in McNally (2000 (2) ZLR 103) it is said:

The registration of rights in immovable property in terms of the Deeds Registries Act [Chapter 139] now [Chapter 20:05] is not a mere matter of form. Nor is it simply a device to confound creditors or the tax authorities. It is a matter of substance. It conveys real rights upon those in whose name the property is registered. The land reform programme however took away those real rights in land through violent mode of acquisition.

Land Offer Letters and Land Reform in Zimbabwe

Land reform must be justified at both law and politics. Laws were important for colonial powers; hence at its onset in 1890, laws were introduced to protect the white minority (Masengwe 2011). Colonial laws were condemned for segregating the black majority. However, LOL are recommended for rural areas, but in amended form, to allow entitlements to its residents. Families in Chilonga, the Lowveldt of

Zimbabwe, have been displaced by government to give way to hay and fodder production, hence the need for registered land. The LOL in Zimbabwe followed the suspension of the law as the FTLRP was done using Presidential Powers (Temporary Measures) (Land Acquisition) Regulations 2000, which amended the 1979 Lancaster House Constitution. This negatively impacted traditional land registration processes in place at the time, Section 16 of the Deeds Registries Act. The provision of LOL without land surveys and registrations meant lessees had no title to land. The Act that was put in place invested all the power over land into the hands of the state. Sadowera (2016:17) states that:

The Act portrays that ownership in Land can only be conveyed or transferred from one person to the other by deed of transfer executed or attested by a Registrar. During the Fast Track Land Reform such processes were not adhered to since the land reform was characterized by a series of violent farm invasions and the state simply declared that all land belongs to it. In that respect the Constitutional amendments indeed acted as weapon to safeguard the programme at the same time it destroyed the deed rooted principles of land registration. The amendments made the government to ignore that whenever land is transferred there are some procedures which must be followed in the Deeds office.

Sadowera (2016:18) further states that: 'This was instrumental as it made fundamental alterations to the Land Acquisition Act [Chapter 20:10] in line with the amendments made to the Constitution of Zimbabwe by The Constitution of Zimbabwe Amendment (No: 16) Act No 5 of 2000 which came into effect on 19 April 2000. The President used his discretionary powers to engineer amendment of laws in line with the acquisition programmes'. Amendment to the Land Acquisition Act (Chapter 20:10) using Presidential Powers (Temporary Measures) Act of 1986 was done to improve on the procedures used by the state for the compulsory acquisition of land, especially land to be used for agricultural purposes by resettled peasant farmers. The programme suffered from lack of funds to support the FTLRP. The Act that was put in place through the Presidential Powers in 2000 was later cemented in the Constitution of Zimbabwe, Amendment No. 20; Section 72, as read with section 290; which states that:

As soon as practicable after agricultural land is compulsorily acquired in accordance with subsection (2), the officer responsible for the registration of title over land must, without further notice, effect the necessary endorsements upon any title deed and entries in any register for the purpose of formally cancelling the title deed and registering the State's title over the land.

The Zimbabwean Deed Registries Act, Section 14 of the Act stipulates how transfer of real rights can be affected. In Sub-section:

- (a) States that the ownership of land may be conveyed from one person to another only by means of a deed of transfer executed or attested by a registrar;
- (b) Other real rights in land may be conveyed from one person to another only by means of a deed of cession attested by a notary public and registered by a registrar.

The Zimbabwean Deeds Registries Act section 65(1) further states:

Save where provision to the contrary is made in any enactment, any lease or sub-lease of land and any cession of such a lease or sub-lease intended or required to be registered in a deeds registry shall be executed by notaries deed by the lessor and the lessee or by the lessee and the sub-lessee or by the cadent and the cessionary, as the case may be.

