Rethinking Anti-Corruption Strategies in Uganda: An Ethical Reflection

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Abstract

Corruption continues to be one of the key challenges to the governance and development of many African countries. In Uganda, despite the existence of various anti-corruption strategies, several scandals can be cited in recent times involving the loss of colossal sums of money in embezzlement, bribery, influence peddling and other underhand manoeuvres. Several explanations for its persistence have been propounded in existing literature, helping us to understand the multifaceted phenomenon at various levels. However, many still fail to get to the core – especially due to largely focusing on secondary factors without delving into analysis of the dynamics of moral development that inform the shaping of human character and that, therefore, should be the focus of anti-corruption strategies. The above observations raise questions such as: What do the rampant corruption scandals reflect about the wider value systems and moral set-up in Ugandan society? Are State institutions mandated to fight corruption founded on appropriate theoretical perspectives and principles to guide their operations? In answering these questions, the main purpose of this paper is to present an ethical critique of the anti-corruption strategies used in Uganda and to suggest an alternative approach mainly grounded on a virtue-ethics-theoretical stance.

Keywords: corruption; public service ethics; integrity system; Virtue Ethics; moral development

Introduction

In contemporary global development discourse, corruption has prominently emerged as one of the greatest obstacles to the development and progress of most states (Forson 2016; Salvatti *et al.* 2018). Many scholars suggest that if development is to be achieved in any society, corruption has to be dealt with first. Much as corruption is a global challenge, its experience and effects are more severe in the developing world – most especially in sub-Saharan Africa (Otaluka, 2017). In societies with high levels of corruption, glaring effects like extreme poverty levels among citizens, poor infrastructure and poor service delivery, among others, are pervasive. These, in turn, trigger other social evils related to wide gaps between haves and have nots.

Over 32 years ago, Ali Mazrui cited poor transport, health and educational infrastructure in Uganda, together with high levels of corruption in the police and a politicised judiciary (Mazrui, 1988). Three

decades later, the level of infrastructural development in many parts of the country is still wanting; the healthcare system is ailing with scanty drugs, the selling of drugs that are otherwise supposed to be free and the theft of drugs; justice is highly commercialised and politicised, etc. (Lubwama, 2013; Wesaka, 2017; Mugisha, 2017; Namagambe & Atukunda, 2018; Corps, 2018). These problems are largely a result of the systemic corruption experienced in the country (Asea, 2018). Corruption is the single biggest threat to democratic governance and development of the country; undermining the ethical purpose for the existence of government, that is, promoting citizens' happiness.

As a way of protecting society from the dangers posed by corruption, the government has instituted an anti-corruption strategy with various institutions, policies and legal instruments, which constitute Uganda's integrity system. These have, nonetheless remarkably failed to address corruption. Reports from Transparency International (TI), for instance, show that corruption in Uganda is on the increase. Following the corruption trends by the TI Corruption Perception Index (CPI)[1], Uganda was ranked at the position of 142 out of 174 corrupt countries in 2014, 139 out of 167 in 2015, 151 out of 176 in 2016, 149 out of 180 in 2018 (TI, 2018); reflecting a persistence of the vice over the years. The Global Corruption Barometer Africa (2019) further shows that 69% of Ugandans believe that corruption in the country is on the increase. The reported persistence and escalation of corruption in Uganda amid an enormous anti-corruption framework is suggestive of the possibility of misdirected interventions that are focused on addressing symptoms without targeting the core of the problem, rooted in the character of the person.

Various scholars have attempted to theorise the corruption in Uganda, with the view to situating the basic cause of its persistence. Lack of political will by the Head of State is one of the justifications of this problem (Tangri & Mwenda, 2006; Asiimwe, 2013). To Wamala (2008), corruption results from the transition of society from a 'status society' depicted by "close-knit social relationships, the prevalence of the extended family, lack of professional differentiation, an economy of affection and emphasis on honour and status", to a 'contract society' where members are obliged to demonstrate professionalism guided by the rule of law (Wamala, 2008, p.197). Nsibambi (1987) and Wamala observe that corruption emerges when an officer or politician has socio-cultural obligations to meet his/her kinsmen's expectations, which culminate in undermining the legal contractual obligation. Such debates provide a basis for this paper to undertake further inquiry into this problem.

Through the guidance of questions such as: What do the rampant corruption scandals reflect about the wider value systems and moral set-up in Ugandan society? Are the State institutions mandated to fight corruption founded on appropriate theoretical perspectives and principles to guide their operations? This paper contributes to solving this problem by bringing to light the commonly overlooked question of cultivating virtuous character among citizens as a remedy to

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1   CPI is a criterion that is used by Transparency International to measure the level of perceived corruption in a given country. According to this CPI, the score of a given country ranges from zero to 100, with zero indicating high levels of corruption and 100 indicating low levels.

corruption. By ethical analysis, through the lenses of virtue ethics, the paper shows why Uganda's anti-corruption strategies have yielded minimum outcomes, and argues for an alternative approach.

