

**AN ASSESSMENT OF THE SANCTIONING FUNCTION OF THE  
INSTITUTIONAL INTEGRITY COMMITTEE: THE CASE OF NORTHERN  
REGION WATER BOARD, MALAWI**

**MASTER OF ARTS (APPLIED ETHICS) THESIS  
KATOTO MTAMBO**

**UNIVERSITY OF MALAWI  
CHANCELLOR COLLEGE**

**November, 2019**



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**MASTER OF ARTS (APPLIED ETHICS) THESIS**

**By**

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Submitted to the Faculty of Humanities in partial fulfillment of the requirements  
for the degree of Master of Arts (Applied Ethics)

**University of Malawi**

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**November, 2019**

## **DECLARATION**

I, the undersigned, hereby declare that this thesis is my own original work which has not been submitted to any other institution for similar purposes. Acknowledgements have been made where other people's works have been used.

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## **CERTIFICATE OF APPROVAL**

The undersigned certify that this thesis represents the student's own work and effort and  
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## **DEDICATION**

I would like to dedicate this work to God Almighty for his provisions during my period of study and for pushing me to write even when my zeal for this work faltered. I would like also to dedicate this work to my mother, Esther and my wife Martha who have already taken pride in my work.

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Lastly, I am sorry for not mentioning all individuals who helped me in the course of my studies. It is my hope that they will accept my apology. Let me use this opportunity also to mention that all imperfections and shortcomings of this study remain entirely my responsibility.

## **ABSTRACT**

This study assesses the sanctioning function of an institutional integrity committee (IIC) as one of the tools for deterring unethical conduct, in particular corruption in Malawi. The study focuses on Northern Region Water Board (NRWB) as a study area. The study employs qualitative and quantitative approaches, and analyses data using thematic and statistical analysis. The findings of the study show that while the NRW's IIC ensures that its sanctioning function is operational, its functionality is ineffective because it is marred with a number of challenges which include lack of awareness of the IIC's sanctioning function among employees and clients, weakness in the recruitment process of employees, delays or failure by police or courts in execution of corruption cases referred by NRW, among others. For this reason, it is argued that the sanctioning function of the NRW's IIC, though functional, is to a larger extent not effective in deterring corruption as a form of unethical behaviour. It is further argued that NRW's IIC can scale-up the effectiveness of its sanctioning function by eradicating and/or minimizing the aforementioned challenges.

**Key words:** corruption, institutional integrity committee, sanctioning function, Northern Region Water Board

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## **ABBREVIATIONS AND ACRONYMS**

ACA	Anti-Corruption Agency
ACB	Anti-Corruption Bureau
AUCPCC	African Union Convention on Preventing and Combating Corruption
CPA	Corrupt Practices Act
FDG	Focus Group Discussion
GoM	Government of Malawi
HGS	Home Grown Solutions
IIC	Institutional Integrity Committee
KII	Key Informant's Interview
NACS	National Anti-Corruption Strategy
NRWB	Northern Region Water Board
OECD	Organisation for Economic Co-operation and Development
SADC	Southern Africa Development Community
TI	Transparency International
ToC	Theory of Change
UN	United Nations
UNCAC	United Nations Convention Against Corruption
UNDOC	United Nations Office on Drugs and Crime
UNDP	United Nations Development Programme

## **CHAPTER 1**

### **GENERAL INTRODUCTION**

#### **1.1 Introduction**

This study aims at assessing the sanctioning function of institutional integrity committees as one of Malawi's formal interventions in deterring corruption as a form of unethical conduct. The study focuses on Northern Region Water Board (NRWB) as a case in order to examine deeply the contributions and/or shortcomings of the sanctioning function of the institutional integrity committees in the control of corruption as a form of unethical conduct which is prevalent in both the public and private sector.

This chapter is the general introduction of the study. It first presents the background and context of the sanctioning function of the institutional integrity committee. This is followed by the problem statement, research questions and the significance of the study. The chapter ends with an outline of the thesis. This chapter outline is essential because it contextualises the sanctioning function of the IIC in deterring corruption as a form of unethical conduct, and explains the importance of its assessment.

#### **1.2 Background and context**

Corruption is a global phenomenon, with varying degrees of severity from one country to another; and in the last two decades, the phenomenon has attracted considerable attention of academicians and policy makers (Ogwang', 2007). Whilst Bayar (2003) attributes the increased international awareness on the issue to the growing number of democratic governments in the world as well as increased openness and contacts between countries, there is almost a consensus among scholars and policy makers that corruption is a vice (Gundlach and Paldam, 2009). The preamble of the United Nations Convention Against Corruption (UNCAC), for example, states that corruption threatens the stability and security of societies, it undermines the institutions and values of democracy, ethical values and justice and it jeopardises sustainable development and the rule of law (UN,

2018). Additionally, it robs citizens, the poor and vulnerable, of the services that are due to them by Government.

In view of the preceding situation, individual countries have adopted varied measures aimed at combating corruption. These measures include establishment of anti-corruption agencies, and development of various types of anti-corruption strategies and integrity approaches. Globally and regionally, anti-corruption conventions and protocols have been ratified and signed by member states. The UNCAC, for example, has been regarded as the most unifying anti-corruption convention because, by 2007, it had 128 member states (UN, 2018). However, despite all the national, regional and global interventions, corruption remains a daunting problem in most countries in the world (Mungiu-Pippidi, 2011).

Like many countries in the world, corruption in Malawi is “pervasive and recognized as part of social behaviour especially after the transition to multiparty democracy in 1994” (Chingaibe, 2017, p.132). In 1995, following the transition to multiparty democracy, Malawi adopted a new constitution. The constitution emphasized the need to introduce measures to guarantee accountability, transparency, personal integrity and financial probity. In the same year, the parliament passed the Corrupt Practices Act (CPA) No. 18 which led to the establishment of the Anti-Corruption Bureau (ACB) with its mandate to lead the fight against corruption in Malawi. However, for the subsequent ten years, ACB fought corruption without properly identifying its nature, locus and extent (GoM, 2008). For that reason, in 2005, Government through ACB, conducted a Corruption and Governance Baseline Survey in order to identify the locus and extent of corruption in the country. The survey found that 90% of Malawians perceived that corruption was a problem. The survey also revealed that “fighting corruption was seen as the responsibility of ACB alone since it is a body which is mandated by the Corrupt Practices Act, Cap.7:04 to spearhead the fight against corruption in the country” (GoM, 2008, p.viii).

Moved by the results of the Survey, Government developed the National Anti-Corruption Strategy (NACS) in order “to provide a holistic approach to the fight against corruption”

(GoM, 2008, p.5). Of course, there were also external factors that moved the government to develop the strategy. The United Nations Convention Against Corruption (UNCAC), to which Malawi is a signatory, for example, had made it mandatory for member countries to draft an effective and coordinated anti-corruption policy (Manandhar, 2014).

The NACS was launched in 2009 by Dr Bingu wa Mutharika, the then President of the Republic of Malawi. Several institutions including Northern Region Water Board (NRWB) adopted the provisions of the strategy following the launch. The main thrust of the strategy is the creation of an integrity system that ensures that all sectors participate in the fight against corruption (GoM, 2008). Among several other provisions, NACS mandates all public institutions to establish institutional integrity committees which are tasked to champion anti-corruption efforts within the institution. The IICs have seven roles. Key among them is the sanctioning function captioned as “to receive, consider and provide redress on all complaints emanating from within and outside organisations relating to ethical issues and maladministration; and to recommend administrative action to management on issues of maladministration and unethical conduct” (GoM, 2008, p. 17).

However, ten years following the launch of the strategy, corruption in Malawi is worsening. The Transparency International (TI), while ranking 180 countries from the least corrupt to the most corrupt, ranked Malawi as number 122 in 2017 from number 120 in 2016 (TI, 2017). The 2013 Corruption and Governance Survey also indicates that corruption in Malawi is escalating and is becoming systemic (Chinsinga, Dulani, Mvula and Chunga, 2014). The massive looting of public funds in 2013 and 2014 dubbed “cashgate” is a clear indication of escalation of corruption in Malawi (Chingaipe, 2017, p.133).

This study focuses on NRW in order to critically examine the contribution and shortcomings of the sanctioning function of the institutional integrity committees in the control of corruption in the public sector. The sanctioning role of the IICs has been specifically targeted because the ACB’s IICs Capacity Assessment Report of 2014



indicated that most IIC members lack capacity and necessary skills in complaints handling and investigation of corruption cases (ACB, 2014). The study also attempts to contribute to a better implementation of the anti-corruption strategy. The lessons learnt from the study would also help in informing the NACS which is currently under review.

### **1.3 The sanctioning function of the IIC**

The sanctioning function of the IIC stems from the last two roles of the IIC provided for by the NACS. The NACS mandates the IIC “to receive, consider and provide redress on all complaints emanating from within and outside organizations relating to ethical issues and maladministration; and to recommend administrative action to management on issues of maladministration and unethical conduct” (GoM, 2008, p. 17). According to Goldfield (2015), corruption is a form of unethical behaviour and, therefore, handling cases of corruption in an organisation follows the same pattern of handling cases of unethical behaviour. Handling cases of corruption in an organisation starts with creation of a code of ethics and/or corruption prevention policy. A code of ethics is defined as a collection of principles, values and expected practices that a group or a community aims to live by (Chêne, 2009). A code of ethics, therefore, establishes the values that are essential to an organisation. It creates a common framework for understanding what constitutes good or bad behaviour. A code of ethics often appears under a variety of other names, such as codes of conduct, business codes, integrity codes, codes of honour, voluntary agreements, guidelines, and recommendations (Vrielink and Montfort, 2009). However, the name and content of codes of conduct varies from company to company, according to their size, organisational culture, operating business environment, specific business activity and commitment to follow business ethics (Popescu, 2016).

A corruption prevention policy, on the other hand, is a document that guides the fight against corruption in an organisation. It defines corruption in the context of the organisation, spells out the established reporting mechanisms and the process that the IIC would follow in handling reported cases of corruption (GoM, 2016).

NRWB developed its code of ethics in 2010. The code lists eighty-five (85) examples of unethical conduct and outlines the procedure of handling them once they occur (NRWB, 2010). Further, the document clearly disclaims that the list of unethical conducts contained there-in is not exhaustive. This is in agreement with Strahovnik and Juhant (2019) who argue that the code of ethics cannot exhaust listing all cases of unethical behaviour.

In addition to the code of ethics, NRW developed a corruption prevention policy which supplements the code of conduct in guiding the fight against corruption. The main objective of the policy is to eradicate and prevent all forms of corruption within NRW through the creation of a culture of ethics and zero tolerance to corruption in line with the National Anti-Corruption Strategy (NRWB, 2018). The policy lists sixteen risk areas which require all heads of sections in liaison with the Internal Audit Manager and the IIC to put appropriate measures in order to contain them. The policy also lists eighteen (18) examples of disciplinable corrupt practices that can take place at NRW. The development of the corruption prevention policy is in line with the NACS, which mandates IICs to develop corruption prevention policies in their respective institutions (GoM, 2008).

Gilman (2005) argues that codes of ethics can have a demonstrable impact on the behaviour of bad people in organisations because when “everyone clearly knows the ethical standards of an organisation they are more likely to recognize wrongdoing; and do something about it” (p.8). Based on this understanding, miscreants are often hesitant to indulge themselves in an unethical behaviour if they realize that everyone else around them knows it is wrong. To that effect, codes of ethics are believed to be very vital in deterring employees from unethical behaviour. For that reason, various anti-corruption conventions such as United Nations Convention Against Corruption (UNCAC), African Union Convention on Preventing and Combating Corruption (AUCPCC) and Southern Africa Development Community (SADC) Protocol Against Corruption have given recommendations and issued guidelines for developing codes of ethics (Popescu, 2016).

It has to be noted also that the existence and the use of codes of ethics have been under scrutiny. Critiques have been raised due to the corporate scandals that in recent years have emerged in companies that have codes of ethics but their employees have chosen to ignore them (Popescu, 2016). Codes of ethics as documents, it has to be emphasized, are not binding on their own. They are just stating internal rules that have to be followed by employees and clients. They are developed by people and are to be implemented by people. How well these rules are obeyed remains a matter of internal control and sanctioning.

After creating a code of ethics, the next step is to empower staff and clients to appropriately identify and handle ethics violations (Goldfield, 2015). This is accomplished by conducting employees' ethics-training programmes, carrying out for clients' awareness programmes and enforcing the provisions of the code. The enforcement of the provisions of the code may mean giving incentives to employees and clients if they display good behaviour or executing disciplinary measures on employees or clients if they display bad behaviour as defined by the code (Popescu, 2016). As argued by Strahovnik and Juhant (2019, p.6) "once you agree on the Code and implement it, be consistent in its application and exercise its content, including consequences for those who breach the Code."

According to UNDOC (2015), the handling of cases of unethical behaviour may go as far as recovering proceeds of offences and recommending review of system and procedures that necessitated unethical behaviour to take place. World Bank Group (n.d), postulates that there are two main ways of confiscating resources lost through unethical conduct, criminal and administrative. Criminal confiscation requires the use of law enforcement agencies and courts while administrative confiscation generally involves a non-judicial mechanism for confiscating assets lost through unethical conduct. It may occur by operation of statute, pursuant to procedures set out in regulations, and is typically used to address uncontested confiscation cases. Generally administrative confiscation is restricted to low-value assets or certain classes of assets and any amount of cash, but not real property (World Bank Group, n.d).

#### **1.4 Problem statement**

The prevalence of corruption in Malawi seems to suggest that the formal anti-corruption interventions being implemented in the country are not yielding the intended results. Seemingly, one of the unsuccessful formal anti-corruption intervention is the sanctioning function of the Institutional Integrity Committee (IIC) provided for in the National Anti-Corruption Strategy (NACS) and implemented by several institutions including the Northern Region Water Board (NRWB). Although NRW as a public institution has instituted this intervention for almost ten years, corruption appears to be still prevalent at the institution.

Khunga (2018), for example, reported the Board's loss of K25 million through a syndicate that allegedly issued counterfeit bill payment receipts to about 400 customers in Karonga. Chingaipe (2017) also "endorses the observations that corruption in Malawi is pervasive and recognised as part of social behaviour especially after the transition to multiparty democracy in 1994" (p. 132). Even the global and regional anti-corruption conventions and protocols that Malawi has ratified seem to be not instrumental to the fight against corruption in the country (SOTU, 2015 and UNODC, 2017). Such a state of affairs calls for an assessment of the anti-corruption interventions, particularly the sanctioning function of the IIC.

It is against that background that this study conducts an assessment of the sanctioning function of the IIC, a formal anti-corruption intervention, by drawing lessons from the NRW's experience. The lessons learnt from NRW may also contribute to ethical reforms necessary for effective management of corruption in Malawi. The following section, therefore, introduces study questions that guide the thesis. It has to be noted further that the thesis does not include aims and objectives because as argued by Creswell, (2009) it is also possible for inquirers to state research questions, not objectives. These research questions assume two forms: a central question and associated sub questions.

## **1.5 Study questions**

### ***1.5.1 Main research question***

- Is the sanctioning function of the IIC effective in the fight against corruption at NRW?

### ***1.5.2 Specific research questions***

- Does the sanctioning function of the IIC deter NRW's agents from engaging into corrupt practices?
- Does the sanctioning function of the IIC help in recovering resources lost through corruption?
- What recommendations has the sanctioning function of the IIC brought for the improvement of systems and procedures at NRW?
- What challenges does the NRW IIC experience in the implementation of its sanctioning function?
- What improvements can be made to the sanctioning function of the IIC, if any?