On registration of the FTLRP in the Deeds Office it was stated by one officer that: 'the fact that un-alienated state land need not be registered means that our land registration system is to that extent incomplete' (Nel, 1991:28). Title is defined in Section 2 of the Deeds Registries Act as a certificate of state title and as the only title which exists in respect of un-alienated state land. Title can also be understood as a long term lease (in longum tempus) is defined as a lease of a period of not less than ten years or which have been concluded for the natural life time of the lease or any other person mentioned in the lease, or which is renewable from time to time (Badenhorst, Pienaar & Mostert, 2003:405). The land registration law in Zimbabwe during the FTLRP was therefore not followed, hence 'Its greatest weakness was that it did not alter the land registration system per se yet at the same time no attention was even given to the legislative provisions which governed land registration at that particular time' (Sadowera, 2016:21). Land was given and occupied without any survey diagrams, and that people could be offered multiple letters on the same land (Land Surveys Act [Chapter, section 49]; Nel, 1991:1). The Land Survey Act [Chapter 20:12] and Section 3 of the Deeds Registries Act of Zimbabwe is a legislative measure on the survey of land, which applies to any survey used for the purpose of affecting the registration of any land in the Deeds Registry (Chikono, 2019; Mhlanga, 2018.).

On the flouting of these laws during the height of the FTLRP, war veteran leader, Cde. (Hitler) T. Hunzvi was quoted saying: 'Comrades we are not afraid of the High Court [...] this country belongs to us and we will take it whether they want it or not. The judges must resign. Their days are numbered as I am talking to you. I am telling you what the comrades want not what the law says' (Madhuku, 2004:142; Mhishi, 2004:53). This was also uttered by the Commissioner General of Police, Augustine Chihuri, who said, 'The problem of land is better solved politically. The solution to land issue lies in the political domain and not (in) courts' as captured in the Commercial Farmers Union vs. Minister of Lands and Others SC 31/10 case on the FTLRP (Jones & Dunn 2011; Oliver & Dunn 2011).

This created 'conflicts on the ground' because inadequate, if any, surveys or demarcations were done. It made the land reform chaotic; hence the use of LOL which could not provide beneficiaries of the programme with any security of tenure. 'There is therefore need for clear verification of boundaries, and for the authorities to properly manage land. For instance, in the old resettlement areas, there was survey and demarcation, which meant [there were] fewer conflicts over boundaries and this needs to be done under the new system' (Matondi, and Dekker, 2011:101). This calls us to reconsider how SA has carried out its land reform process as Zimbabwe borrowed a lot from there; if the 99-year leases can be converted into bankable leases with security of tenure to protect the lessee's investment. Besides that the land can be taken over by the state at any time, and for any reasons, the A1 and A2 farm sizes did not follow existing boundaries. 'It will be necessary to carry out another fast track survey of all resettled properties and produce diagrams or general plans' (Mhishi, 2007:53). The LOL therefore have been accused of making the villagization Scheme through A1 farmers, and no different from past colonial Acts that undermined black landless majority. To suggest on how the LOL can be transformed, although the prospects are difficult due to politics, we can examine in a few lines how the SA government is doing it.

Land Reform and Leasehold Tenure in South Africa

In South Africa, black people were prevented by Apartheid from obtaining full ownership of land. Most blacks thus have leasehold rights. The SA land reform programme is upgrading existing black land rights into full land ownership rights. A number of leaseholds were earmarked for upgrading into full

land ownership rights (van Der Walt & Pienaar, 2009:292). This means land reform followed the law, whose implementation was to regulate how acquisition was to be done in order to do away with the past discriminatory laws of Apartheid as outlined on the 1991 white paper and led to the constitutional amendment of 1996. This ensured that SA was going to take due process of the law to make land equitably accessed by all people in the country. The SA Constitution on section 25(4) and (5) states that land reform was done for purposes of expropriation in the interest of the public interest, and it did not mean agricultural land only but all land required for human survival. Zimbabwe failed to follow the same path and the FTLRP was initiated as a violent process to repossess land from their erstwhile colonial masters leading to unsystematic manner, hence made it difficult to amend laws to right the political wrongs in the FTLRP.