The paper starts by critiquing the commonly advanced theoretical positions on the persistence of public service corruption in Uganda and analysing Uganda's anti-corruption strategies. Following the above analysis, the dynamics of moral development and corruption in Uganda are expounded to ground for advancing an alternative anti-corruption ethical framework.

Theoretical perspectives on the persistence of public service corruption and mitigation measures

In this section, we show that various theoretical explanations have so far been advanced by scholars to justify the occurrence and persistence of corruption in general, and in Uganda in particular. Some of these have variously informed anti-corruption strategies in Uganda. We highlight some of these often-fronted explanations and show that they are secondary in the chain of corruption causality and that it is the wrong diagnosis of the problem that has resulted in what the paper looks at as misdirected interventions by Uganda's anti-corruption strategies.

The economic factor

One of the reasons that have been fronted to explain the persistence of corruption in different societies today are economic factors like poverty, high costs of living and poor remuneration of public officers (Begovic, 2005; Graaf, 2007; Zamahani, 2016). It is argued that poverty makes people too desperate and vulnerable to falling into the trap of corrupt officers. A case in point would be that where one accepts money in order to vote for a corrupt politician. This desperation sometimes forces citizens to give bribes to civil servants in order to be given a service that is otherwise supposed to be free. When the salary of the public officer is too meagre to cater for their basic needs and other responsibilities, chances of corruption in the public service are increased. Such a public officer may be compelled to look for other ways of survival, which may include corruption (Tanzi, 1998).

It might be true that the economic factor plays a role in increasing the chances of corruption. Looking at the 2018 TI Corruption Perception Index, for instance, countries such as Somalia, South Sudan, Yemen, Afghanistan, and Syria, whose economic conditions are poor, were ranked as the most corrupt countries in the world. From this, a correlation can be drawn between corruption and poverty in a sense that one ultimately leads to another. Using the example of Sweden – a country that is among the least corrupt countries in the world, Svenson (2005) underscores the role of economic factors in increasing the risks of corruption thus:

Sweden, which ranks among the least corrupt countries on all current cross-country rankings, was considered as one of the most corrupt countries in Europe in the seventeenth and eighteenth centuries. Increased remuneration of civil servants combined with deregulation

has been put forward as important explanations for the emergence of an honest and competent public administration in Sweden (Svenson, 2005, p.32).

In light of the above observation, therefore, some scholars (Rijckeghem & Weder, 2001; Begovic, 2005) have advised that anti-corruption efforts should take into consideration making economic reforms such as enhancing the remuneration of public officers and also improving the general economic conditions in society.

However, much as the economic factor may increase the chances of corruption in a country, it is, nonetheless, insufficient to give a basic explanation of the vice. Corruption is experienced in all countries, including those that are economically well-off – much as their levels of corruption may be lower. Looking at the *TI's 2018 Corruption Perception Index,* for instance, countries such as Germany, UK, Norway, and Sweden also still suffer from this vice even with their better economic conditions. The existence of corruption in all countries shows that there are other factors beyond the economic. At individual level, there are people who are known to be rich in society with higher pay, yet corrupt. In the case of Uganda, for instance, there are many public officers in senior positions, well remunerated, who have nonetheless been reported to be involved in corruption. Examples of such include ministers like Jim Muhwezi, Mike Mukula, and Alex Kamugisha who embezzled Global Fund money and GAVI funds (Angumya, 2013). The former Principal Accountant in the Office of the Prime Minister (OPM), Geoffrey Kazinda, also occupied a high position with good financial reward but became involved in a huge corruption scandal (Lubwama, 2012). Such and many other examples serve to show that the economic factor could cause corruption sometimes but it is not sufficient to explain its persistence.

On the other hand, it is also problematic to entirely attribute the problem of corruption to poverty since there are some people who, despite economic constraints, hold strong values and do not engage in corruption (Sumah, 2018). Following the above observations therefore, the economic factor does not provide a primary causal explanation for the corruption problem.

Law and policies being weak

The other factor often cited for the prevalence of corruption in many societies is the weakness of laws and policies. Laws are very important in checking unethical behaviours in society (Spirchez, 2016). They can restrain people from involving themselves in vicious acts due to fear of punishment. In situations where the laws are too stringent, unethical behaviours tend to be lower than in circumstances where laws are lenient. Before we examine the relationship between law and corruption, we need to delineate the basic differences between ethics and law since they are key concepts for this paper.