## **1.6 Justification of the study**

The justification of this study is based on two reasons. First, literature shows that there is hardly any work found that has focused on assessing the IIC and its sanctioning function. Most studies on corruption in Malawi have mainly focused on the state of corruption (Chinsinga, Dulani, Mvula and Chunga, 2014), political economy analysis of the implementation of the National Anti-Corruption Strategy in general (Phiri, 2018) and effectiveness of ACB (Chingaipe, 2017). Globally, some studies have focused on assessing the levels and drivers of corruption (TI, 2014), anti-corruption agencies (TI, 2017 and Chingaipe, 2017) and institutional integrity committees in general (Kempe, 2018). However, these studies have not delved into making a comprehensive assessment of the sanctioning function of institutional integrity committees, particularly on how the function helps in deterring would be offenders, in recovery of resources lost through unethical behaviour and in improving systems and procedures followed by the organisations. Kempe (2018), for example, argues that the Zambia's Integrity

Committees Program is very instrumental in reducing corruption, but does not state the specific role or roles of the integrity committees that have been instrumental in the reduction of corruption in Zambia.

Generally, therefore, this study attempts to contribute new knowledge that is critical to broadening the understanding of anti-corruption interventions in Malawi, particularly the sanctioning function of the IIC. Specifically, the new knowledge lies in the fact that the study is the first to provide an assessment of the sanctioning function of NRW's IIC. Secondly, the study discovers that the sanctioning function of the IIC at NRW is negatively affected by external and internal challenges. While this study focused on NRW, the findings may be the case, or partly the case, or not the case at all in other institutions, and other studies can aim at establishing this. However, the findings provide some areas which institutions can check to ensure that the sanctioning function of the IIC is effective or scaled up. Overall, this entails the justification of knowledge which is also known as epistemology (Carter and Little, 2007).

Additionally, corruption is prevalent in Malawi even after the implementation of several formal anti-corruption interventions. The sanctioning function of the IIC is one of such interventions. Therefore, this study specifically focusses on the shortcomings and/or positive contributions of the sanctioning function of the IIC in the corruption fight.

### **1.7 Ethical considerations**

This study considered various research ethics. First, the researcher sought permission from the Chief Executive Officer of NRW to conduct the research at their institution. The topic of research and the purpose of the research were ably explained to the authorities at the institution.

Second, the researcher sought informed consent from the participants prior to the interviews or answering of questionnaires. Through the process of getting informed consent, the interviewees were briefed on what it meant to participate in a research study

so that they could voluntarily participate in the research or withdraw at any time as required in research (Creswell, 2014).

Additionally, the researcher assured participants that the study is for academic purposes and attempts to inform policy where necessary. The participants were also assured that their identities would be treated with great confidentiality. Above all, only those who accepted to participate in the study were interviewed and/or responded to the questionnaires.

### **1.8 Scope of the study**

This study focuses on the sanctioning function of the Institutional Integrity Committee (IIC) at Northern Region Water Board (NRWB). The employees and clients of NRW are the respondents of this research. The research includes also views from one official of the Anti-Corruption Bureau (ACB). The study population, including one ACB official, is 59813 and it is from this population that respondents are drawn. For this reason, the scope of the study, confining mainly within NRW, poses a limitation of the study.

### **1.9 Organisation of the study**

The study is divided into five chapters. Chapter one introduces the topic and lays out the background of the study. Chapter two reviews the literature on definition of corruption, drivers of corruption and anti-corruption approaches, and critically discusses the theoretical framework that informs the study. Chapter three provides an overview of the research methodology that the study uses in assessing the effectiveness of the sanctioning function of the IIC in the fight against corruption. Chapter four presents, analyses and discusses the findings of the study. The analysis draws on various forms of literature and the principal-agent model, as a theory that informs this study. Chapter five summarises the findings and draws implications. This outline, it is envisaged, provides logical steps or premises that lead to conclusions (Writing Center, 2008). Based on this outline, therefore, the next chapter is a review of literature related to the sanctioning function of the IIC.

## **CHAPTER 2**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter reviews literature related to the sanctioning function of the institutional integrity committee (IIC) and its role in deterring corruption as a form of unethical conduct. As alluded to in Chapter one, the sanctioning function of the IIC is a formal intervention of corruption. For that reason, this chapter firstly reviews literature on the concept of corruption in section 2.2. In section 2.3, the chapter explores the general literature on the formal and informal interventions of corruption. This provides a better framework for understanding the sanctioning function of the IIC. In section 2.4, the chapter reviews literature on Malawi's anti-corruption approaches which includes the sanctioning function of the IIC as a formal approach. The last section presents the theoretical framework for discussing the sanctioning function of the IIC

#### **2.2 Conceptualisation of corruption**

Over the past two decades, literature in both ethics and political philosophy has largely focused on corruption as an unethical conduct, and on various anti-corruption strategies (Breit, Lennerfors and Olaison, 2015). According to Iyanda (2012), scholars and practitioners discuss the concept of corruption in terms of its definition, causes, and mechanisms for its minimization or eradication.

Firstly, various literature on corruption has focused on elaborating the semantics or theory of corruption. However, while almost all thinkers agree that corruption is an unethical conduct, there is no universally accepted theory or definition of corruption (Czubek, Kopinska, Sawicki and Wojciechowska-Nowak, 2010). The differences in definitions of corruption are as a result of different focuses of scholars that come due to differences in professions and experiences. However, the most commonly cited definition is the one used by the World Bank which defines corruption as “the abuse of public office



for private gain” (Bayar, 2003, p. 3). Similar to World Bank’s definition is the definition by the UNDP which states that “corruption is the misuse of public power, office or authority for private benefit- through bribery, extortion, influence peddling, nepotism, fraud, speedy money or embezzlement” (Disch, Vigeland and Sundet, 2009, p. 40).

Although the latter definition seems comprehensive, it leaves some forms of corruption such as abuse of privileged information. Additionally, both definitions limit corruption to the public sphere and leaves the private sector which is also heavily embroiled with corruption (Bayar, 2003). For that reason, the Transparency International (TI) defines corruption as the misuse of entrusted power for private benefit (Lambsdorff, 1999). This definition too has not withstood the test of time because some forms of corruption are so systemic that they transcend the individual level or the private dimension. In order to make the definition more concrete and encompassing, Disch, Vingeland, and Sundet (2009) define corruption as “the abuse of entrusted authority for illicit gain” (p.40). This is the definition that this study adopts because it is comparatively encompassing. Above all, most scholars and practitioners attest to the fact that corruption is a form of unethical behaviour (Wagabi, 2013). However, the debate on the definition of corruption among scholars still rages on because the phenomenon is quite multifaceted.

Related to the concept of corruption is the concept of integrity. The term “integrity” comes from a Latin word “integritas” which means wholeness or unity (Huberts, 2018). Schöttl (2015) further defines this wholeness as consistency and coherence of principles and values. In this regard, integrity can be seen as acting consistently and in line with virtues such as wisdom, justice, courage, and temperance, honesty, impartiality, accountability and the like (Huberts, 2018). Therefore, there is a dichotomy between integrity and corruption. Generally, the two terms are viewed as opposite terms, the former being the solution to the later and the latter being the harm of the former (Pardo, 2019).

Secondly, literature has also focused on elaborating the forms of corruption. The most notable forms described by various scholars and practitioners are bribery, fraud,

extortion, embezzlement, influence peddling, favouritism or nepotism, kickbacks, patronage and elections rigging (Schwertheism, 2017 and UNDOC, 2004). Morris (2011) attempted to summarise the definition each of these forms of corruption in one paragraph as follows:

...bribery, where an illegal payment is made to a government official in return for some type of official, state-sanctioned, authoritative act that has a selective and tangible impact and that in the absence of the secret payment would not otherwise have been made ... But beyond bribery, corruption also includes kickbacks which operate much like a bribe, but where the illegal payment is made after the service is rendered, ...and extortion where the public official threatens to use (or abuse) state power to induce the payment of a bribe..., corruption also includes graft and embezzlement, where public officials act alone to appropriate public funds or divert their use. Closely related to graft, fraud refers to the various, often complex and imaginative schemes orchestrated by officials to appropriate public funds, often with civilian accomplices. These may include establishing fake companies, listing ghost workers to payrolls, overbilling the government on contracts, or otherwise fixing the books to hide the disappearance of public funds. ... corruption also encompasses such diverse activities as nepotism, favoritism and conflict of interest, where public-sector jobs or benefits are illegally channeled to family, friends or to the benefit of the decision-makers own interests. Even within the partisan and electoral realms, corruption encompasses a range of activities such as illegal campaign contributions, illegal expenditures, electoral fraud and vote buying (p .10).

Different from Morris's differentiation of corruption, UNDOC (2004) dissects corruption into grand and petty. Grand corruption is the kind of corruption that pervades the highest levels of government, engendering major abuses of power (Mashal, 2011). Petty corruption on the other hand is the kind of corruption that involves the exchange of very small amounts of money, and the granting of small favours (UNDOC, 2004).

However, it is important to note that the forgoing differentiation between petty corruption and grand corruption does not make the two categories of corruption exclusive of each other. Petty corruption can be part of grand corruption when it is so prevalent that it is part of the everyday structure of society.

In addition to grand and petty corruption, Bhargava (2006) categorises corruption as political, administrative and corporate. Political corruption involves law makers such as monarchs and legislators, acting in their role as creators of the rules and standards by which a polity operates. Corporate corruption occurs in the relationships between private business corporations and their suppliers or clients. Lastly, administrative corruption is defined as bribery that ordinary citizens encounter, for example in contacts with officials, policemen and the health service. Sometimes administrative corruption is also called “daily corruption” and state capture or “political corruption” (Czubek, Kopinska, Sawicki, and Wojciechowska-Nowak, 2010, p. 18). Bhargava (2006), therefore, classifies corruption in terms of its area of occurrence and not in terms of its form, size and effect.

Thirdly, literature has also focused on clarifying the drivers or causes of corruption. Just like in defining corruption as unethical conduct, delving into the causes of corruption has also generated a heated debate among academics and practitioners alike (Baez-Camargo, 2017). According to Schwertheim (2017), corruption has for long been regarded as a principal-agent problem. The principal-agent problem assumes two actors, namely the agent and the principal. The former has more information and decision making power than the latter. The former monitors the latter. In the public service, the principal is the general public or the supervisors or monitors, and the agents are the public servants (Zapata, 2018). According to this theory, corruption is rife in most countries because the principals are absent or constantly shirk their responsibilities to monitor or change the behaviour of agents. This is in line with Klitgaard’s (1988) observation that “illicit behaviour flourishes when agents have monopoly power over clients, when agents have great discretion, and when accountability of agents to the principal is weak” (p.75). Klitgaard further summarises the statement using a mathematical formula where

“corruption equals monopoly plus discretion minus accountability” [ $C = M+D-A$ ] (Klitgaard, 1988, p.4).

One of the weaknesses with this conceptualisation is that it does not spell out how the qualities of a responsible agent and responsible principal are built. Secondly, it does not provide what weakens the accountability of the agents and the principal.

According to Persson, Rothstein and Teorell (2012), corruption is a collective action problem. The authors argue that in cases where corruption is systemic, every one participates in corruption as no one can trust that others will not do the same. In such scenarios, corruption is “normal” and becomes too costly for an individual to abstain. This theory highlights the challenges of coordinated anti-corruption efforts (Marquette and Peiffer, 2015).

One of the weaknesses of this understanding is that it does not ably reconcile the causal relationships between individual interests and collective interest in permeation of corruption. It is evident that individuals engage in corruption mostly to maximize their self-interests. Trust or distrust that people will abstain from corruption is influenced by the heuristics people have formed about how others will behave in society, which are in turn shaped by one’s repeated interactions with others (Zapata, 2018), but also personal perceptions which are subjective and faulty.

Although, scholars have regarded the two aforementioned drivers of corruption as exclusive from each other, it is important to note that the two drivers are linked and complementary. Corruption as a collective action problem entails the absence of a responsible principal to drive the group of individuals who have a common or a varied desire(s) to a right path of obtaining their needs. Because of this complementarity, the conventional anti-corruption approaches focus on building and enforcing compliance among principals and agents, and promoting collective action against corruption.

Some scholars such as Kupatadze (2018) and Baez-Camargo (2017) have seen a growing need to deepen their understanding of context-specific drivers of corrupt behaviours following the failure of several conventional anti-corruption interventions. Kupatadze (2018) argues that social norms, normally understood as shared understandings on accepted form of behaviour, are the most dangerous informal drivers of corruption. This understanding is supported by Baez-Camargo's study in Kenya, Rwanda, Tanzania, and Uganda, which revealed that the social norm for citizens to easily access public services is through social networks (Baez-Camargo, 2017). People in these countries often invest in social networks, by giving each other favours, with an expectation of accruing certain benefits at a later stage. These social networks are constructed on the basis of specific criteria of group affiliation such as blood relationship, gender, ethnicity, professional acquaintances, religion, friendship and so on.

However, while the authors argue that the social networks provide an easy means of accessing public services, the task of building social networks that would meet all essential needs of an individual is quite enormous and costly. The social network that would provide an easy access to services such as public health and education, may be as burdensome and costly as resorting to private health facilities and schools.

### **2.3 Corruption eradication approaches**

The debate among scholars and practitioners on the drivers of corruption overflows to the formulation of anti-corruption approaches. According to Schwertheim (2017), anti-corruption approaches are measures that governments and scholars have promulgated or employed to reduce or eradicate corruption in their vicinities. The differences in formulation of anti-corruption approaches arise because of the different views on the underlying causes or drivers of corruption. However, according to Baez-Camargo and Passas (2017), anti-corruption approaches can be classified into formal and informal anti-corruption approaches.

### ***2.3.1 Formal anti-corruption approaches***

Scholars in support of the principal agent and the collective action models such as Hechler (2017) and Brunelle-Quraishi (2011) have advocated for formal anti-corruption approaches that aim specifically at building and enforcing compliance among principals and agents, and promoting collective action against corruption. The formal anti-corruption approaches call for the establishment of internal and external mechanisms for preventing, detecting and handling corruption cases (UNDOC, 2004). Internal mechanisms include establishment of institutional structures that seek to prevent corruption, encourage reporting corruption and demonstrate proper handling of reported corruption cases. The internal structures also include the development and enforcement of code of ethics, policies, trainings and sensitization of staff and clients on matters of ethics and integrity. The establishment and operationalisation of institutional integrity committees, therefore, forms part of internal formal mechanisms for the prevention of corruption in an institution (Kempe, 2018).

External mechanisms, on the other hand, include establishment and cooperation of agencies specialized with respect to corruption and similar malfeasance, such as anti-corruption agencies, ombudsman or law enforcement agencies with general criminal justice mandates that include corruption offences (Hart and Taxell, 2013). According to Baez-Camargo and Passas (2017), these formal anti-corruption approaches have also been promulgated, recommended and supported by international and regional conventions and protocols such as the United Nations Convention Against Corruption (UNCAC), African Union Convention on Preventing and Combating Corruption (AUCPCC) and the Southern Africa Development Community (SADC) Protocol against Corruption. Pursuant to these treaties, governments across the globe, including Malawi, have tried to implement the formal or conventional anti-corruption approaches such as the establishment of anti-corruption agencies and the development of codes of ethics and other anti-corruption policies and strategies.

However, Mungiu-Pippidi (2011) observes that there is lack of effectiveness of conventional anti-corruption interventions reflected in the so-called implementation gap,

whereby countries that have adopted the legal and organisational reforms associated with formal anti-corruption best practices continue to experience very high levels of corruption. Kupatadze (2018) links this situation to a lack of empirical support for the assumption that corruption is a consequence of weaknesses arising in the context of a principal-agent model of accountability, which presumes the existence of “principled principals” capable and willing to enforce the anti-corruption reforms. Additionally, evidence suggests that high levels of corruption are related to a significant discrepancy between formal rules (interventions) and informal practices (Baez-Camargo, 2018). In the case of Uganda and Tanzania, the gap between these two normative standards is significant as loyalty towards the social network is considered to be more important than abidance to the state’s rules, and that individuals often find the legal framework to be inherently unfair (Baez-Camargo, 2017).