Registration of the Land Offer Letters

The 99-year leases have been questioned as to whether they could be registered by the Deeds Office as they were not registered before. Section 85 of the Deeds Registries Act prescribes that any lease, especially for state land, has to be in the form of a notary's deed. The beneficiaries of the 99-year leases therefore were supposed to ensure that the LOL were registered with the deeds office, and title deeds be given in lieu of those state land offers. Unfortunately, most land beneficiaries did not appreciate the significance of acquiring title deeds, which in this case was caused by the process of fast-tracking land distribution. Title deeds are important when resolving conflicts arising due to ownership challenges, five limited real rights to the owner, and at the same time, help improve land registration processes in the country. When registered, the owner is protected by the law, thus, can approach the courts to acquire an eviction order. With the LOL only, the lessee cannot proceed lawfully in case of violation of rights, and especially in regards to misused methods of terminating lease agreements such as just giving notice to the landowner to vacate the state land because it has been allocated to a more influential politician.

Title deeds basically offer security of tenure that is required by the farmer to provide economic security to the land owner, who in this case is an investor needing security of tenure to secure invested funds from banks and financial institutions. Registration of LOL therefore provides an opportunity to secure long-term tenure for the farmers, and thus revisiting the 99-year leases so as to relax the tenure laws improves on the rights of the lessee. In the current 99-year leases, clause 9 states that a lessee who fails to comply with development conditions of the agreement can lose the lease within 30 days. Read with, Clause 22, a 90 days termination notice may be served to the lessee to show the absoluteness of the rights of the lesser on the 30 days' notice given earlier. The conditions have made the LOL, as some retorted, 'laugh out loud' (lol) papers, because they do not offer the lessee any form of security in terms of tenure, finance or agricultural production support. Relaxing LOL's lease terms can therefore allow farmers to acquire loan facilities to support their farming business. In fact, if the 99-year leases were to be registrable, farmers could be able to approach banks for the over 91 types of bank loans and credits. It needs to be commended that the restrictive 99-year leases led to the success of the FTLRP processes, but does not guarantee resettled farmers with perpetuity of ownership, security of tenure, transferability through development loans and family inheritance. The state disbanded freehold forms of ownership for two unpronounced reasons: one, to prevent occupants from reversing the gains of the FTLRP by returning land to former white farmers; and two, to prevent new farmers from refusing to be moved when government decides to take away their land at any time in future. This study has appraised the need to make LOL registrable to promote efficient farming activities in A1 and A2 farms (Chikono 2019; Samkange 2019). Security

of tenure is possible if disbanded tenure systems are reintroduced such as the freehold, are reintroduced because 'Section 293 of the Constitution of Zimbabwe empowers the state to sell land to individuals and give them ownership' (Sadowera 2016:34). Some of the freehold land conditions could be production of food yields needed by the before lessees could pursue their own personal ventures, inclusive of right to sell land to another person other than possession by financial institutions for non-payment of loans, possession for which can be done for a period of time to service the debts. In all, LOL need to be amended to improve on land tenure security for the benefit of the farmer and national productivity.

Way-forward

Tenure security has been discussed in view of land registration important for a lengthy period of stay and productivity. Tenure security however has never been complete or efficient in any given country at any given time. With the LOL, the Zimbabwean government took some initial steps towards changing land policies, but land reform, as a government minister was quoted saying it remains 'work in progress' (Mukeredzi 2019). Government promised to resolve some outstanding issues within a few months to make the 99-year leases bankable because 'the issue of non-bankable leases continues to scare off investment, because without them the government can take over land at will' (Noyes 2020:19). An international official working on financial issues in Zimbabwe said: 'The current leases are still not bankable and many do not want to invest in land that can be taken over' (Noyes 2020:19). The LOL did not undergo a process of registration to provide collateral security, transfer notice and the binding nature of legal benefits to land titles. The article argues that LOL need to be amended, followed by land surveys and demarcations so as to be registered. When registrable, LOL can provide significant long term real rights to leaseholders. In all, secular land titles can transform agricultural productivity in the country as registered land with the deeds office protects the owner at law and in real rights.