Normative ethics provides us with theories and principles to guide free human conduct on what is right or wrong, good or bad. Its (ethics') basis of judgement is reason and experience, and appeals more to our conscience. Law, on the other hand, may be looked at as a statutory code of conduct to guide actions of a given category of people. Law attracts external restraint to

some actions and is often implemented through coercive means in terms of penalties for doing the contrary. Much as laws are expected to be moral and for the good of the society, this is not guaranteed, since it is very possible to have laws that are not morally reflecting (Raz, 2001).

In this case, we look at law as developed for the good of the society in addressing the corruption problem. Klitgaard (1998, p.46) observed that "corruption is a crime of calculation, not passion". It involves calculation of the consequences if one is caught. Because of that, when tough penalties are designed against corruption, public officers refrain from it, which would ultimately reduce the vice. When there is leniency and laxity in the law, people will have no disincentive to deter them. By their deterrent intervention, after a long time of doing the right thing due to fear of the law, sometimes virtuous character is shaped[2].

However, in as much as stringent laws may serve to deter many public officers from being involved in corruption, on the other hand, the stringency of the law may make corruption more rife than when laws are lenient. Huntington cautions us that "... in a society where corruption is widespread, the passage of strict laws against corruption serves only to multiply the opportunities for corruption" (Huntington, 1968, p.62). The stringency of the law may prompt public officers to develop mafia tendencies and more sophisticated means or even to charge higher bribes or swindle larger sums of money since such officers factor in the gravity of the consequences once caught in the act.

Laws are also limited in the sense that they play a marginal role in making people virtuous. They principally appeal to external conformity and ignore the internal commitment to ethical standards, and when one gets a loophole in them, he/she uses that opportunity to do evil (George, 1993).

The basic explanation of the persistence of corruption, therefore, goes beyond the weakness of the law to focus more on the conduct of people since they are the pivotal points of the vice. Without them, corruption cannot be. Therefore, fighting corruption requires developing an ethically conscious citizenry that is sensitive to ethical requirements and one that acts, not out of fear of the consequence of the law, but out of a conviction that their actions are the right thing to do – the kind of people that would do the right thing even if no one was watching.

Institutional failure

Corruption is blamed by some scholars on institutional failure, since institutions are deemed important in minimising social problems like it (Collier, 2002). Andre & Velasquez underscore the role of institutions in society saying:

The social problems confronting us today, are largely the result of failures of our institutions,

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2   Much as laws play a role in shaping the character of persons, their impact in virtue cultivation are so minimal given the fact that they appeal more to external commitment instead of shaping inner commitment to doing the right thing without fear of consequences of doing wrong. Because of this, some scholars may contest its role. But what is important to note is, after a long time of doing the right thing due to fear of the consequences of laws, one develops an attitude of always doing the right thing even without the law that used to coerce one.

and our response, largely the result of our failure to realize the degree to which our lives are shaped by institutional forces and the degree to which we, as a democratic society, can shape these forces for the better (Andre & Velasquez, 2015).

From the above observation, for any society to overcome any social problem, it requires having in place good institutions. In the case of corruption, such institutions include auditing institutions, ombudsman agencies, the judiciary and the police. They play roles such as checking on financial impropriety, detecting acts of corruption, carrying out investigations on corruption allegations, and effectively prosecuting culprits. If these institutions are functional, corruption cases should not go unnoticed.

In Uganda, there are a number of such institutions. Examples of these include: *Directorate for Ethics and Integrity (DEI), Inspectorate of Government (IG), Office of the Auditor-General and Anti-Corruption Courts,* among others. Ironically, out of mistrust for all these, the President set up a parallel anti-corruption unit in State House in 2018 to complement (and check) other anti-corruption institutions in the fight against corruption (Ampurire, 2018).

Much as institutional failure can be used to explain the persistence of corruption in any society, it is just a secondary cause of the problem. Failure of institutions is not a problem in itself, but a symptom of a bigger problem. There is a need to ask: Why do institutions fail? Many factors can be rendered to explain institutional failure, but at the centre of these factors is the character of people who serve in them. Institutions are established and run by people, and their functionality is dependent on the commitment of different stakeholders towards ensuring the institutions' success. The success of these institutions is largely dependent on having in place people endowed with virtues such as honesty and commitment to duty. Short of that, the challenge of institutional failure will persist, corruption too.