### ***2.3.2 Informal anti-corruption approaches***

The informal anti-corruption approaches form a recent response to perverse levels of corruption associated with a significant discrepancy between formal rules (interventions) and informal practices (Baez-Camargo, 2018). According to Baez-Camargo (2018), informal anti-corruption approaches are home grown solutions (HGS) or anti-corruption policies that “appeal to traditional social norms, harnessing them to prime individuals on the importance of adopting behaviours conducive to good governance outcomes and avoiding other behaviours that are detrimental to society” (p.24). For this reason, Kindra and Stapenhurst (1998) advocates for social marketing to create an environment that discourages corruption by raising awareness about the costs of corruption in a country; mainstreaming the concern about corruption within national institutions; increasing the understanding of causal factors of corruption amongst the public; and influencing behaviour.

It is important to note, however, that a number of scholars agree that informal anti-corruption approaches work well when they are applied together with other approaches. Lindner, (2014), for example, argues that instilling anti-corruption mechanisms in a society that has been permeated with corruption to such an extent that it becomes

embedded in daily life and social norms, requires a multi-pronged approach that not only pushes for institutional and legal reform but also focuses on changing behaviours and attitudes.

In addition, although there has been an appeal to home grown solutions, their application is largely formal. For example, the performance contract that the Rwanda government signs with public servants, which Baez-Camargo (2018) regards as an informal approach stemming from Rwandan culture, is applied formally by the Government by incorporating it into Government's policies and regulations.

Based on the forgoing discussion, it can be argued that the sanctioning function of the IIC largely falls within the formal anti-corruption interventions. It is largely formal because it stems from the National Anti-Corruption Strategy, a government policy that guides the corruption fight in Malawi. However, its conceptualization and application links to the values or social norms that characterise the Malawi's society. As a social norm, it is unethical among most Africans to leave unethical behaviour such as corruption unchecked. Children are disciplined or punished when they disobey their parents or elders, and praised when they obey. Likewise, members of the community are praised when they perform well and disciplined when they violate societal norms (Oduwole, 2011). It is against this background that the IIC is mandated to appraise the employees and clients in accordance to their behaviour, be it positive or negative.

## **2.4 Malawi's anti-corruption approaches**

Of recent, there has been also a growing literature on corruption interventions in Malawi. According to Chingaipe (2017), the fight against corruption in Malawi started taking a centre stage after multiparty democracy in 1994. Since then, a number of formal anti-corruption approaches have been initiated to address the problem of corruption. Key among these formal anti-corruption initiatives are the enactment of the Corrupt Practices Act which led to the establishment of the Malawi's Anti-Corruption Bureau, and the development of the National Anti-Corruption Strategy (Phiri, 2018).



#### ***2.4.1 The Anti-Corruption Bureau***

Section four (4) of the Malawi's Corrupt Practices Act (CPA) creates the ACB, an anti-corruption agency mandated, among other things, to 'take necessary measures for the prevention of corruption in public bodies and private bodies' (GoM, 2004, p.8) in Malawi. According to Cardona (2015), an Anti-Corruption Agency (ACA) may be defined as an independent institution, located at arm's length from executive government institutions, whose main function is to coordinate all activities geared towards the implementation of a country's anti-corruption strategy and to provide feedback for the redesign and improvement of that strategy. In line with this definition and based on the provisions of the CPA, the ACB established three operational arms: corruption prevention; enforcement (investigations and prosecutions); and public education (Chingaipe, 2017).

The TI (2014) regards an anti-corruption agency as very instrumental in promotion of transparency and accountability. The first anti-corruption commission was set up in Singapore in 1952 and Singapore has been ranked as one of the least corrupt countries in the world (Quah, 2007). Currently, there are about 150 anti-corruption agencies across the globe (Phiri, 2018). Although TI (2014) regards an anti-corruption agency to be very instrumental in promoting transparency and accountability in some countries such as Singapore and Hong Kong, literature shows that this is not the case with Malawi's Anti-Corruption Bureau (ACB). Since its inception, corruption has been rising at an alarming rate (Phiri, 2018). Chingaipe (2017) highlights three factors that impede efficiency in the performance of ACB, namely, lack of its independence from the state authority, lack of finances, and limited human resources to effectively undertake all its given functions (Chingaipe, 2017).

#### ***2.4.2 Malawi's national anti-corruption strategy***

Government of Malawi developed the National Anti-Corruption Strategy (NACS) in order to provide a holistic approach to the fight against corruption. The NACS was developed following the recommendations of the Corruption and Governance Baseline

Survey of 2005 (Chinsinga, Dulani, Mvula and Chunga, 2014). The NACS has three specific objectives: to promote integrity, transparency and improve service delivery in all sectors; to promote public involvement in the fight against corruption; and to intensify prevention of corruption and promotion of integrity in all sectors through the establishment of the National Integrity System and creation of institutional integrity committees (GoM, 2008).

The main thrust of the Strategy is the establishment of a National Integrity System (NIS) that ensures that all sectors participate in the fight against corruption and adhere to democratic principles of accountability, transparency and effective service delivery. In order to achieve this, the NIS has eight pillars that recognize the public as a launch pad for spearheading a national anti-corruption drive. “The pillars are the Executive, Legislature, Judiciary, Private sector, Civil Society, Faith Based Organizations, Traditional Leaders and the media” (GoM, 2008, p.viii) and each is given its roles to play in the eradication of corruption in the country.

However, Phiri (2018), having examined the interests of stakeholders involved in the anti-corruption reform in Malawi, observes that each of the actors in the anti-corruption reform agenda has their own divergent interests, which in turn adversely affects the outcome of the reform processes. For example, the state ruling team wants to gain political mileage by advancing the reform narrative, while the media’s interest in the anti-corruption reforms is to gain popularity and sell sensational stories of incompetence, theft and corrupt acts in society. With such multiple and divergent interests from the stakeholders, it becomes difficult to harness collective action. Instead, each of the stakeholders advances their own interest which in turn affects the performance of the reforms.

Apart from assigning sectoral responsibilities, the NIS also mandates the establishment and operationalization of Institutional Integrity Committees (IICs) in public and private institutions (MoG, 2008). According to Kempe (2018,) integrity committees are members appointed within an institution “to promote the highest standards of ethical conduct;

providing a focus for education into ethical issues; a source of support for others; and ensuring compliance with organisational and societal values” (p. 8). According to Schell-Busey (2009) integrity committees are organisational units devoted to ethical issues and are sometimes known as ethics committees, public interest committees, social responsibility committees, or corporate responsibility committees. The history of integrity committees can be roughly traced from 1946 following the unethical experiments that were conducted on humans by Nazi scientists during the Second World War. The conduct led to the formulation of the Nuremberg Code of research ethics and later establishment of review boards or ethics committees (Ndebele et al., 2014). Specific to the fight against corruption, integrity committees might have emerged with the rise of anti-corruption efforts two decades ago (Ogwang’, 2007).

Integrity Committees have the task of developing anti-corruption action plans, reviewing and monitoring work systems and procedures, developing corruption prevention policies, handling complaints of unethical behaviour and facilitating ethics training and education among employees and clients (Vasiliauskaite, 2011). The IICs in Malawi adopt the same stated roles which are clearly stipulated in the National Anti-Corruption Strategy (GoM, 2008). According to Phiri (2018), so far there are over fifty (50) operational “institutional integrity committees (IIC) across various sectors in Malawi” (p.37).

The use of integrity committees in the promotion of transparency and accountability is not unique to Malawi. In Sub-Saharan Africa, for example, countries such as Zambia, Tanzania, Botswana and Rwanda have adopted the strategy (OECD, 2016). In Zambia, for example, the Zambia’s Integrity Committees Program is used as a framework for corruption control and has been very instrumental in reducing corruption since the year 2000 (Kempe, 2018). However, it is not clear as to what specific role or roles of the integrity committees have been instrumental in the reduction of corruption in Zambia.

A study conducted by OECD (2016) on prevention of corruption in the public sector in Eastern Europe and Central Asia virtually indicates that all of the surveyed countries, namely, Albania, Bosnia and Herzegovina, Bulgaria, Kyrgyz Republic, Lithuania,

Mongolia, Montenegro, Romania, and Slovenia recognize the need to facilitate reporting of corruption and proper handling of corruption complaints. In Lithuania, for example, all the ministries and institutions subordinate to them are required to publish on their websites information about where and how to report corruption-related cases. In Malawi, however, there is a fairly widespread feeling that even if one reports corruption, the authorities are unlikely to take action (Chunga and Mazalale, 2017).

However, it has to be noted that although various studies have acknowledged the need for proper handling of corruption complaints or reports, they do not state the extent to which the enforcement of sanctions for corrupt personnel and awards for ethical personnel have been effective in deterring would be offenders, in recovery of resources lost through unethical behaviour and in improving systems and procedures followed by the organisations. It is for this reason that this study assesses the sanctioning function of the IIC in its role of controlling corruption as a form of unethical conduct.

## **2.5 Theoretical framework**

To begin with, it is very important to present a theoretically informed perspective on effectiveness of the sanctioning function of IICs in the fight against corruption. The sanctioning function of the IIC is founded on a principal-agent model as a theory of change (ToC). A theory of change “articulates explicitly how a project or initiative is intended to achieve outcomes through actions, while taking into account its context” (Laing and Todd, 2015, p.3). ToC has been called other terms such as roadmap, a blueprint, an engine of change, a theory of action and more (Stein and Valters, 2012).

The principal-agent model, as a theory of change, rests on the assumption that the principal, the bearer of the public interest, is ‘principled’ and moral, and will take on the role of controlling corruption permeated by the agents who seek self-interests. The principal does this by monitoring and punishing corrupt behaviour to safeguard public interests (Ledeneva, Bratu and Köker, 2017). The principal, as a model virtuous person or group of virtuous persons, therefore, promotes and enforces virtues among the agents (Miller, 2005). The principal relates to legislators that Aristotle (1962) in his

*Nicomachean Ethics* regards as examples of men “with practical wisdom” (p.266). Aristotle (1962) writes:

...legislators ought to stimulate men to virtue and urge them forward by the motive of the noble, on the assumption that those who have been well advanced by the formation of habits will attend to such influences; and that punishments and penalties should be imposed on those who disobey and are of inferior nature, while the incurably bad should be banished (p. 271).

Based on the foregoing quotation from Aristotle, it can be argued that the creation of a virtuous character among humans requires other exemplary virtuous people to demonstrate and enforce this virtuous character. The enforcement of this virtuous character may involve punishment, penalties, or expulsion for wrong doing. Following this enforcement of a virtuous character, the agents are expected to acquire full knowledge of this virtuous character. They are expected also to display a constant and unchangeable virtuous character as opposed to a spontaneous one. As Aristotle (1962) further writes:

The agent must also be in a certain condition when he does them (acts); in the first place he must have knowledge, secondly he must choose the acts, and choose them for their own sakes, and thirdly his action must proceed from a firm and unchangeable character (p. 34).

Although the principal-agent approach is an important analytical framework for interventions against corruption, it has some limitations. The major weakness of this model arises when the principal is corrupt and does not act in the interest of the public good, rendering the intention of the model impractical (Schwertheim, 2017). Another shortcoming is the existence of several principals with divergent interests. As such, agents may tend to act differently because of divergent interests among principals to which they are accountable.

The principal-agent model, nevertheless, is quite relevant to this study. Firstly, the sanctioning function of the IIC is founded on the belief that the IIC is the principal and other members of staff and clients are agents. The IIC is the principal based on the fact that it is appointed to promote integrity among employees and clients. It does this by, among others, providing ethics training to employees and clients. Secondly, the IIC is mandated to handle cases of unethical behaviour mainly to deter would-be offenders, recover lost resources and improve systems and procedures.

Specifically, it is believed that if the IICs “receive, consider and provide redress on all complaints emanating from within and outside organisations relating to ethical issues and maladministration; and recommend administrative action to management on issues of maladministration and unethical conduct” (GoM, 2008, p.17) three main results follow. Firstly, employees and clients refrain from engaging themselves in corrupt practices or unethical behaviour. Secondly, resources that are lost through uncovered corrupt practices are recovered. Finally, there is a reduction of opportunities for corruption through implementation of recommendations that emanate from the pursuit of corruption cases.

## **2.6 Chapter summary**

From the foregoing discussion, it is clear that corruption, its drivers and interventions have received great attention and wide publicity. For this reason, there are disparities in the understanding and application of anti-corruption approaches among scholars and practitioners. Although there are these disparities, the use of the integrity committees in the fight against corruption, including its sanctioning function, has been supported by many scholars, practitioners and theories, and has been implemented by several countries, Malawi inclusive. This study, therefore, regard the use of integrity committees as significant in corruption fight. Using the principal-agent model, the study delves into measuring the value of the IIC’s role of handling cases of unethical behaviour such as corruption in the context of Malawi, particularly Northern Region Water Board (NRWB). The next chapter, therefore, presents the methodology used for the research on the sanctioning function of the IIC at NRW.

## **CHAPTER 3**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

This chapter describes the manner in which this study was conducted in order to achieve the intended objectives. It explains the study's research design, data collection tools and data analysis techniques. It further describes how research participants were identified and engaged to source relevant data. Finally, it describes the challenges encountered in the course of data collection and the manner in which these challenges were mitigated.

#### **3.2 Research design**

This study uses concurrent mixed methods procedures as the research design. According to Kumar (2011) a research design is a plan, structure and strategy of investigation so conceived as to obtain answers to research questions or problems. Concurrent mixed methods form a research design in which the researcher converges or merges quantitative and qualitative data in order to compare the two databases to determine if there is convergence, differences, or some combination (Creswell, 2014). Qualitative data comprises descriptions in form of words, images and objects while quantitative data comprises numbers and statistics that can be computed or mathematically calculated (Daniel, 2016). According to Williams (2007) quantitative research may further adopt a descriptive approach which is a basic research method that examines the situation as it exists in its current state, and “involves identification of attributes of a particular phenomenon based on an observational basis, or the exploration of correlation between two or more phenomena” (p. 66). The concurrent mixed methods approach is therefore important because it collects and triangulate information from different sources and modes of collection.

Against that background, this study adopts the concurrent mixed methods. The side-by-side integration of the two databases is seen in the discussion of findings which provides

quantitative statistical results followed by qualitative quotes and explanations that support or disconfirm the quantitative results (Creswell, 2009). In this study, one smaller form of quantitative data is embedded within another larger qualitative data in order to analyse different types of questions ranging from implementation of sanctioning function of the IIC to perception on its effectiveness in the fight against corruption. In addition, the study merited a mixed method approach because mixing the qualitative and quantitative data would help to provide a better understanding of the sanctioning function of NRW from both the employees' and clients' perspectives.

### **3.3 Study area**

This research is an ethical assessment of the effectiveness of the sanctioning function of NRW's IIC in the fight against corruption at NRW. Reference is made to Malawi's NRW because it is one of the public institutions that first adopted the provisions of the NACS soon after its launch in 2009. Besides, the researcher has been co-providing technical support to the institution in matters of corruption prevention for some time.

According to NRW (2015), NRW is a Malawi's parastatal company established under the Water Works Act No. 17 of 1995. It operates in Northern Region of Malawi. Its mandate is to supply potable water and waste borne sanitation service to urban and peri-urban areas of the Northern Region of Malawi.

NRWB is divided into three zones, namely; Northern Zone, Central Zone and South East Zone. Each zone has water schemes that service the people in its jurisdiction. In total, NRW has eleven water schemes. Table 1 indicates the divisions of the NRW in terms of its zones, districts of operation and water schemes. Figure 1, below Table 1, is a map of Malawi's Northern Region showing the location of the water schemes.





### **3.4 Study population**

Kumar (2011) defines a study population as the total of all the individuals who have certain characteristics and are of interest to a researcher. In total, NRW has 495 employees and 59317 active clients (A. Mhone, personal communication, March 29, 2019). Therefore, the study population, including one ACB official, is 59813. The study targets these categories of population because they have a stake in the implementation of the NACS particularly on the IIC's role of preventing and handling cases of corruption.