Sub-Saharan Africa consists of countries found to the south of the Sahara desert (See Figure 1). The continent of Africa is commonly divided into five sub regions, four of which are in sub-Saharan Africa: West, East, Central and South Africa. The World Bank statistics from 2018 recorded a total population of 1.078 billion for the Sub-Saharan Africa, making it the second largest population region in the world (World Bank, 2018). The history of sub-Saharan Africa is characterized mainly by European colonialism, whereby white minority governments controlled the economic and political affairs in most countries. The 20th century witnessed armed struggles and violent confrontations as black majority parties and groups fought for their independence from colonial governments. Colonialism plundered the continent while stifling local political and economic development, and left behind a legacy with ramifications for the present, as reflected in the patterns of contemporary globalization (Ocheni & Nwankwo 2012; Heldring & Robinson 2013; Frankema, 2015; Austin, Frankema, & Jerven, 2016). Across the continent, many countries (e.g. Nigeria, Cameroon, Ghana, South Africa, Senegal, Kenya, Rwanda) have made significant strides in the social, political and economic spheres since the turn of the millennium, although some of these successes have yet to be firmly consolidated, with corruption proven to be playing a major role (TI, 2018).

Corruption is a factor seen as contributing to the stunted development and impoverishment of many countries in the Sub-Saharan region (TI, 2020). According to TI (2018), a leading global watchdog on corruption, six of the ten countries considered most corrupt in the world are in Sub-Saharan Africa. High levels of corruption across the Sub-Saharan Africa have become a threat to many countries considerable

efforts towards the vision of a democratic, prosperous, and peaceful continent (TI, 2020). Sub-Saharan Africa is the poorest-performing region in the Corruption Perceptions Index (CPI), which uses a scale of zero (0) to hundred (100), where zero means that a country is perceived to be highly corrupt and a hundred means it has no corruption at all, in other words, it is clean. In the last three years, Sub-Saharan Africa's average score in Transparency International's CPI is thirty-two (32); a score that is well below the global average of fourth-three (43) (TI 2020).

According to TI's 2020 CPI, perceptions of corruption in a number of Sub-Saharan African states show little improvement from the previous years, nonetheless, major regional players continue to struggle. Alongside the problem of bribery, money laundering and mismanagement of public funds which is extensive in some parts of the region, the interrelated phenomena of fragility, crony capitalism, and poor governance have resulted in shocking forms of corruption, notably state capture (Crabtree & Durand, 2017; Logde, 2019). In response, countries in the region have enacted various anti-corruption legal instruments. Besides, regional organisations, civil society, and the media are also tackling the problem head-on. With all these anti-corruption instruments, a number of Sub-Saharan African states have improved both their scores and rankings in 2020 CPI, with countries like Seychelles, Botswana, Sierra Leone, South Africa, Guinea-Bissau, Benin, Cabo Verde and Guinea as regional outperformers. Nevertheless, some of the region's major economies such as Cameroon, Ghana, Nigeria, Kenya and Senegal continue to under-perform with flat or (in Cameroon and Nigeria's case) declining scores. At the bottom of the index are Sudan, Somalia and South Sudan (TI, 2020).

According to 2020 CPI, Côte d'Ivoire has considerably improved, by nine points since 2013. However, the political crisis surrounding the re-election of the country's president, which erupted into violence and human rights violations, risks derailing progress.

With a CPI of 19, the Republic of Congo significantly declined by seven points since 2012. This performance is reflective of endemic corruption and impunity by the country's political elite. The Republic of Congo has an anti-corruption framework in place, but its implementation remains weak. TI submits that, in Senegal, the political will of its leaders to tackle graft has declined in recent years. Nigeria also continues to under-perform, notwithstanding the country's anti-graft stance of its president. Similarly, Corruption in Togo continued to worsen in 2020, potentially undermining authorities' otherwise successful efforts to entice foreign investors, such as reducing corruption and bureaucracy (TI, 2020).

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