African traditional cultural value systems as a cause of corruption

It is common for scholars to attribute corruption in Africa to indigenous cultural systems and values (see Nsibambi, 1987; Gyekye, 1998; Wrong, 2009; Yagboyaju, 2017). One of the cultural values that have been identified to fuel corruption in many societies is the practice of the extended family system, which is said to increase the dependence burden for public officers. Extended families have a larger number of members, and that, a family head in such a case has a dual responsibility of taking care of him/herself and many others. In such a situation, Gyekye (1998) observes that for one to be in a better position to manage such a responsibility requires him/her to have stronger economic muscle. This, however, is unlikely to be achieved if one strictly depended on the wage given in the public service. Consequently, "an individual public official who has access to public resources may, in the process of striving to achieve that adequate economic position, take advantage of his official status and commit acts of official corruption" (Gyekye, 1998, p.196).

It is further observed that the extended family setting with its broad network of relatives tends to nurture patronage and nepotism. In traditional Africa, people were (and many still are) strongly held together by kinship bonds, which place an obligation on the members to support each

other in times of need. Thus, a civil servant who has the means to help others will consider members of his/her extended family to offer them unmerited favours like jobs. Although the public servant may be conscious about the expectations of conducting themselves ethically according to the requirements of service, the kinship bonds of the extended family are often too strong to be overcome by an official commitment to public service ethical requirements (Wamala, 2008). According to Osei-Hwedie and Osei-Hwedie (2000):

> In African countries, there is the notion that people's identification and relationship with the state and its institution are much weaker than identification and relationship with the family. Thus, there is an expectation of reciprocity between the service provider and the receiver of the service. In this case, nepotism may derive from age-old customs (Osei-Hwedie & Osei-Hwedie, 2000, p.46).

Such nepotism is worsened in impact when the public officer tends to use his official position to influence or employ less competent and less qualified relatives for jobs where there are more competent and more qualified candidates vying for the same slot (Egbue, 2006).

Besides the extended family system, the other cultural inclination that is so often cited to have a strong connection to corruption is authoritarianism (Wiredu in Kaphagawani, 1998). The elders in the family are often unquestionable, since they are deemed wiser. This authoritarianism, when applied in public office, often generates corrupt behaviours, especially by those in higher positions of authority. These may behave in ways that are tantamount to corruption such as influence peddling, and those below them are not expected to question. Besides, in the extended family setting, elders often invoke their authority by compelling those holding some official positions to help other members of the family without consideration of the economic ability of the ones who are working. And because public servants who have such a background are brought up not to question the authority of elders, they devise means of fulfilling the demands of elders, resultantly becoming involved in corruption for the good of the extended family or not disobeying an elder. As argued by Wiredu (1980), authoritarianism tends to override the person's freedom to exercise their will; it compels them to obey authorities without questioning.

The other cultural aspect is that of gift giving. Gifts are common aspects of African traditional society, often given to express gratitude for the benevolence extended to an individual or a group of individuals (Egbue, 2006). In African traditional settings, such gifts were given in many instances but most prominently in resolving conflicts (Amadi, 1992) and maintaining social friendship bonds. However, although gifts are mainly attributed by some scholars to the African cultural value systems, it is important to note that they were not peculiar to Africa. Gift giving is practiced universally. It is also important to note that gifts are not intrinsically evil; they can only be used for negative and positive purposes (Osei-Hwedie & Osei-Hwedie, 2000). What creates a difference, as far as corruption is concerned, is the intention or motive behind the giving of such gifts, and

sometimes the likely consequences. This being the case, it is important to understand the point at which giving a gift may be looked at as an act of corruption. Although gifts from a member of the public to the public officer may seem innocent, oftentimes they have ulterior motives of influencing one to act in favour of the giver. Gifts from members of the public to a public servant are often looked at as bribes aimed at influencing the decision of the public officer.

Critically analysing the arguments raised above, cultural values indeed may contribute to corruption in society. A public servant who unreflectively subscribes to the forces of these cultural practices may overlook virtues of integrity, honesty, self-control and commitment to fulfilling duty. However, we also need to keep in mind that it is possible to have such values like extended family patterns, and the practice of gift-giving but a public official still lives a life of virtue as required by public service ethics. We also need to be aware that many public officials involve themselves in corruption, not because of the need to facilitate the traditional cultural values like helping the members of the extended family, but rather because they are driven by the sensate culture that compels them to be excessively acquisitive in order to gain power, fame and comfort. Arguing that African cultural norms and practices are the fundamental cause of corruption would logically imply that it is impossible for a public servant not to be corrupt while living by their cultural norms. In our view, some of these norms and practices might only make it difficult for a public servant to avoid corruption, but not impossible. How come that, in the same context, some people have been able to desist from corruption yet remain attached to their cultural roots? In any case, where some cultural elements may incline them into corrupt tendencies, if they had an independently working virtuous conscience, they would be able to resist that temptation. Corrupt cultural calls find expression where moral guidance cannot stretch beyond the cultural compass. It would, therefore, be erroneous for one to look at indigenous cultural values as the fundamental cause of corruption in Uganda because their causal agency is often facilitated by other factors beyond the former.