### **3.5 Population sample and sampling techniques**

According to Alvi (2016), a sample is a group of relatively smaller number of people or elements selected from a population for investigation purpose while sampling consists of obtaining information from only a part of a large group or population so as to infer about the whole population. The study used two main sampling techniques, namely purposive sampling and two stage-cluster sampling methods. Purposive sampling method was used to come up with key informants and participants for the focus group discussions (FDG). A total of six (6) key informants were interviewed individually and twenty-one (21) people were engaged in three FGDs. The key informants were purposively sampled based on the positions they hold and the direct or indirect role they play in the sanctioning function of the IIC at NRW. Participants in the FGDs were purposefully sampled from various sections of each of the sampled water scheme in order to capture views from all sections.

The study also used a two-stage cluster sampling method to generate the sample size for employees and clients who would provide quantitative or statistical data through the administration of a survey questionnaire. Cluster sampling is used when the total area of the research is too large prompting the researcher to divide the area into smaller parts called clusters and then select randomly from those smaller units (Etikan and Bala, 2017). Two stage-cluster sampling is a sampling mechanism that involves simple random sampling for each of the two stages or unequal probabilities of selection at one or more of

the two stages (Eideha and Nathan, 2009). Simple random sampling is a sampling which permits every single item from the target population to have an equal chance of presence in the sample (Etikan and Bala, 2017).

Following the foregoing description, the first stage of sampling used simple random sampling to come up with one cluster in each of the three zones of NRW. Through this technique, the following clusters were sampled: North Scheme of Central Zone, Rumphi Scheme of South East Zone and Karonga Scheme of North Zone. Each of the sampled scheme acts as a representation of the zone. Coincidentally, North Scheme is located in the City of Mzuzu, Karonga Scheme at Karonga Town Ship and Rumphi Scheme at Rumphi District Council. Table 2 shows the sampled schemes and their respective employees' and clients' population.

***Table 2: Sampled schemes and their respective employees' and clients' population***

<b>Zone</b>	<b>Sampled scheme</b>	<b>Employees' population</b>	<b>Clients' population</b>
Northern Zone	Karonga Scheme	71	6118
Central Zone	North Scheme	46	9898
South East Zone	Rumphi	27	3851
<b>Total</b>		<b>144</b>	<b>19867</b>

The second stage also used simple random sampling to select NRW employees and clients from the sampled schemes in order to seek their perception on the effectiveness of the sanctioning function of the IIC in the reduction of corruption at NRW. The total sample size for employees and clients was obtained by using the electronic sample size calculator. The sample sizes for employees and clients were 95 and 266 respectively representing 90% confidence level and (5%) marginal error in each case and 4.3% margin error when the populations are combined. The sample size for each scheme was later obtained by simple proportion. Table 3 below shows the sample population of employees and clients in each of the sampled schemes.

**Table 3: Sampled scheme and sampled employees' and clients' population**

<b>Sampled scheme</b>	<b>Employees sample</b>	<b>Clients sample</b>
Karonga Scheme	47	82
North Scheme	30	132
Rumphi	18	52
<b>Total</b>	<b>95</b>	<b>266</b>

### **3.6 Data collection tools**

The study used both qualitative and quantitative data collections tools. Data collection tools are various methods used to gather information relevant to the problem under research (Canals, 2017). Qualitative data collection tools comprised of published and/or unpublished works, key informants' interviews and focus group discussions, while quantitative data collection tools comprised semi-structured survey questionnaires. In total, four types of data collection tools were used. Each data collection tool was designed to collect information on all research questions so that the analysis would triangulate information from varied sources. To ascertain their feasibility, these data collection tools were piloted at NRW Head Office and Nkhatabay Water Scheme.

#### **3.6.1 Key informants' interviews**

Key Informants Interviews (KIIs) are qualitative in-depth interviews with special individuals chosen as a result of their personal skills, or position within a society, and are able to provide more information and a deeper insight into what is going on around them (Marshall, 1996). In this study key informants were purposively chosen based on the role they play in the operation of the NRW's IIC. Six KIIs were conducted with sampled informants. These included one ACB Desk Officer for NRW, two members of NRW management and three members of the IIC.

Firstly, the former ACB Desk Officer for NRW was engaged because of his vast knowledge and expertise in Malawi's anti-corruption reforms. It is important to note that the ACB Desk Officer is an officer of the Anti-Corruption Bureau working in the

Corruption Prevention Department and assigned to provide technical support to a particular institution in its tasks of preventing corruption. More importantly, the former ACB Desk Officer for NRW has been providing technical support to the Institutional Integrity Committee at NRW since 2013 and would provide information about the competencies of NRW's IIC. The interview, therefore, aimed at soliciting the officer's views on the capacity of NRW's IIC in handling corruption complaints, among others.

However, there were some limitations to engage the ACB Desk Officer for NRW. He was not readily available during the time of field research as he had gone abroad for further studies. As a remedy, a questionnaire was sent through email to which he responded accordingly. Following his response, the researcher telephoned him to seek clarification on unclear responses. The telephone interview also sought to solicit insights on the roles of the IIC particularly its sanctioning function at the same time clarifying specific issues which emerged in FGDs and KIIs.

Secondly, two members of NRW management were also interviewed. They were deliberately chosen because of the role they play in providing resources and the necessary support for the work of the IIC. Specifically, the interview aimed at generating the extent to which the management supports the IIC in its mandate of preventing corruption and handling cases of corruption.

Lastly, three members of the IIC were interviewed on the process they follow in handling cases of corruption and the challenges that they encounter in the course of executing their mandate. Specifically, the interview aimed at generating the degree to which the IIC fulfills its mandate of handling corruption cases and how this mandate helps in deterring would-be offenders, recovering resources lost through unethical behaviour and recommending change of systems and procedures following corruption or any form of unethical conduct.

It is important to note that the IIC Chairperson was among the IIC members that were interviewed. The Chairperson of the IIC was specifically targeted because of the role that

he plays in leading the IIC in fulfillment of its mandate. The chairperson is also the link between the IIC and the management of the NRW. The interview with the Chairperson of the IIC generally aimed at generating the degree to which the IIC fulfills its mandate of handling corruption cases and how this mandate helps in deterring would-be offenders, recovering resources lost through unethical behaviour and recommending change of systems and procedures following an occurrence of corruption or other forms of unethical conduct.

### ***3.6.2 Focus group discussions***

Focus Group Discussions (FGDs) were held with NRW members of staff in each of the three sampled schemes. A focus group discussion is “a form of group interviewing in which a small group – usually 10 to 12 people – is led by a moderator (interviewer) in a loosely structured discussion of various topics of interest” (Mishra, 2016, p.1). FGDs are a powerful tool in generating in-depth views of the participants on a particular topic (Morgan, 1997). In this study, focus groups were formed by representatives of the NRW members of staff at each sampled water scheme. These representatives were purposively selected from various sections of the water scheme to form a group.

Three focus group discussions were held in each of the sampled schemes namely, Karonga, Rumphu and North water schemes comprising of seven, ten and five participants correspondingly. Through engagement, the participants were allowed to detail their knowledge about and experiences with NRW IIC and its sanctioning function. The technique was particularly useful in enlisting the participants’ views on whether the sanctioning function of NRW’s IIC fulfils its intended purpose or not.

### ***3.6.3 Semi-structured survey questionnaires***

This study involved also the administration of semi-structured survey questionnaire to NRW employees and clients. Semi-structured survey questionnaires are questionnaires that combine open-ended and fixed sets of questions that can be administered by paper and pencil, as a web form, or by an interviewer who follows a strict script (Harrell and Bradley, 2009). This type of questionnaire was designed specifically for NRW

employees and clients. The main aim of the questionnaire was to generate the knowledge and perception of NRW employees and clients on the effectiveness of the sanctioning function of NRW's IIC focusing particularly on deterrence, recovery of lost resources, and recommending improvement of systems and procedures following a case of corruption or any form of unethical conduct.

Additionally, the questionnaire sought to find out the challenges that the sanctioning function of the IIC encounter and suggested actions that would mitigate each given challenge. Using simple random sampling, 361 questionnaires were administered to the employees and clients of NRW using two enumerators and through the customer care office. Out of 361 questionnaires which were distributed, 279 representing seventy-seven percent (77%) were returned to the researcher. This presents 5% marginal error on the population that combines employees and clients.

#### ***3.6.4 Secondary data sources***

In addition to primary data, this study also used secondary data. According to Herron (1989), secondary data are data that have already been collected for purposes other than the problem at hand. This study used secondary data in form of books, journals, reports and policy documents related to research, corruption and anti-corruption approaches. The study began with a review of various literature on corruption and anti-corruption approaches promulgated by a variety of scholars and anti-corruption practitioners.

In addition, the study engaged policies that govern the anti-corruption drive in Malawi such as the National Anti-Corruption Strategy and the tools for corruption fight at NRW such as the NRW Corruption and Fraud Prevention Policy, NRW Strategic Plan and the NRW Code of Ethical Conduct. The review of this varied literature was useful in complementing the data generated from primary sources such as focus group discussions, semi-structured survey questionnaires and key informants' interviews.

### **3.7 Challenges of data collection**

The collection of data from various sources faced a number of challenges that had the potential of affecting the credibility of the results of the study. Firstly, some focus group discussion participants were predominantly silent while others dominated the discussions. This meant that the views of some participants would be unheard. In order to thwart this setback, the facilitator constantly encouraged every participant to contribute on the topics under discussion. This is a counter strategy recommended by Smithson (2000) in situations where FDGs are faced with extremely subordinate and dominant participants.

Secondly, securing an interview with some key informants who had their own busy schedule posed a very great challenge. As a remedy, key informants were given freedom to schedule the time they would be available and in some instances this meant meeting outside regular working hours.

Thirdly, it was not easy to access NRW clients because of their unavailability at targeted or sampled water schemes. In a number of instances, it is children below eighteen years who were sent to make transactions at NRW mostly in form of bill payment. In order to curb this problem, two enumerators were later engaged in two schemes to collect data from the households within a given time. The time schedule for collecting data from clients was also extended so as to capture information from the target NRW clients. However, this extension affected the time frame for the entire study.

### **3.8 Data analysis**

The study analysed the collected data using thematic analysis and statistical analysis respectively. To begin with, thematic analysis is a method of analysing written, verbal or visual communication messages by drawing and interpreting common themes that they portray (Emmons and King, 1992). In this study, thematic analysis involved compiling recorded interviews, field notes and various types of discreet data, comparing them and interpreting them based on the emerging themes and sub-themes.



Secondly, statistical analysis was used to analyse data obtained through a survey questionnaire. Soon after collecting data from the field, there was data editing which mainly involved making corrections on the identification parts of several questionnaires whose identifications were not clear or had been altered in the field. The data obtained from clients and staff through the survey questionnaire was then captured into the Statistical Package for Social Scientists (SPSS). A preliminary statistical analysis was carried out using Version 23 of SPSS. This involved mainly frequency tabulations and cross tabulations whose main purpose was to detect if there were any mistakes that were overlooked during the data editing stage. This was meant to ensure that the integrity of the data was guaranteed. The final stage of data analysis entailed quantification of data and the production of tables and graphs in order to compare the percentages of NRW employees and clients in relation to their responses on each research question. The tables were obtained through SPSS' frequencies while graphs were obtained using SPSS' descriptive statistics and cross tabs. The final analysis triangulated statistical data with data obtained from KIIs, FGDs and literature. The results, conclusions and implications drawn from the data obtained from the population sample have a bearing on the entire study population (Alvi, 2016).

### **3.9 Study limitations**

The major limitation of the research was the sensitivity of corruption and the sanctioning function of the IIC as the subject matter. As observed by Phiri (2008), most people see the subject of corruption as a sensitive topic which makes it difficult to access relevant and unbiased information. Additionally, before engaging the participants the researcher could sense discomfort among some participants. This was anticipated because the facilitator is an employee of the Anti-Corruption Bureau which is predominantly associated with investigations of corruption cases and arrests of suspects. The facilitator could manage to reduce fears and anxieties by explaining the purpose of the research and using some other humorous techniques. This worked well.

The second limitation was the relationship between the researcher and NRW which had the potential of compromising the objectivity of the study. The researcher works for the

Anti-Corruption Bureau (ACB) and he is designated as the Desk Officer for NRW. The duty of the Desk Officer is to provide technical support to the IIC members as they implement their activities. The technical support mainly includes training of the IIC in their mandate and specific skills in prevention of corruption and unethical behaviour. To overcome this challenge, the researcher collected and analysed data from 2015 to 2018, mainly spanning the period when NRW had a different ACB Desk Officer. Besides, it is the duty of the IIC to implement activities in the institution and not the ACB Desk Officer.

Another limitation was the inability to engage NRW clients for FGDs. However, the views from clients were sourced through survey questionnaires which were semi-structured and provided enough space for clients to provide their qualitative and quantitative input. Despite these limitations, the findings should be a fair assessment of the sanctioning function of the IIC at NRW. In line with the foregoing methodology, the next chapter is the presentation and discussion of findings of this study.

## **CHAPTER 4**

### **DISCUSSION OF FINDINGS**

#### **4.1 Introduction**

This chapter presents and discusses the findings of the study. It highlights the key findings and then justifies them with explanations drawn from various literatures and the guiding theoretical framework. The chapter is divided into two main parts. The first part presents the demographic characteristics of the respondents that are critical to the analysis of the findings. The second part is the actual discussion and analysis of key findings based on the guiding research questions.

#### **4.2 Demographic characteristics of respondents**

The study included participants that met some characteristics that qualify the information provided as credible. The characteristics of participants included their gender, age, educational level, their relationship with NRW and the period they had been in relationship with NRW. These characteristics of study participants had also some important implications on the study findings.

##### ***4.2.1 Gender***

The study established that NRW engage both men and women as employees and/or as clients. However, the study did not employ quota-sampling technique based on gender because the statistics obtained for clients had no gender category. Again, the study reveals that NRW is a domain of both gender categories. In the sampled population, twenty-eight percent (28%) were female and seventy percent (70%) were male while two percent (2%) did not indicate their gender. Above all, the study suggests that corruption as a form of unethical conduct is of a concern to both categories of gender, male and female. This contradicts Hossain and Musembi's observation that corruption affects poor women more than men (Hossain and Musembi, 2010). Table 4 shows the distribution of respondents by gender.

***Table 4: Distribution of respondents by gender***

<b>Gender</b>	<b>Percentage</b>
Female	28%
Male	70%
No indication of gender	2%

#### ***4.2.2 Age***

The study involved participants who were adults above eighteen (18) years. Fifty-four percent (54%) were between 18 and 35 years, forty-one percent (41%) between 36 and 60 years, three percent (3%) were over 60 years, and two percent (2%) of the respondents did not indicate their age. Table 5 shows the age distribution of the respondents.

***Table 5: Distribution of respondents by age***

<b>Age range of respondents</b>	<b>Percentage</b>
Between 18 and 35 years	54%
Between 36 and 60 years	41%
Over 60 years	3%
No indication of age	2%

The implication of participants' age on the study is that NRW employees and clients are mature enough to make informed decisions regarding their relationship with NRW. The Constitution of Malawi regards every sane Malawian aged eighteen and above as an adult who can be held accountable for his or her action (GoM, 1998). This further meant that clients and employees involved in corruption as a form of unethical behaviour are not young but adults who make informed choices and are responsible, if not held accountable, for their actions.

#### ***4.2.3 Education***

The study noted that the majority (86%) of the participants had received at least formal education of up to secondary school level. Eight percent (8%) indicated to have reached up to primary level, fifty-five percent (55%) at secondary school level, thirty-five percent (35%) at tertiary level, and two percent (2%) did not indicate their level of education. Findings show that employees and clients generally have the ability to read the provisions of the NRW that prohibit unethical behaviour. This also reinforces the view that corruption as a form of unethical conduct involves persons at every level of education, high or low (Kaffenberger, 2012). Table 6 shows the distribution of respondents based on their level of education.