The Ugandan integrity framework and anti-corruption strategies

The Constitution of the Republic of Uganda, 1995 under its National Objectives and Directive Principles of State Policy, XXVI, makes a commitment of ensuring that accountability is upheld. In this Constitution, it is categorically stated under National Objective XXVI (i) that, "all public offices shall be held in trust for the people." To further show its commitment, the same National Objective under clause (iii), states that, "All lawful measures shall be taken to expose, combat and eradicate corruption and abuse or misuse of power by those holding political and other public offices." In that spirit, a number of anti-corruption measures ranging from laws, policies and institutional framework have been established as below.

The National Anti-Corruption Strategy

In 2008, the government of Uganda launched the National Anti-Corruption Strategy (NACS) to eradicate corruption. It is a five-year plan established to lay out strategic directions through which

corruption can ably be defeated and to ensure that values of transparency, accountability and efficient service delivery are upheld. Over the years, different strategies have been developed, with the current fifth cycle of 2019-2024 underway. The strategy highlights the situation analysis of corruption in the country, key players in the corruption fight, and the procedures to follow in the fight.

Uganda's anti-corruption legal regime

Uganda has a robust anti-corruption legal regime with both international and national instruments. On the international level, since 2004, Uganda has been a state party to two major international anti-corruption conventions, i.e. United Nations Convention against Corruption (UNCAC) and the African Union Convention on Preventing and Combating Corruption. By implication, therefore, provisions of these instruments are binding to Uganda.

Despite all this framework being in place, observations have severally been made that it lacks effective implementation, something that could probably explain the persistence of corruption (Inspectorate of Government, 2011; Global Corruption Report, 2011). Most important among the domestic anti-corruption laws is the Anti-Corruption Act 2009 (Amended 2015), which provides for different offences amounting to corruption and the penalties to those who may be considered guilty of corruption offenses. Article 26 of this Act categorically states that "a person convicted of an offense under section 2, 3, 4, 5, 6, 7, 8, 12, and 13[3] is liable on conviction to a term of imprisonment not exceeding 10 years or a fine not exceeding 240 currency points[4] or both." According to Article 19 of the Act, embezzlement attracts a penalty of a term of imprisonment not exceeding 14 years or a fine not exceeding 360 currency points or both. Other anti-corruption legislations include: Leadership Code Act, 2002; Public Procurement and Disposal of Public Assets Act, 2003; Audit Act, 2008; Access to Information Act, 2005; Whistle-blowers Protection Act, 2010; among others.

The penalties are fairly deterrent, especially for petty corruption offenses. One who is calculative of the number of years and the fines attached may decide not to involve in the act of corruption, especially if it involves small monies. The penalties provided for in these laws are rather lenient for grand corruption. Because corruption is a 'game' of calculation, corrupt public officers will always prefer to siphon huge sums of money that even when they are caught, the penalty will not be felt so much considering the amount of money they will have stolen. This way, such leniency may incentivise the vice of corruption to take an even more devastating dimension. Huntington warns us that, "... in a society where corruption is widespread the passage of strict laws against corruption serves only to multiply the opportunities for corruption" (Huntington, 1968, p.62). The Auditor General, John Muwanga, observed this on 31 May 2013:

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3   The sections referred to provide for the different corruption offenses under the Anti-corruption Act, 2009. These offences include corrupt transaction with agents, corruptly procuring tenders, bribery of public officials, diversion of public officials, diversion of public resources, payment of compensation to aggrieved parties, influence peddling, sectarianism and nepotism respectively.

4   According to the Anti-corruption Act, 2009, the currency point amounts to 20 000 Ugandan shillings.

Someone will ask, 'Will it pay?' If it will, one will steal. If it won't pay, one won't steal. It should be too expensive to steal. This is why corruption is happening on a grand scale. They must steal enough to stay out of jail (Human Rights Watch, 2013, p.1).

Further, due to the systemic nature of corruption in various sectors of Uganda's public service, including the judiciary, the phrasing of the statements of penalties 'not exceeding' as used in anti-corruption laws (especially the Anti-corruption Act 2009) mentioned above, leaves room for the corrupt to circumvent tough penalties. In the introduction of this paper, it was shown that commercialisation of justice is so profound in Uganda. Therefore, using the word 'not exceeding' leaves room for corrupt public officers to conspire with judicial officers through corrupt means in order to be accorded a lenient penalty. This sets trends that make the whole legal anti-corruption enterprise frail, hence justifying Huntington's (1968) observation above that laws have a capacity of multiplying opportunities for corruption.

The enforcement of laws is equally wanting in Uganda; it is mainly a responsibility of the Ugandan police force and the judiciary. It is, however, unfortunate that these institutions that are charged with a responsibility of enforcing the anti-corruption laws in Uganda are also known to be among the most corrupt institutions in the country (Transparency International, 2018). If the very institutions that are expected to enforce the anti-corruption laws are themselves corrupt, then it becomes problematic to use these laws because they can easily be bent to suit their individual self-interests.

In light of the above, the efforts of creating laws are praiseworthy in fighting corruption. Laws play a dual purpose of enforcing external commitment to doing right and cultivating virtue among citizens. Laws are important in the sense that they, firstly, enforce an external commitment to doing the right thing. It is in this vein that the Auditor-General opines above that corruption by public servants should be made very expensive in legal punishment. Although this enforced conduct by the law is from without, it cannot be overlooked given the fact that many people may not yet have developed a virtuous life that compels them to always do right even when there are no severe consequences attached to doing wrong. In this sense, the punishment that comes through law may carry a corrective function (Gonsalves 1989). Secondly, the law also facilitates the process of cultivating virtue among citizens. Through fear of the consequences of acting contrary to the law, people are habituated to doing the right thing which out of continuous practice becomes a virtuous character. Continuous practice of an act for a considerably longer time, irrespective of the motivation, makes it the character or habit of the actor. In light of the above, efforts of strengthening the anti-corruption legal framework in Uganda are commendable. But laws can only work within a set-up where every government officer can be accountable; where there are checks and balances at every government level that allow laws to operate. Certainly, all this legal infrastructure will primarily require a high level of personal integrity among civil servants in order to lessen the burden to be carried by laws. Where personal integrity levels are low, it becomes extremely difficult for any legal system to work effectively – for it will always be manipulated and circumvented.

Uganda's anti-corruption institutional framework

The anti-corruption laws of Uganda are implemented by the various institutions discussed below:

The Directorate for Ethics and Integrity (DEI)

At the helm of the fight against corruption in Uganda is the DEI. This is an institution established under the Office of the President with a mandate of coordinating national efforts in fighting corruption and addressing other morality-related issues in the country. Through its coordination role, DEI is the Secretariat of the Anti-Corruption Inter-Agency Forum that brings together all actors in the fight against corruption. DEI mostly employs the proactive approach that involves sensitisation of citizens with the intent of cultivating positive character. As a way of achieving this, they developed a National Ethical Values Policy in 2013, with 10 values that ought to constitute Uganda's value base. DEI further went ahead to develop a programme called the District Integrity Promotion Forum – a forum that brings together most district leaders to discuss issues related to accountability and service delivery in their respective districts. DEI also spearheads the formulation of anti-corruption legislations, policies and strategies that are used by other actors in the fight against corruption.

The Inspectorate of Government (IG)/the Government's Ombudsman

The IG was originally put in place in 1986 and constitutionally established under Article 223 of the 1995 Constitution of the Republic of Uganda. The mandate of the IG is to promote just utilisation of public resources. In a bid to realise the above mandate, IG plays a number of functions, as stipulated under Article 225 and Section 8(1) of the Inspectorate of Government Act. These functions include: promoting and fostering strict adherence to the rule of law and principles of natural justice in administration; eliminating and fostering the elimination of corruption, abuse of authority and of public office; promoting fair, efficient and good governance in public offices; supervising the enforcement of the Leadership Code of Conduct; investigating any act, omission, advice, decision or recommendation by a public officer or any other authority to which the article applies, taken, made, given or done in the exercise of administrative functions; and stimulating public awareness about the values of constitutionalism in general and the activities of the office, in particular, through any media or other means it considers appropriate.

Besides the above functions, the IG has special powers that are stipulated under Article 230 of the Constitution and Section 14 (5) of the Inspectorate of Government Act. These powers are: to investigate, cause investigations, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office, maladministration and breach of the leadership code of conduct. The Inspector General of Government (IGG) may also, during the course of his or her duties or as a consequence of his or her findings, make such orders and give such directions as are necessary and appropriate in the given circumstance.

Office of the Auditor-General (OAG)

This office is equally mandated to fight corruption through checking whether resources have efficiently and effectively been utilised by government institutions. This institution provides strong reactive safeguards for the corruption fight.

Other important State actors in the fight against corruption include the judiciary and the Directorate of Public Prosecution. These are mandated to carry out investigations and to prosecute those who are found guilty of corruption offences. Their approach is equally reactive.

Although Uganda has a robust institutional framework, as highlighted above, corruption still persists. What then could be the problem?

Let us focus on understanding these institutions beyond what they do. A number of questions can be asked: Who are the people working in these institutions? Are they virtuous? Are these institutions created to genuinely fight corruption? Are they independent? These and many other questions are handy in understanding the underlying problem.