***Table 6: Distribution of respondents by level of education***

<b>Level of education</b>	<b>Percentage</b>
Primary school level	8%
Secondary school level	55%
Tertiary level	35%
No indication of education level	2%

#### ***4.2.4 Relationship with NRW***

The study noted that sixty-seven percent (67%) of respondents were clients and thirty-three percent (23%) were employees while the rest (10%) did not indicate their relationship with NRW. Nineteen percent (19%) of the respondents have been in the relationship with NRW for less than one year, thirty-two percent (32%) between one and three years and forty-seven percent (47 %) for more than three years. Therefore, the majority have been employees or clients of NRW for over one year. This entails that if NRW's IIC regularly publicise its mandate, the majority know the IIC and its interventions in curbing corruption as well as in handling cases of corruption and unethical behaviour (GoM, 2008). Table 7 shows the distribution of respondents based on their relationship with NRW.

***Table 7: Distribution of respondents based on their relationship with NRW***

<b>Relationship with NRW</b>	<b>Percentage</b>
Clients	67%
Employees	33%
No indication	10%

#### **4.3 Knowledge and importance of NRW's IIC and its sanctioning function**

Using the five Likert scale, the study enquired if participants were aware of the existence of the IIC at NRW and if they regard the sanctioning function of the IIC as important. Findings indicate that the majority of the employees know about the establishment of the IIC at NRW. Fifty-six (56%) of the respondents indicated that they are aware of the existence of the IIC at NRW while forty-four percent (44%) indicated that they are not aware. However, the majority (92%) of the employees who indicated that they are not aware of the IIC have been at NRW for less than a year. This implies that during the induction of these employees, little or no mention was made about the existence of the IIC and its function, or the participants were not able to acquaint themselves with the structural set-up of NRW. This implies also that the IIC does not regularly make itself visible to the employees as is required by the NACS (GoM, 2008).

The findings from the survey questionnaires further show that the majority of clients do not know about the establishment of the IIC at NRW. Only seven percent (7%) of the clients indicated that they are aware of the existence of the IIC at NRW while ninety-three percent (93%) showed that they are not aware that NRW has an IIC. Of those who are aware of the existence of the IIC, thirty-six percent (36%) indicated that they even know some members of the IIC while sixty-four percent (64%) know about the existence of the IIC at NRW but do not know the members that it constitutes.

On the importance of the sanctioning function of the IIC, the majority agree that the sanctioning function of the IIC is important. Ninety-three (93%) of the respondents agree or strongly agree that the sanctioning function of the IIC is important, while only two

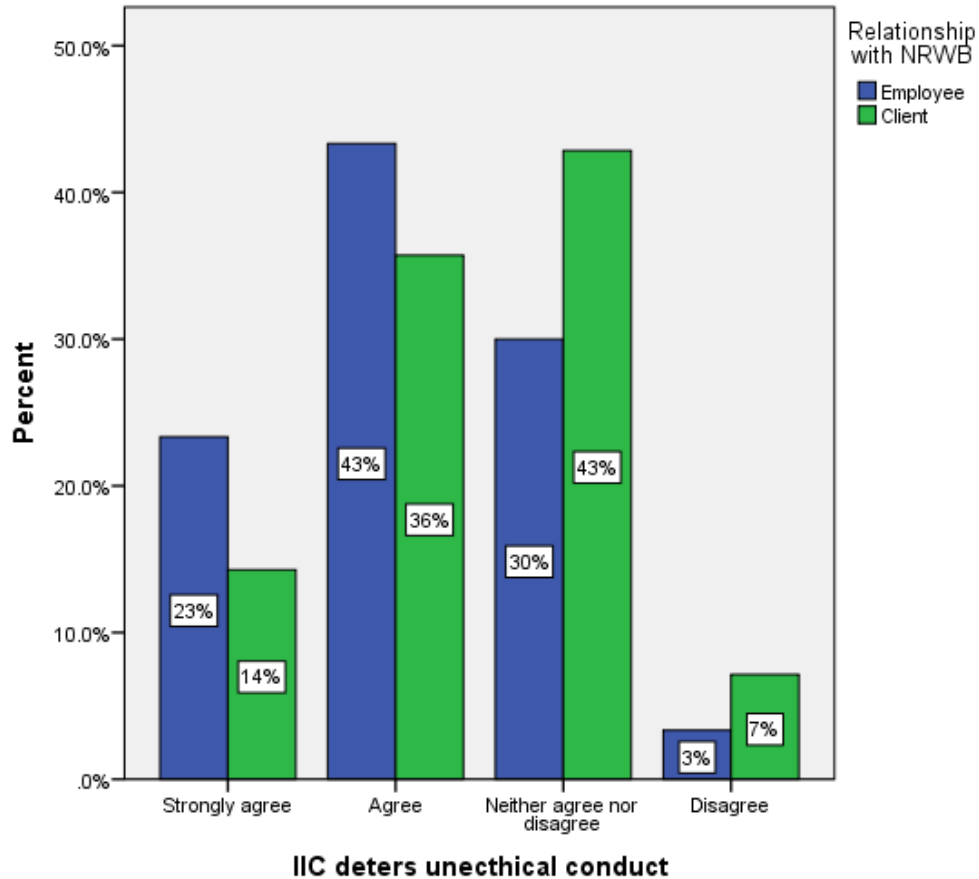
percent (2%) strongly disagree that the sanctioning function is important and four percent (4%) neither agree nor disagree.

Although a significant percentage of the respondents acknowledge the importance of the sanctioning function of the IIC, the majority of clients are not aware of the existence of the IIC let alone its sanctioning function. As such, the majority of clients are not in a position to provide the necessary corruption reports as expected by the IIC. This is contrary to the expectations of the NACS, which mandates the IIC to receive and provide redress on all complaints of corruption “emanating from within and outside the organisation relating to ethical issues and maladministration” (GoM, 2008, p.17).

#### **4.4 Deterrence of unethical behaviour**

The findings from the survey questionnaires revealed that a significant number of employees agree or strongly agree that the sanctioning function of the IIC deters employees and clients from corruption. Twenty-three (23%) of employees strongly agree, forty-three percent (43%) agree, thirty percent (30%) neither agree nor disagree and three percent (3%) disagree.

On the part of clients, a significant number neither agrees nor disagrees that the sanctioning function of the NRW deters employees and clients from corruption. Specifically, fourteen percent (14%) strongly agree, thirty-six percent (36%) agree and forty-three percent (43%) neither agree or disagree and seven percent (7%) disagree. A significant percentage of forty-seven percent (47%) of clients neither agree nor disagree likely because most of these clients are not conversant with the provisions of the NACs, particularly the roles of the IIC. This is evidenced by the huge percentage of clients who indicated that they are unaware of the existence of the IIC and its sanctioning function. Figure 2 below shows the statistics on how employees and clients rate the sanctioning function of NRW’s IIC in deterring corruption as a form of unethical conduct.



**Figure 2 : Rating of deterrence by employees and clients**

Similar to the findings from employees who responded to the semi-structured survey questionnaire, findings from all the three FGDs and all KIIs indicate that the sanctioning function of NRWB's IIC to a certain extent deters employees and clients from indulging into corruption or any form of unethical conduct. The FGDs and KIIs further reveal two different deterrent factors among employees and clients; fear of the consequences of unethical behaviour and fears of being reported.

#### ***4.4.1 Fear of the consequences of unethical behaviour***

The findings obtained from FGDs indicated that the sanctioning function of the IIC deters employees and clients from indulging in corruption or unethical behaviour because the



fear of the consequences that ensue once the unethical behaviours are detected. In one of the focus group discussions this statement came out:

*Para munyithu wamukhizya udindo panyake nchito yamala chifukwa cha vimbundi, chikupangiska ise kuleka vimbundi chifukwa tikwamba kopa kuti nase vingatichitiraso.* [Once our colleague has been demoted or fired from work because of corruption it causes us to refrain from corruption for fear of experiencing the same consequences].

Based on the foregoing statement, it is evident that NRW IIC does pursue cases of corruption and at times the pursuit of these cases leads to demotion or dismissal from work. The statement further shows that demotion and dismissals from work are some of the disciplinary measures that lead employees to refrain from corruption. This finding concurs with Popescu's observation that the implementation and enforcement of sanctions among employees to a certain extent keep under control employees' behaviour in order to prevent wrongdoing, and this control comes because of fear of the consequences of corruption as a form of unethical behaviour (Popescu, 2016).

#### ***4.4.2 Fear of being reported or discovered***

In addition to the findings from FDGs, KIIs revealed that the sanctioning function of the IIC does not only create fear of consequences of unethical behaviour among employees and clients but also fears of being reported. One key informant argued that employees and clients cannot fear the consequences of unethical conduct if they are assured that they cannot be reported or uncovered. He added:

*Once the IIC has handled a case of unethical conduct, employees become very aware that any of their misconduct can be revealed and can be dealt with accordingly. They start distrusting their friends and avoiding unethical conduct for fear of being reported or uncovered.*

It can be argued, however, that the fear of being reported and the fear of the consequences of corruption or any form of unethical behaviour are not exclusive of each other. They are complementary. If an employee or client is reported for being involved in

an unethical conduct without incurring any consequence, there can be no fear among employees and clients. Therefore, employees and clients fear of being reported to have been involved in corruption or any form of unethical conduct because of the consequences that follow even after being reported. This finding is in tandem with Gailmard's argument that the agents must be accountable to the principal and the principal must punish misbehaviour in order to make other agents refrain from unethical conduct (Gailmard, 2012).

#### ***4.4.3 Limitations of fears in deterrence to corruption***

Findings from KIIs and FGDs also indicated that the fears created by the IIC's sanctioning function are often short lived. They indicated that these fears are largely experienced soon after some employees and clients undergo punitive disciplinary measures such as demotion in position or dismissal from work or disconnection of water supply to the clients' facilities. With the passage of time, the employees or clients find other justifications for indulging themselves into corruption or unethical behaviour. They later start believing that the employees or clients who had been punitively disciplined were just unfortunate especially when they see some fellow employees getting away with corruption. One participant from one of the three FGDs said:

*Pala wanyitu nchito yawasuzga chifukwa cha umbendezi tose tikopa kuchita umbendezi, kweni wofi ukuwa wa nyengo yichoko waka chifukwa tikuzaghanaghana kuti panyake wanyitu wakawa nasoka waka.* [When our colleagues are disciplined because of unethical behaviour, we fear and refrain from unethical behaviour for a while. The fear is short lived because we later start thinking that our colleagues perhaps were just unfortunate.]

Similar to the findings from FGDs, KIIs indicated that the sanctioning function of the IIC does not fully deter employees and clients from corruption or any form of unethical conduct. They indicated that employees and clients calculate the cost and benefit for involving themselves in an unethical conduct. They indulge themselves in an unethical behaviour when they establish that the cost upon being discovered would be very

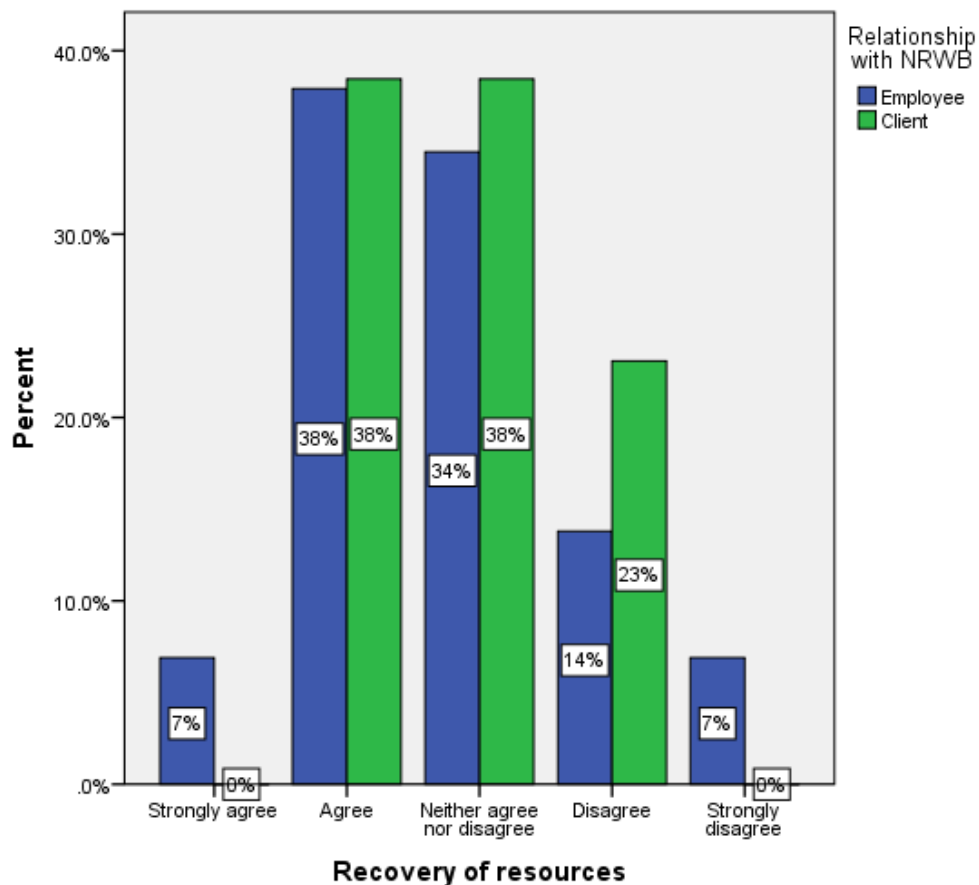
minimal in comparison to the benefits gained. When the cost would be far much greater than the benefit to be gained most employees and clients tend to avoid the misconduct.

Therefore, the sanctioning function of the IIC cannot always be trusted that it will ensure that all employees and clients refrain from corruption or any form of unethical behaviour. The application of punitive measures on employees and clients who misbehave does not entirely eliminate undesirable behaviours. However, this is contrary to Aristotle's assertion that the agent "must choose the acts and choose them for their own sakes, and thirdly his action must proceed from a firm and unchangeable character" (Aristotle, 1962, p. 34).

For the sanctioning function to fully deter clients and members of staff from unethical behaviour, therefore, it should be complemented by other functions such as regular reviews of systems and procedures, constant sensitization of staff members and clients on ethics and ensuring that supervisors, scheme coordinators and all senior members of staff live by example. The last complement is in tandem with principal-agent theory where the principals comprising of senior members of staff and supervisors are virtuous people whose behaviour agents or general members of staff have to emulate (Miller, 2005).

#### **4.5 Recovery of resources lost through corruption**

The findings from the survey questionnaires revealed that both employees and clients are largely divided on whether the IIC helps to recover resources lost through corruption or not. While some employees (45%) either strongly agree or just agree that the IIC helps in recovery of resources lost through corruption, a significant percentage of employees (38%) neither agree nor disagree and twenty-seven percent (27%) disagree or strongly disagree. On the part of clients, thirty-eight percent (38%) agree, thirty-eight percent (38%) neither agree nor disagree and seven percent (7%) disagree. Figure 3 below shows the employees' and clients' rating of recovery of resources lost through corruption.



**Figure 3 : Rating of the recovery of lost resources among employees and clients**

While the findings from the survey questionnaire indicated that employees and clients are largely divided on whether the IIC manages to recover resources lost through corruption, FGDs showed that employees are not aware whether the IIC manages to recover resources lost through corruption or not. However, KIIs indicated that NRW's IIC endeavours to recover or confiscate resources lost through corruption using any of the two means; criminal confiscation and/or administrative confiscation.

#### ***4.5.1 Criminal confiscation of lost resources***

The KIIs indicated that the IIC at times endeavour to recover resources criminally, but they were quick to indicate that this method has always been unsuccessful. According to the World Bank Group (n.d), criminal confiscation requires the use of law enforcement agencies such as police and courts. Findings from NRW show that the corruption cases that attract the use of police and courts include instances when NRW items embezzled by employees or clients are kept in a private property, and instances when clients refuse entry of NRW staff to inspect water supply in their private property.

The study, however, discovered that NRW's IIC does not fully depend on police and courts in recovery of resources lost through corruption. This is because, based on NRW experience, cases handled by police and courts take long to be completed and do not yield expected results. Based on the interviews with key informants, the police and courts have hardly helped in recovery of lost resources in corruption cases that the IIC decided to involve them. This is because in most instances those cases have ended up being discharged from courts, or the accused have ended up being acquitted.

From these findings, it is evident that the IIC has no total control over the criminal method of recovering resources lost through corruption. Whenever the criminal approach in recovering resources lost through corruption is used, the IIC fails to perform its duty of the principal in recovering the lost resources. This is because the process of recovering the lost resources and the time involved is externally determined by the police and courts. The IIC's dependency on external agencies in the criminal approach, therefore, fails to meet the principal-agent model's requirements where the principal is the final authority over the agents (Panda and Leepsa, 2017). It can be concluded, therefore, that the criminal method of recovery of resources lost through corruption is not effective as it does not meet the expectations of the IIC as the principal.

#### ***4.5.2 Administrative confiscation of lost resources***

The KIIs further indicated that the IIC often manages to recover some resources lost through corruption using administrative means. According to OECD (2018),

administrative confiscation generally involves a non-judicial mechanism for confiscating assets lost through unethical conduct pursuant to procedures set out in organization's regulations, codes or policies. Generally, administrative confiscation is restricted to low-value assets or certain classes of assets and any amount of cash, but not real property.

The study shows that different mechanisms are used to recover resources lost through corruption from NRW clients and employees. First, in cases where the revealed corruption or unethical behaviour of an employee led to loss of resources from NRW, the loss is calculated in terms of cash and deducted from the employee's salary or from any accrued employee's benefits except the pension savings. However, in many cases the lost resources are far beyond the employee's salary or accrued benefits, and in those cases NRW is unable to recover all the lost resources. Currently, the IIC cannot recover from the pension fund because in line with the Pension Act, the employer cannot retrieve the employees' pension benefits from the trustee or manager of the fund (GoM, 2011). As stated by one of the key informants:

*Previously, before the Pension Act came into force in 2011, we could recover resources lost through unethical behaviour by deducting even from the pension fund of an employee involved in an ethical behaviour. This time we cannot deduct from the pension fund because it is illegal, if not impossible, to do so. As a result, often, very little is recovered from huge losses caused by unethical employees.*

The sentiments are based on Section 73 and 75 of the Malawi's Pension Act. Section 73 states that the pension fund benefits "shall not be attached, sequestrated or levied upon in respect of any debt or claim" while section 75 states that the pension fund benefits "shall not be capable of being assigned or transferred, or pledged or charged or otherwise being subject to a security interest" (GoM, 2011, p.42-43). Therefore, following the enactment of the Pension Act, NRW IIC do not recover lost resources from the concerned employees' pension benefits but rather from salaries and other accrued benefits which, from the findings, are often far less than the resources or funds lost.

Secondly, in cases where a client is involved in illegal connection of water to a facility, NRW disconnects water supply, calculates the loss incurred and asks the client to settle the bill before water supply is reconnected to the facility. In most cases, clients comply and pay all the bills. But there are cases where clients fail to pay especially when the bill charged is beyond their capacity to pay. In these cases, the only available remedy is to refer the matter to law enforcement agencies, which according to the KIIs have always been unsuccessful.

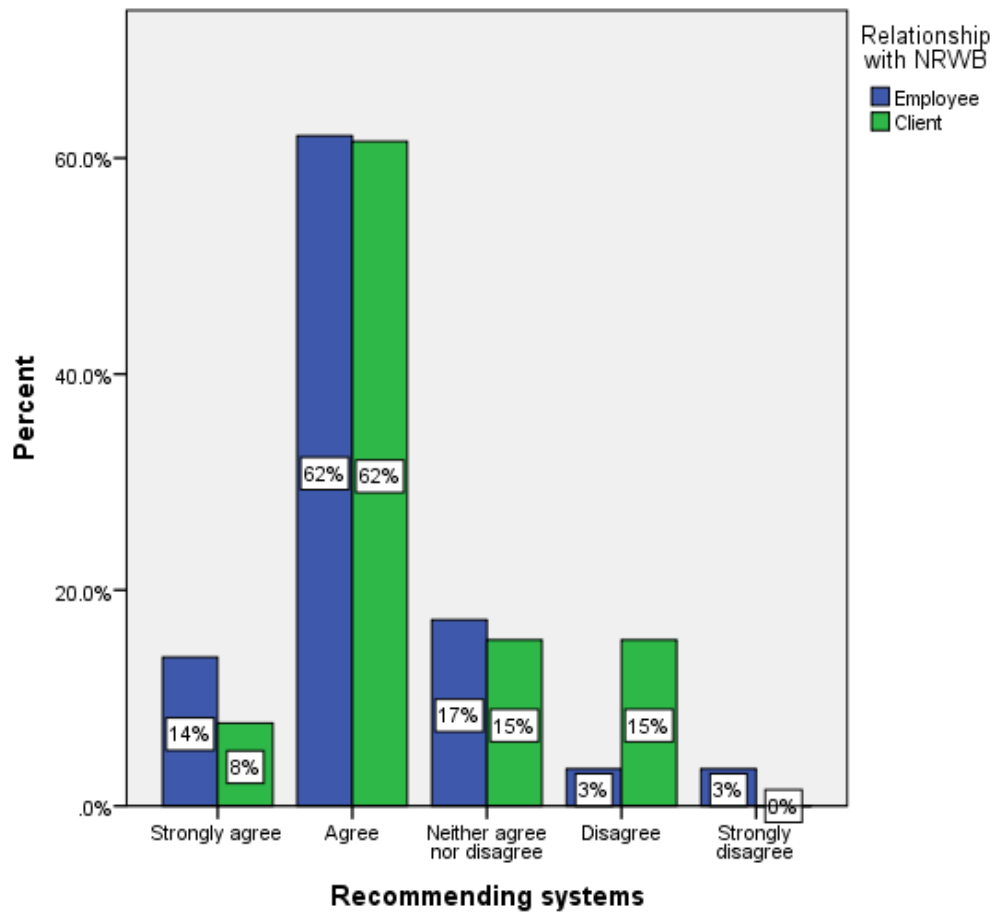
From the above exposition, it can be concluded that the use of NRW administrative mechanisms for recovery of resources lost through corruption yield better results than the use of the criminal method. Administratively, the IIC as a principal is able to recover some resources lost through corruption. However, when NRW's IIC is unable to recover some resources administratively, the criminal method is engaged although, from NRW's experience, it often proves unsuccessful. This, however, has proved unhelpful. Findings indicate that full recovery of lost resources from employees involved in corruption fails because the Pension Act does not allow the employer to deduct any amount from employees' pension fund (GoM, 2011).

#### **4.6 Review of systems and procedures after unethical conduct**

The study shows that NRW IIC manages to recommend changes of systems and procedures following a case of corruption or any unethical conduct. The findings from the survey questionnaires revealed that most employees agree or strongly agree that the IIC recommends review of systems and procedures following a case of corruption. Fourteen percent (14%) strongly agree, sixty-two percent (62%) agree, seventeen percent (17%) neither agree nor disagree and six percent (6%) either disagree or strongly disagree.

On the part of clients, the majority agrees that the NRW's IIC recommends review of systems and procedures following a case of corruption. Specifically, eight percent (8%) strongly agree, sixty-two percent (62%) agree, fifteen percent (15%) neither agree nor

disagree and fifteen percent (15%) disagree. Figure 4 below shows the rating of employees and clients on recommendation of systems and procedures.



**Figure 4 : Rating on review of systems and procedures**

The findings from KIIs and FGDs also indicate that the IIC is very quick in recommending changes in the work systems and procedures after the pursuit of a corruption case or any unethical conduct. Both the KIIs and FGDs repeatedly cited two examples of corruption that led to the recommendations for review of systems and procedures. These are tampering with clients' water bills and illegal water connections. Apart from that, it is within the mandate of the IIC to regularly review "work procedures or systems" in order to seal loopholes that necessitate or may necessitate corruption to occur (GoM, 2008, p. 17).



#### ***4.6.1 Tampering with clients' water bills***

Findings indicate that NRW recently recorded a number of cases where employees tampered with clients' bills and received fees from the clients for reducing the bill. Some employees went further to issue counterfeit receipts to clients. These practices fall in the category of fraud as a form of corruption. According to Abdullahi and Mansor (2015) fraud is any act that is characterised by deception aimed at obtaining a personal benefit from the act. Upon pursuing these corruption cases, the IIC uncovered that the billing system, by its design, gave room to employees to tamper with bills without being identified. The IIC recommended strengthening the billing system by ensuring that any transaction recorded in the system must be accompanied by the name of the employee who made the transaction. NRW effected this recommendation immediately.

Additionally, the IIC recommended the development of an ICT policy which would also strengthen controls of the NRW information system. Some of its provisions include employees' responsibility in the management of passwords and NRW information. Soon after its finalization, every employee signed to pledge abidance to its provisions.

#### ***4.6.2 Illegal water connection***

The findings from KIIs revealed that illegal water connection to clients is one of the major problems that the water board has currently faced. Some employees connect water illegally to clients' facilities and receive some personal benefit from these acts.

The study found that, when cases of illegal connections started increasing in number, the IIC recommended regular swapping of personnel in locations in order to thwart such malpractices. Secondly, there is segregation of duties such that there are those who issue a quotation for connection to the client's facility and there are those who install water to the facility. In addition, the coordinator for the water scheme conducts spot checks on the facilities supplied with water to ensure that there are no illegal connections to clients' facilities. This division of labour is meant to ensure that there are checks and balances on installation of water to clients' facilities. It is evident therefore that the IIC holds the

employees accountable for their actions as required by the principal- agent model (Ledeneva, Bratu and Köker, 2017).

The study also found that the IIC has also delegated some of its duties to scheme coordinators and other employees to act as watchdogs over each other. However, it was indicated by one of the key informants that there is possibility that some employees and scheme coordinators, because of close friendships, collude with each other into illegal connection of water or sympathise with employees who are involved in illegal water connection. This is in tandem with an observation that one of the major weaknesses of the principal-agent model is that when the principals, those who have to watch over others, become corrupt, they render the model impractical (Schwertheim, 2017).

#### ***4.6.3 Regular reviews of systems and procedures***

The study also showed that systems and procedures at NRW are not only reviewed following a case of unethical conduct. The key informants' interviews revealed that the IIC, in liaison with the Anti-Corruption Bureau, is required to review work systems and procedures to ensure that there are no loopholes that necessitate corruption or unethical behaviour to take place. The study showed that the IIC conducted a comprehensive review of systems and procedures in 2016, which was termed as "NRWB Integrity Toolbox". The "Toolbox" focused on key areas of NRW, namely consumer service, operations and maintenance, financial management, procurement and contracts management, governance, management and controls and also human resources management and employment. The integrity risks affecting these key areas of NRW operations were identified, described and possible mitigating measures were recommended. This is in line with one of the provisions of the NACS that mandates the IICs to regularly review work systems and procedures (GoM, 2008).

The study reveals that most of the actions that were recommended in the Integrity Tool Box have been implemented by NRW. These include regular swapping of sales representatives, development of client's service charter, review of corruption prevention policy, streamlining anticorruption messages in procurement bidding processes,

development of alternative modes of bill payment, developing clients service charter, among others. The study shows that the implementation of Tool Box has been very instrumental in improving the work systems and procedures at NRW. However, since 2007, there has been no comprehensive review of the toolbox let alone a comprehensive review of systems and procedures.

Thus, although the IIC is quick in reviewing systems and procedures following a case of corruption or unethical conduct, the recent cases of unethical conduct at NRW might be because of lack of generic and regular reviews of systems and procedures. Therefore, the study suggests that the IIC needs to be proactive by reviewing work systems and procedures long before cases of corruption erupt. This will likely prevent or reduce the occurrence of corruption cases that occur due to weaknesses in the systems and procedures.

#### **4.7 Challenges of the sanctioning function of NRW's IIC**

The study revealed that the sanctioning function of NRW's IIC faces challenges that limit it from achieving its intended purpose. Due to these challenges, NRW's IIC fails to fully act as a principal over the employees and clients of NRW. Interviews with key informants, focus group discussions (FGDs) and survey questionnaires revealed a variety of challenges that the IIC faces in its task of handling cases of corruption and unethical conduct. However, all the stated challenges relate to three major shortcomings namely: lack of awareness of the IIC's sanctioning function among the employees and clients, weak recruitment process of employees and favouritism in handling of corruption cases and difficulty in accessing evidence for a detected corruption or unethical conduct.

##### ***4.7.1 Lack of awareness of the IIC's sanctioning function among employees and clients***

The findings from the survey questionnaires indicated that lack of awareness of the IIC's sanctioning function is one of the major challenges facing the IIC. While the majority of the respondents did not cite any challenge, 10% and 5% of the employees and clients respectively cited this as a major challenge.

Findings from all the three FGDs also showed that NRW employees are not fully aware of the process followed in handling cases of unethical behaviour. They indicated that the little knowledge they have about the process of handling cases of unethical behaviour was mainly obtained from their fellow employees who had ever undergone some disciplinary processes. For this reason, their knowledge of the process is scanty.

However, based on the information obtained from KIIs and FGDs, all employees go through inductions before they start work at NRW. The induction involves reading and signing the policies of the NRW including the code of ethical conduct and the corruption prevention policy, which contain, among others, the processes followed in handling cases of corruption and unethical conduct. However, the findings from FGDs further indicated that employees do not read the policies but rather just sign them without internalising the contents of the policies. Participants in one of the FGD stated:

*Pala talembeka nchito ku Water Board tikuwa wakukondwa chomene kweniso tikuchimbilira kusayinira chilichose kwambula kuwazga ivyo tikusainira. Tikuzazizwa para wakuvizunura pala wabuda* [When we get employed at NRW, we become so excited that we rush to sign any document without reading its contents. We get surprised when they cite them during disciplinary hearings].

The study further revealed that the IIC does not regularly sensitize employees on the provisions of the code of ethical conduct and the corruption prevention policy. This is contrary to the requirement of the NACS, which mandates the IIC to regularly train staff in ethics and sensitize them on ethical tools of the organisation (GoM, 2008).

The study also indicates that most of the clients are not aware of the process followed by NRW in handling cases of corruption or unethical conduct except those who had been involved or suspected to have been involved in unethical conduct concerning their clientele with NRW. Clients who have been involved or suspected to have been involved in unethical behaviour are approached for questioning before a resolution is

been made. This finding is in tandem with the earlier indication that most clients are not aware of NRW IIC let alone its roles.

#### ***4.7.2 Weakness in the recruitment process of employees***

The findings from the key informants indicate that the recruitment process at NRW necessitates employment of some corrupt personnel. These corrupt employees find means to defraud NRW no matter how good the system is and no matter how much they can be taught to refrain from corruption. This is in line with the observation by Goldfield (2015) that codes and policies work well when they are implemented by willing people and that reviews of systems and procedures become effective when personnel are inclined to abide by the demands of the reviewed systems and procedures.

The study found that the specific weakness of the recruitment process lies in the vetting of prospective employees, which relies on a written recommendation from their referees and previous employers. For almost all prospective employees, their referees and previous employers provide good recommendations. However, in a number of cases of unethical conduct handled by NRW's IIC, it has transpired that the employees concerned have had cases of unethical conduct even with their previous employers. As stated by one of the Key Informants: *"The Board, whether by accident or not, employed some people without realising that they had big disciplinary issues with their previous employers and the Board realized this when these employees committed big offences within the Board."*

The above exposition is in line with Lessig's observation that corruption may be caused by bad people who are managing good systems (Lessig, 2013). Again, bad people are not responsive to policies and codes of ethical conduct. In cases where bad people manage the systems, no matter how good the systems are, bad people will still find means to benefit from the systems (Mungiu-Pippidi, 2011). It is evident, therefore, that the positive strides achieved by review of systems and procedures are easily offset by the weaknesses in the recruitment process. As earlier stated, the recruitment process necessitates the

employment of corrupt personnel who constantly fight the systems and procedures in order to find personal benefits from them.