To begin with, the staff of these institutions are brought up in generally the same social setting as other Ugandans, and also the challenges that are faced by public servants in other institutions equally affect them. This being the case, what creates a unique situation that would make the staff of these institutions more integral than others? With such an observation, it is important to note that although staff of anti-corruption institutions are charged with a responsibility of fighting corruption, many of them are also prone to corruption.

Besides, most anti-corruption institutions have been criticised for lacking independence from the executive arm of government, with most of their top leadership directly appointed by the President (Mwenda & Tangri, 2006; Asiimwe, 2013; Human Rights Watch, 2013). The DEI, for example, is created under the Office of the President, and headed by a State Minister for Ethics and Integrity who is appointed by the President. This gives some evidence that the institution is not independent of the executive and therefore bound to serve the President's will. If the President has the will to fight corruption, especially of the members of the 'inner-circle', then the institution is equally bound to be effective in its operation, but if the President does not see fighting corruption as a priority and continues to shield the members of the 'inner-circle' from being prosecuted, then the institution is bound to fail to realise its intended outcomes.

Because of such challenges, scholars such as Tusabe (2013) have, with suspicion, labelled these anti-corruption institutions (especially the DEI) to having been established to propagate diversionary propaganda for regime survival.

It seems as though this institution is just there to conceal the unjust acts of some of the country's political leaders through hypocritical religiosity and moralizing. Whenever there is serious public debate on the misappropriation of government funds or on matters concerning constitutionalism and rule of law the Directorate of [for] Ethics and Integrity suddenly raises the issue of eliminating homosexuals in our midst under the accusation that these sexual minorities are polluting our traditional culture... as the exploiters are

devising other sophisticated mechanisms of appropriating for themselves wealth (Tusabe, 2013, p.52).

It is thus not surprising that the State Minister for Ethics and Integrity, Hon. Simon Lokodo, would rise up to challenge the findings of the report by TI (2017) that show that corruption in Uganda is on an increase even when the Government's Ombudsman reports the same trend in its 2017 report. The *Daily Monitor* newspaper reported the Minister to have retorted:

> Every year they come up with a report. I always question what parameters they use to determine the position of Uganda worldwide in corruption indices and the progress that they are giving us is not what I want to believe is genuine, because we have made heavy strides, very long strides in the fight against corruption... I can tell you every day there is something always happening and we are reducing the comfort of being corrupt, we are managing the corrupt and we are breaking up all their strings, ties, and setups. So, to say we are always increasing in corruption instead of decreasing is a little bit of unfair (Draku, 2018).

The IG, on the other hand, has some independence from the executive as it reports to Parliament on its function and achievements. They are required to submit periodic reports to the Legislative Assembly. But again, the nature of appointment of the Inspector-General of Government and his/her Deputy leaves room for suspicion about whether they can act independently of the Executive. Section 4(1) of the IG Act provides for the appointment of the IGG and the Deputy IGG by the President with the approval of Parliament. The nature of their appointment often makes them succumb to the pressures of the President. It is hard for them to act contrary to the President's will, and if by any means they happen to do contrary to his will, they risk losing their position to those who are loyal to him. For instance, Oloka-Onyango (1992) notes that one of the former Deputy IGGs, Wasswa Lule, was sacked by President Museveni for his continued attack on corrupt ministers and other officials.

Whereas the IG is known for handling many cases related to corruption as it often reports, this institution has lost people's trust since it is known for handling low-level corruption cases mainly by local government officers and other technocrats in ministries. This has raised a feeling in many people's minds that the 'open admiration with which the public viewed the IGG's office up to the early 1990s has since waned to pure indignation and cynicism' (Uganda Debt Network n.d, p.11). Oftentimes, this institution has succumbed to the pressures from the executive and that it has been rendered toothless to bite when confronted with high-profile cases. The former IGG Mr Jotham Tumwesigye once observed in 2004 that, "people want high-profile investigations in graft cases" (Tangri & Mwenda, 2006, p.106). The statistics that are given by the IGG are not satisfactory as it is something that the IG has not attended to.

But as already observed, this failure to investigate the 'big shots' is attributed to a big problem identified above of a lack of independence from the executive arm of government given the

fact that the IGG is a political appointee, who is bound to be loyal to the appointing authority, who in this case is the President. Although the IG has powers accorded to it, it is constrained by political interference. Even when it makes attempts to act in such cases, it is shot down by other arms of government. For instance, the IG was challenged by the Judiciary on its jurisdiction when it attempted to investigate and prosecute high-level cases of the Commonwealth Heads of Government Meeting (CHOGM) scandal involving the former Vice-President Gilbert Bukenya. The same happened when they handled the case of the GAVI (the Vaccine Alliance) funds corruption scandal that involved the former Minister of Health Major Jim Muhwezi and his assistants (Tangri & Mwenda, 2006). In other instances, when the IG investigates high-profile cases and suggests recommendations for prosecution, these recommendations are never taken seriously. For instance, the IG report of July 2004 indicates that the institution investigated the State minister Sam Bitangaro for being responsible for the government's loss of substantial amounts of money in the court case and recommended that the minister be reprimanded. This report was given to President Museveni who took no action on the recommendation (Tangri & Mwenda, 2006).