#### ***4.7.3 Difficulty in gathering evidence from witnesses***

Interviews with key informants revealed that the IIC has often times found problems to get information from witnesses. A witness, in this case, is a person who is required to appear before the IIC or an investigation team or court to answer questions about a case or provide information that would help to prove or disapprove an offence (Truelove, Vasardani and Winter, 2015). Most witnesses engaged by the IIC in various cases of unethical conduct are not willing to give information that would lead an employee or a client into some punitive disciplinary measures. Of course, this problem is coupled with lack of training of IIC members in complaints handling and basic investigation skills. The Key Informants interviews indicated that witnesses hold different reasons for hiding the information. Some say that their religious beliefs do not allow them to “put other people into trouble.” Others fear that they would be bewitched or persecuted by offenders if they provide evidence for the offence committed. As observed by Kim (2016), there is a considerable number of witnesses or potential witnesses who are very reluctant to testify fearing for their safety. On top of that, others argue that they feel inhumane or uncomfortable to put their long time workmates and friends into trouble as stated by one of the key informants: *“ena amanena kuti safuna munthu azizawandandaula kuti ndiiwowo anapangitsa kuti wina ntchito imuthere”*. [Some say that they don’t want anyone to be complaining about them that they influenced the dismissal of someone from the job.]

It is, therefore, clear from the above statement that some employees and clients prefer serving their interests or the interests of fellow employees or clients to serving the interests of NRW IIC’s. This is contrary to the principal-agent model, which require agents to serve the interests of the principal (Miller, 2005).

#### ***4.7.4 Favouritism in reporting and handling corruption cases***

Findings from survey questionnaires showed that favouritism in handling of corruption cases is another challenge that besets the IIC's sanctioning function. However, only five percent (5%) of the respondents indicated this as a challenge while ninety-five (95%) were silent. Two of the FGDs out of three also indicated that the IIC faces challenges in dealing with corruption because employees and clients do not report corruption that involves their cronies, friends or relations. Additionally, they pointed out that the IIC also find challenges in handling cases that involve members of the IIC, their relations or friends. However, interviews with the key informants indicated that in accordance with the code of conduct and the corruption prevention policy of NRW, the decisions of the IIC are checked and approved by the NRW management to ensure that there is no favouritism in handling corruption cases. This implies that the NRW management ensures that agents are treated equally before the principal, thus acting as a principal over the IIC which is also a principal over employees and clients.

#### **4.8 Chapter summary**

In summary, the findings show that NRW's IIC ensures that its sanctioning function is operational. The IIC attempts to deter agents from unethical conduct, recover resources lost through corruption and review systems and procedures. Overall, however, its functionality is marred with both internal and external challenges thereby affecting its effectiveness in deterring would-be corrupt employees and clients, recovering resources lost through corruption and reviewing systems and procedures following the case of corruption or unethical conduct. The next chapter presents the conclusion and implications of the findings.

## **CHAPTER 5**

### **CONCLUSION AND IMPLICATIONS**

#### **5.1 Introduction**

This chapter presents a summary of the study findings and their respective implications on the main research question. The main research question was: Is the sanctioning function of the IIC effective in the fight against corruption at NRW? Drawing from the main research question, the sub-research questions sought to find out whether the sanctioning function of the IIC deters would-be offenders, recovers resources lost through corruption and help to provide recommendations for review of systems and procedures following the handling of cases of corruption. The research adopted a mixed methods approach, combining qualitative and quantitative research designs to collect and analyse data so as to address the sub-research questions. Using the findings on the set sub-research questions, the principal-agent theory of change provided the framework for assessing the effectiveness of the sanctioning function of the NRW's IIC.

The study argues that while the NRW's IIC, as a principal from the principal-agent model, ensures that its sanctioning function is operational, its functionality is marred with both internal and external challenges. Internal challenges include lack of awareness of the IIC's sanctioning function among employees and clients, weakness in the recruitment process of employees, and difficulty in gathering evidence for a corruption case from witnesses. On the other hand, external challenges include delays or failure by police or courts in execution of corruption cases referred by NRW, and restrictions posed by the Pension Act from recovering resources lost through corruption from the Pension Fund. Overall, therefore, the study has revealed that the sanctioning function of the NRW's IIC, though functional, is to a larger extent not effective. The study further argues that NRW's IIC can scale-up the effectiveness of its sanctioning function by eradicating or minimising the internal and external challenges that limit its effectiveness.



## **5.2 Synopsis of the main findings**

The study established that the IIC largely performs its sanctioning function. This is a positive step towards achieving the aim of the NACS. However, the study shows that the IIC has not been very successful in its sanctioning function due to a number of factors that affect its efforts to deter would-be offenders, recover resources lost through corruption and recommend review of systems and procedures following cases of corruption. In order to achieve the desired effectiveness in its sanctioning function, the IIC needs to first mitigate these challenges. The following part outlines the summary of the findings and the factors affecting the deterrence of would-be offenders, recovery of resources lost through corruption and recommendation of review of systems and procedures following cases of corruption.

### ***5.2.1 Deterrence***

The study has revealed that the sanctioning function of NRW's IIC to a certain limited extent deters employees and clients from indulging themselves in unethical conduct. This finding concurs with Popescu's observation that the implementation and enforcement of the code of conduct to a certain extent keep under control agents' behaviour in order to prevent wrongdoing among them (Popescu, 2016). However, there are also indications that the clients and employees' fears to indulge themselves in corruption are often short lived. The fears are strong when some employees and clients undergo disciplinary measures for their misconduct but these fears fade away with time.

Further, the study shows also that clients and employees' fears to indulge themselves in corruption are often short lived because of lack of regular sensitization of the provisions of NRW Ethical Code of Conduct and NRW Corruption Prevention Policy. As a result, agents which comprises of employees and clients, are not fully aware of all the details of the documents and the consequences that ensue when employees and clients, the agents, violate the provisions contained there-in. The other implication of this is that employees and clients, as agents, feel unfairly treated when they are punished by the principal based on provisions of the code of conduct and corruption prevention policy that they are not fully aware of.

### ***5.2.2 Recovery of resources***

The study shows that the IIC recovers resources lost through unethical behaviour using two methods, criminal confiscation and administrative confiscation. However, it was found out that NRW prefers recovering lost resources administratively to recovering criminally due to the challenges that characterise the criminal proceedings such as delays and uncooperativeness of witnesses. Additionally, no example of a case could be cited that NRW managed to recover lost resources using the criminal method.

However, the study revealed that the use of administrative method of recovering resources has also its own limitation. In cases where the lost resources are beyond the employee's salary or accrued benefits such as leave grants, NRW is unable to recover all the lost resources. Following the enactment of the Pension Act, NRW, as it is with any other institution in Malawi, is restricted from recovering lost resources from the Pension Fund. Any recovery of resources from employees and clients beyond NRW's jurisdiction requires a criminal method, which is quite rigorous and involving.

The implication of these findings is that although the IIC, the principal, endeavours to recover lost resources within its jurisdiction, it has limited powers. It depends on other external agencies such as police and courts to recover resources that fall beyond the salary or benefits of the employee or client. The IIC cannot also usurp the roles of police and courts because such roles fall outside its jurisdiction and it is only the government that can alter or change these roles. This is contrary to the expectation of the principal-agent theory which regards the principal as a final authority (Panda and Leepsa, 2017).

### ***5.2.3 Review of systems and procedures***

The study shows that NRW's IIC is very quick in recommending changes of systems and procedures following a case of corruption that leads to the loss of organisational resources. The reviews of systems and procedures aim at sealing loopholes that augment the temptations for corruption to take place. The study reveals also that, so far, the IIC has reviewed the billing system and the water connection process in order to seal the

loopholes that had promoted corruption to take place in these two areas. However, no matter how tight the systems and procedures are, corrupt employees still find ways to defraud NRW. The study findings show that these corrupt employees find their way into NRW because of the weak recruitment process which relies on written recommendations from the employee's referees or previous employer.

The implication of this is that the IIC must not focus only on review of systems and procedures, and changing the behaviour of its employees and clients through policies and training, but also ensuring that new recruits are vetted thoroughly before they are fully employed. In this case, the IIC, as the principal, shall ensure that only the recruits who have specific moral qualities and are willing to serve the interests of the IIC, the principal, qualify to be its agents. This is in tandem with the observation by Goldfield (2015) that codes and policies work well if they are implemented by willing agents.

### **5.3 Recommendations**

In order to ensure that the paper is not just academic but also practical and user friendly in times of decision making as it may be expected of applied ethics (Collste, 2007), the paper has included recommendations. Based on the findings, the following recommendations are critical for scaling up the effectiveness of the IIC's sanctioning function.

- The IIC needs to conduct regular sensitization of employees and clients on the provisions of the National Anti-Corruption Strategy and internal anti-corruption policies.
- NRW should conduct routine and thorough vetting of new recruits before offering them full employment.
- NRW needs to organise regular trainings of IIC members particularly on complaints handling and basic investigation skills.
- ACB should lobby Malawi Government to provide legal provisions that would necessitate institutions to use administrative means to recover any amount of resources lost through corruption.

Although relevant implications and conclusions have been drawn from the findings, this study has its own limitations. The main limitation lies in its scope and design. The study focuses on NRW only and leaves out other institutions which also have IICs. In addition, the study focuses on the sanctioning function of the IIC and leaves other roles of the IIC. Given the limitations of the study, there is also need for a further research on the following areas:

- An assessment of the sanctioning function of the IICs in the Malawi's public and private institutions.
- Finding the correlation between the sanctioning function of the IIC and other roles of the IIC.

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## APPENDICES

### Appendix 1: Informed Consent Form – English Version



Chancellor College  
Philosophy Department  
Master of Arts in Applied Ethics

**Title of Project: The Sanctioning Function of the Institutional Integrity Committee in the Corruption Fight: The Case of Northern Region Water Board (NRWB)**

#### **Informed Consent Form**

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**Purpose of the Study:** The purpose of this study is to assess the effectiveness of the sanctioning function of the Institutional Integrity Committee (IIC) in the corruption fight in reference to Northern Region Water Board (NRWB).

**What will be done?** You will complete a questionnaire, which will take about ten (10) minutes. The questionnaire will include questions concerning your relationship with NRW and the effectiveness of the sanctioning function in deterring unethical behaviour, recovery of lost resources and improvement of systems and procedures.

**Benefits of this Study:** You will be contributing to knowledge about the relevance of the Anti-Corruption Strategies particularly the sanctioning function of the IIC.

**Risks or discomforts:** No risks or discomforts are anticipated from taking part in this study. But if you feel uncomfortable with a question, you can skip that question or

withdraw from the study altogether. If you decide to quit at any time before you have finished the questionnaire, your answers will NOT be recorded.

**Confidentiality:** Your responses will be kept completely confidential. Each participant will be assigned a participation number, and only the participant number will appear with your responses. Only the researcher will see your individual responses. The responses will be securely kept within the Department of Philosophy's premises for some time before they are destroyed.

**Decision to quit at any time:** Your participation is voluntary; you are free to withdraw your participation from this study at any time. You also may choose to skip any questions that you do not wish to answer.

**How the findings will be used:** The results of the study will be used for scholarly purposes only. The results from the study will be presented in educational settings and at professional conferences, and the results might be published in a professional journal.

**Contact information:** If you have concerns or questions about this study, please contact the Head - Department of Philosophy, Dr Yamikani Ndasauka by email: [yndasauka@cc.ac.mw](mailto:yndasauka@cc.ac.mw) or phone: +265 99 74 67 877; or Postgraduate Coordinator, Dr. Simon M. Makwinja by email: [smakwinja@cc.ac.mw](mailto:smakwinja@cc.ac.mw) or phone: +265 99 12 14 677.

I..... acknowledge that I have read this information and agree to participate in this research on .....

## Appendix 2: Informed Consent Form – Tumbuka Version



Chancellor College  
Philosophy Department  
Master of Arts in Applied Ethics

**Mutu wa Kafukufuku:** Kafukufuku wa nchito ya Komiti ya kulutiska pantazi nakawiro kawiro (IIC) pakulimbana na katangale ku Northern Region Water Board (NRWB)

### **FOMU YAKUZOMEREZGA KUTOLAPO LWANDE PAKAFUKUFUKU**

---

**Ulato:** Ulato wa Kafukufuku uyu ni kulondolozga pala nchito ya Kimiti ya kulutiska pantazi kawiro kawemi (IIC) ku Northern Region Water Board (NRWB) yikovwira kuchepeska vimbundi na katangale.

**Nchito:** Muzgolenge mafumbo ayo ya mutoleleninge mphindi zambula kujumpha khumi. Mafumbo yakhwaskenge chibale chinu na NRW na umpo komiti ya kulimbana nakawiro kaheni mu NRW yikutewetera milimo yake pakukanizya vimbundi, kuwezya katundu uyo wasakazgika kweninso kupereka vinjeru pakendeskeru kawemi ka milimo ya NRW.

**Uwemi wa Kafukufuku uyu:** Movwirenge kupereka maghanoghano ghinu pa uwemi wa ndondomeko zakulimbana na katanaglae na vimbundi muno mu Malawi chomenechomene makomiti ya kulimbana na katangale mumauphu.

**Kuleka Kufwasa Pakuzgola Mafumbo:** Paliye chiheni chilichose icho mungakumana nacho pakutolapo lwande pakafukufuku uyu. Kweni pala mundafwase yayi pakutolapo lwande, mukaleka panyake kujumpha mafumbo ayo mundakhumbe kuzgola. Mungalekaso kuzgola mafumbo nyengo yiliyose.

**Chisisi:** Mazgolo yinu yasungikenge mwachisisi. Uyo wakupanga kafukufuku yekha ndiyo wamanyenge vyakafukufuku Mazyolo yasungikenge ku Chancellor College mu malo ya Department of Philosophy kwa kanyengo pambere yandotcheke.

**Khombo la Kuleka kutolapo lwande:** Kutolapo lwande mukafukufuku uyu ni khumbomlinu kweniso muli wanangwa kuleka kutolapo lwande nyengo yiliyose. Mungalekaso kuzgola mafumbo yanyake pala mundakhumbe.

**Nchito ya Mazgolo:** Mazgolo yinu yagwiriskikenge nchito pa masambiro kweniso pamaungano ya masambiro. Mazgolo yangalembekaso ngati buku panyake mu buku.

**Mafumbo panyake Kumanya vinandi:** Pala muli namafumbo pa kafukufuku uyu, khwaskanani na walala wa Department of Philosophy mwanteura: Dr Yamikani Ndasauka: email: [yndasauka@cc.ac.mw](mailto:yndasauka@cc.ac.mw) or phone: +265 99 74 67 877; panji Dr. Simon M. Makwinja: email: [smakwinja@cc.ac.mw](mailto:smakwinja@cc.ac.mw) or phone: +265 99 12 14 677.

### Appendix 3: Key Informants Interview Guide for Members of NRW Institutional Integrity Committee

I welcome you all to this discussion. My name is Katoto Mtambo, a student pursuing a Master of Arts in Applied Ethics at Chancellor College. As part of my studies, I am doing a research on *The Sanctioning Function of the Institutional Integrity Committee in the Corruption Fight: The Case of Northern Region Water Board (NRWB)*. Thank you for accepting to take part in this discussion. Your input in this research is very important.

You are expected to respond to the questions and all the information you provide to this research will be treated with confidentiality and will be used solely for scholarly purposes and to inform policy. You are free to say or decline to answer if you feel the question asked is inappropriate. You are also free to withdraw from participation anytime. The discussion should not take us more than 30 minutes. In order to have a fruitful discussion let us give each other chance to speak freely. Note also that there is no right or wrong answer.

#### **1. Background to IIC**

- a. Are you a member of an Institutional Integrity Committee(IIC) at NRW?
- b. If yes in (a), for how long, have you served as member of IIC at NRW?
- c. Does the IIC have the function of handling cases of unethical conduct?
- d. Why is the IIC function of handling cases of unethical conduct in an institution important?

#### **2. Deterrence**

- a. Does the NRW IIC have the role of handling cases of unethical conduct?
- b. Why is the IIC function of handling cases of unethical conduct in NRW important?
- c. Does NRW IIC handle cases of unethical conduct?

- d. If yes to (b) does the role of handling cases of unethical conduct, make NRW staff and clients avoid unethical conduct?

### **3. Recovery of lost resources**

- a. Does the NRW IIC have the role of recovering resources lost through unethical conduct?
- b. If yes to (a), does NRW IIC recover resources lost through unethical conduct?
- c. If yes to (b), give some examples of resources recovered after being lost through unethical conduct.

### **4. Recommendation on improvement of systems and procedures**

- a. Does the NRW IIC have the role of recommending improvements of systems and procedures following the results of a case of unethical conduct?
- b. If yes to (a), does NRW IIC recommend improvements of systems and procedures following the results of a case of unethical conduct?
- c. If yes to (b), give examples of recommendations that the IIC gave following the results of a case of unethical conduct.

### **5. Challenges and proposed improvements**

- a. What challenges do the IIC meet in its role of handling cases of unethical conduct?
- b. What improvements are required to make the IIC's role of handling cases on unethical conduct more effective?

## Appendix 4: Key Informants Interview Guide for Members of NRW Management

I welcome you all to this discussion. My name is Katoto Mtambo, a student pursuing a Master of Arts in Applied Ethics at Chancellor College. As part of my studies, I am doing a research on *The Sanctioning Function of the Institutional Integrity Committee in the Corruption Fight: The Case of Northern Region Water Board (NRWB)*. Thank you for accepting to take part in this discussion. Your input in this research is very important.

You are expected to respond to the questions and all the information you provide to this research will be treated with confidentiality and will be used solely for scholarly purposes and to inform policy. You are free to say or decline to answer if you feel the question asked is inappropriate. You are also free to withdraw from participation anytime. The discussion should not take us more than 30 minutes. In order to have a fruitful discussion let us give each other chance to speak freely. Note also that there is no right or wrong answer.

### **1. Background to IIC**

- a. Are you a member of management at NRW?
- b. If yes in (a), for how long, have you served as member of management at NRW?
- c. Does NRW have an IIC?
- d. If yes, does the IIC have the function of handling cases of unethical conduct?
- e. Why is the IIC function of handling cases of unethical conduct in an institution important?

### **2. On deterrence**

- a. Does the NRW IIC have the role of handling cases of unethical conduct?
- b. Why is the IIC function of handling cases of unethical conduct in NRW important?
- c. Does NRW IIC handle cases of unethical conduct?
- d. If yes to (b) does the role of handling cases of unethical conduct, make NRW staff and clients avoid unethical conduct?

### **3. On recovery of lost resources**

- a. Does the NRW IIC have the role of recovering resources lost through unethical conduct?
- b. If yes to (a), does NRW IIC recover resources lost through unethical conduct?
- c. If yes to (b), give some examples of resources recovered after being lost through unethical conduct.

### **4. Recommendation on improvement of systems and procedures**

- a. Does the NRW IIC have the role of recommending improvements of systems and procedures following the results of a case of unethical conduct?
- b. If yes to (a), does NRW IIC recommend improvements of systems and procedures following the results of a case of unethical conduct?
- c. If yes to (b), give examples of recommendations that the IIC gave following the results of a case of unethical conduct.

### **5. Challenges and proposed improvements**

- a. What challenges do the IIC meet in its role of handling cases of unethical conduct?
- b. What improvements are required to make the IIC's role of handling cases on unethical conduct more effective?



## Appendix 5: Focus Group Discussion Guide for NRW Employees

I welcome you all to this discussion. My name is Katoto Mtambo, a student pursuing a Master of Arts in Applied Ethics at Chancellor College. As part of my studies, I am doing a research on *The Sanctioning Function of the Institutional Integrity Committee in the Corruption Fight: The Case of Northern Region Water Board (NRWB)*. Thank you for accepting to take part in this discussion. Your input in this research is very important.

You are expected to respond to the questions and all the information you provide to this research will be treated with confidentiality and will be used solely for scholarly purposes and to inform policy. You are free to say or decline to answer if you feel the question asked is inappropriate. You are also free to withdraw from participation anytime. The discussion should not take us more than 45 minutes. In order to have a fruitful discussion let us give each other chance to speak freely. Note also that there is no right or wrong answer.

*Tamupokelerani mose pa vidumbirano vyithu. Khalani wakumasuka. Dzina lane ndine Katoto Mtambo, msambili wa ku Chancellor College. Nga ndi msambiri, nili pakafukufuku wa kulawiska umo ulongozgi wa NRW ugho ghukuchemeka Institutional Integrity Committee(IIC) ghukuweluzgira makani ya umbendezi pakagwiliro ka milimo mu NRW. Nawonga chifukwa chakuzomerezga kutolapo lwande pa kafukufuku uyu. Maghanoghano ghinu pakafukufuku uyu ngakukhumbika chomene.*

*Mukwenera kuzgora mafumbo agho niperekenge. Maghanoghano ghinu ghasungikenge mwachisisi kweniso yagwiriskikenge nchito pa masambiro na kunogza ndondomeko yakumazga vimbundi mbwenu. Mungayoghoya panyake kuleka kuzgola pala mwasanga fumbo linyake ndakwenelera yayi. Vindumbilano ivi vitolenge nyengo yakuleka kujumphha mphindi makumi yatatu. Tiyeni tipasane mpata pakuzgola mafumbo kweniso timanye kuti paliye zgolo launenesko panyake lautesi.*

## 1. Background to IIC

- a. Have you ever heard about the National Anti-Corruption Strategy? *Kasi muli kupulikapo vya ndondomeko ya kowvira kumazga vimbundi Mu Malawi?*
- b. Are you aware of the provision of Institutional Integrity Committee (IIC) in the National Anti-Corruption Strategy? *Kasi mukamanya vya tumaupu uto tukuchemeka IIC uto tuli mu ndondomeko ya kumazga vimbundi mu Malawi?*
- c. What do you think are some of the roles of the IIC? *Kasi milimo za tu maupu uto tukuchemeka IIC ni vichi?*
- d. Why is the IIC function of handling cases of unethical conduct in an institution important? *Kasi chifukwa uli milimo wa IIC yakukuweluzga makani ya umbendezi pakatewetero ka milimo mu NRW njakukumbikikwa chomene?*

## 2. Deterrence

- a. Does NRW IIC handle cases of unethical conduct? If yes, give examples of cases you have heard them handling. *Kasi IIC ya NRW yikukuweluzga makani ya umbendezi pakatewetero ka milimo mu NRW? Pelekani ubendezi wunyake uwo waweluzgapo.*
- b. How does IIC at NRW handle cases of unethical conduct? *Kasi IIC ya NRW yikuweruzga uli makani ya ubendezi mu NRW?*
- c. Does the way of handling cases of unethical conduct, make NRW staff and clients avoid unethical conduct? *Pala enya, kasi milimo ya IIC ya NRW yakukuweluzga makani ya umbendezi pakatewetero ka nchito mu NRW yikupangiska wanchito panyake makasitomala kuleka ubendezi panchito ya NRW?*
- d. Probe: If no to (b) why does the way of handling cases of unethical conduct fail to make NRW staff and clients avoid unethical behaviour? *Pala yayi, chifukwa uli milimo ya IIC ya NRW yakukuweluzga makani ya umbendezi pakatewetero ka*

*nchito mu NRW yikutondeka kupangiska wanchito panyake wakupenja wowwiri ku NRW kuleka ubendezi panchito ya NRW?*

### **3. Recovery of lost resources**

- a. Does NRW IIC recover resources lost through unethical conduct? *Kasi IIC ya NRW yikupoka katundu wa NRW uyo wazgewa chifukwa chaumbendezi wa nchito panyake awo wakupenja wowwiri ku NRW?*
- b. Probe: If yes, give some examples of resources recovered after being lost through unethical conduct. *Pala enya, pelekani mazina ya katundu munyake wa NRW uyo wakasowa kweni sono wali kupokeka panyake kuwelera chifukwa cha milimo ya IIC.*
- c. Probe: If no, why does NRW IIC fail to recover resources lost through unethical conduct. *Pala yayi, chifukwa uli IIC ya NRW yikutondeka kuwezga katundu uyo wazgewa chifukwa cha ubendezi pakatewetero ka milimo mu NRW?*

### **4. Recommendation on improvement of systems and procedures**

- a. Does NRW IIC recommend improvements of systems and procedures following the
- b. cases of unethical conduct? *Kasi IIC ya NRW yikupereka maghanoghano ghake pa kunogza ndondomeko zakutewetera milimo ku NRW kuti zinozgeke?*
- c. Probe: If yes to (a), give examples of recommendations that the IIC gave following the results of a case of unethical conduct. *Pala enya, pelekani maghanoghano agho IIC yilikupereka kuti ndondomeko zakutewetera milimo mu NRW zinozgeke.*
- d. Probe: If no to (b), why does NRW IIC fail to recommend improvements of systems and procedures following cases of unethical conduct? *Pala yayi,*

*chifukwa uli wa IIC wa NRW wakutondeka kupereka maghanoghano kuti ndondomeko zakutewetera milimo mu NRW zinozgeke.*

## **5. Challenges and Proposed Improvements**

- a. What do you think are the challenges that the IIC meet in its role of handling cases of unethical conduct? *Kasi masuggo uli agho mukughanaghana kuti IIC yikukumana nayo pa mlimo wa kuweluzga ubendezi wa nchito na wanthu awo wakupenja wowwiri ku NRW?*
- b. What do you think should be done to improve the IIC's role of handling cases on unethical conduct? *Kasi, nchivichi icho chingachitika kuti mulimo wa IIC wakuweluzga ubendezi wa nchito na wanthu awo wakupenja wowwiri ku NRW uwe makora?*

**End of Questions**

Appendix 6: Semi-structured Survey Questionnaire for Staff and Clients (English Version)

**Instruction:** Questions 1 and 2 will require you to tick the box correspondent to your option while question 3 will require you to fill in spaces provided with appropriate answers.

**Section A: Personal Information**

---

**Gender**

Male ☐ Female ☐

**Relationship with NRW**

Staff ☐ Client/Customer ☐

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**Age**

**Attended**

18 to 35

☐

36 to 60

☐

Over 60 years

☐

**Highest Level of Education**

Primary School

☐

Secondary School

☐

Tertiary Education

☐

**For how long have you been a staff/client of NRW?**

Less than 1 year

☐

Between 1 and 3 years

☐

More than 3 years

☐

**Section B: Information about IIC**

---

1. a. Have you ever heard about Institutional Integrity Committee (IIC) in the Northern Region Water Board (NRWB)?

Yes

☐

No

☐

- b. If no in (a) do not proceed answering any further question.

- c. If yes in (a), do you know some members of the IIC at NRW?

Yes

☐

No

☐

**Section C: Handling cases of unethical behaviour**

---

2. Please indicate (by ticking) how much you agree or disagree with each of the following statements:

### Section D. Challenges and Suggested Improvements

3. a. What do you think are challenges IIC faces in its role of handling cases of unethical conduct in NRW?

	<b>Strongly agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>
The IIC's function of handling cases of unethical conduct in an institution is very important.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The IIC has a role to handle cases of unethical conduct	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NRWB IIC handles cases of unethical conduct	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The handling of cases of unethical conduct at NRW makes NRW staff and clients avoid unethical behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NRWB IIC has helped in recovering resources lost through unethical conduct	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NRWB IIC recommends improvements of systems and procedures at NRW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The way the IIC handles cases of unethical conduct is satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- b. What should be done to improve the NRW IIC's role of handling cases of unethical conduct?

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**End of Questionnaire**



Appendix 7: Mafumbo kwa Wakuteweta na Wakuvwirika na Northern Region Water Board (NRWB) -Tumbuka Version

**Layizgo:** Mafumbo ya chigawa A na B ghakhumbenge kuchonga mu bokosi ilo likukolerana na zgoro linu. Mafumbo gha chigawa C ghakhumbenge kulemba zgolo mu mipata iyo yapaperekeka.

---

**Chigawa A: Vyawakugzola**

*Mwanakazi/Mwanalume*

*Chibale na NRW*

Mwanalume  Mwanakazi  Wakugwria nchito  Wakuvwirika na NRW

---

**Chibale ichi na NRW chatola nyengo yitali uli?**

Chaka chimoza chindafike

Pakati pa chaka chimoza na vitatu

Kujumpha vyaka vitatu

---

**Vilimika vyinu**

Pakati pa 18 na 35

Pakati pa 36 na 60

Kujumpha 60

---

**Apo mukalekezgera sukulu**

Pulayimale

Sekondale

Koleji

---

**Chigawa B: Vya IIC**

1. a. Kasi muli kupulikapo vya komiti ya kulimbana na katangale ku NRW iyo yikuchemeka IIC?

Enya

Yayi

- b. Pala mundapulikepo yayi vya IIC kulutizga kuzgora mafumbo yayi.

- c. Pala enya mu (a), mukumanyako ma membala ghanyake gha komiti iyi?

Enya

Yayi

### Chigawa C: Kulimbana nakawiro kaheni

2. Chongani mu bokosi umo mu kuzomerera panyake kukanira kayoghoyero ako kapasika kumazere kwake:

	Nkukana Chomene	Nkukana pachoko	Nkukana panji nkuzomer a yayi	Nkuzomer a pachoko	Nkuzomer a chomene
Nchito ya wa IIC ya NRW yakulimbana nakawiro kaheni ka wakugwira nchito na makasitomala njakukhumbikikwa chomene.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wa IIC wa NRW wali na nchito yakulimbana na kawiro kaheni ka wanthu wakugwira nchito na makasitomala	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wa IIC wa NRW wakulimbana na kawiro kaheni ka wanthu wakugwira nchito na makasitomala	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kulimbana na kawiro kaheni ka wanthu wakugwira nchito na makasitomala kukuchitiska wakugwira nchito na	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

makasitomala ya NRWB kuleka kawiro kaheni	
Wa IIC panji walongozgi wa NRW wakuvwira kuwezga ndalama panji katundu wa NRW uyo wazgewa chifukwa chakawiro kaheni.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Wa IIC wa NRW wakunogza ndondomeko yakatewetero kanchito kuti kawiro kaheni kaleke kuchitika.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Wa IIC wa NRW wakugwira nchito yawo yakulimbana nakawiro kaheni mu NRW makora chomene	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

**Chigawa D. Masugzo na masachizgo**

3. a. Kasi IIC wakusangana na masugzo uli pa nchito yakulimbana na kawiro kaheni mu NRW?

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b. Kasi chingachitika nchivichi kuti nchito ya IIC ya NRW yakulimbana na kawiro kaheni mu NRW yendenge makora?

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**Mafumbo yamalira apa**

Appendix 8: Copy of Permission Letter to Conduct Research at Northern Region Water Board



## NORTHERN REGION WATER BOARD

NRWB/ADMIN/PF

Our Ref: .....

Your Ref: .....

Head Office  
Kankwila House  
Bloomwater Street  
MZUZU  
Malawi

Private Bag 94, Mzuzu  
Tel: +265 1 310 254 / 255  
Fax: +265 1 310 082  
E-mail: kankwila@nrwb.org.mw  
Website: www.nrwb.org.mw

15<sup>th</sup> March, 2019.

Katoto Mtambo  
Anti-Corruption Bureau  
Malawi Post Corporation Building  
P.O Box 230  
Mzuzu

Dear Sir,

**GRANT OF PERMISSION TO CONDUCT EDUCATIONAL RESEARCH AT NORTHERN REGION WATER BOARD**

Reference is made from your letter dated 25<sup>th</sup> February, 2019 where you requested for permission to conduct research at Northern Region Water Board premises. Am glad to inform you that management of Northern Region Water Board has approved your request. You are therefore permitted to conduct your research at NRW.

You will let us know when you are ready to conduct your research at our premises.

I wish you well in your studies.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'ST' followed by a flourish.

Stefani W. Thimu (0882462383)  
**HUMAN RESOURCES & ADMINISTRATION OFFICER**  
**FOR: CHIEF EXECUTIVE OFFICER**