Dynamics of moral development and corruption in Uganda

In light of our foregoing discussion of the misdiagnoses of the fundamental cause/s of corruption in Uganda's public service and the ensuing gaps in the anti-corruption framework, this section explores how moral upbringing/socialisation in Uganda relates to corruption, and how this process can be redirected for a stronger ethical foundation.

The persistence of corruption in Uganda, despite the various anti-corruption strategies in place points to a factor that is often overlooked – that of cultivating a virtuous citizenry through having a national value system in place that is cherished and strongly upheld by every citizen. Arising from the earlier discussion on theoretical perspectives on the persistence of public service corruption, an observation was made that most of the explanations are important but do not address the real problem. They mostly hinge on secondary factors instead of addressing the issue of the character of the person (inclusive of their values), which directs their agency. This commonly held misdiagnosis of the core cause of the persistence of corruption has largely been responsible for the misdirected interventions.

In light of the above, an important question to ask is whether Uganda's diverse value systems socialise citizens into a public culture of honesty and denouncement of any other unethical acts. Do these value systems lay a resilient moral foundation for public service values and the establishment of effective public anti-corruption institutions?

The national anthem, one of the efforts to create a Ugandan identity, has some values imbedded in it – values such as respect for God, unity and togetherness, liberty and freedom, love for neighbours, peace and friendship. These are important values and if they are truly lived out can help mitigate corruption in Uganda to some level. But, beyond aspiration, patriotic rhetoric, and its ritual performance, do they widely translate into practice? It may not be surprising that many people in the country who know the anthem and sing it well are not conscious of the values

embedded in it. Some could be aware of the values, but unwilling to live by (some of) them. Where could the problem be?

The National Ethical Values Policy provides 10 ethical values that constitute the national identity and value system. These values include: respect for humanity and environment; honesty; justice and fairness; hard work for self-reliance; integrity, moral uprightness and sound character; creativity and innovativeness; social responsibility; social harmony; national unity; and national consciousness and patriotism (Directorate for Ethics and Integrity, 2013). Much as this policy has been in place for seven years, it has lacked popularity due to inadequate strategies by the Directorate to popularise it and because of self-defeating contradictions in the politically selective ethical attention of the public body.

DEI has not designed a better approach of building public trust and having the policy customised and reach every citizen in the country. This could be part of the many reasons why it has not worked. But, the more fundamental reason is that its approach of sensitisation on values to adults fails to consider one of the most vital aspects of moral development: it is more impactful during formative years. Cultivation of virtue among citizens cannot be affected through mainly training adults given the fact that their already socialised behaviour is hard to change if fundamentally off the moral track. For such categories, strict deterrence by punishment and threats of it could be more effective. As Frederick Douglas advises, "it is easier to build strong children than to repair broken men" (as cited in Blow, 2014, p.1). There is a need, therefore, for the country to devote significant efforts to creating a strong value system that is based on a virtue ethical framework.

The primacy of virtue cultivation

In ethical terms, corruption is a vice that is committed by people. Corruption is a vice in the sense that it is a selfish act where one's private interests are fronted at the expense of the interests and welfare of the public, yet public service ethics requires the public officer to serve the public interest and welfare (Ayee, 1998; Lewis, 2006; Amundsen & Andrande, 2009). Simply stated, a vice is an immoral or wicked behaviour. Acquisition of a vice is not something that always comes to the person unconsciously. Except where coerced by circumstantial factors, he/she reflects on them and decides to follow them out of choice. McKinnon elaborates this idea by noting that:

> If a vice is to be the sort of thing that must be chosen, then an agent cannot just acquire a vice unthinkingly as she can fall into certain bad habits. Nor can vices be imposed by merely external circumstances, including coercive actions on the part of others. If a vice is to be a character trait that is chosen, then it must at some point have been perceived as in some way good or beneficial or at least desired (McKinnon, 1999, p.39).

Such vices that are acquired after a continuous practice of the same often turn out to become a habit or a disposition, as seen above. A habit is a constant way of acting obtained by repetition of the same act (McKinnon, 1999). This constancy in action is what Aristotle terms as a lasting

disposition. Aquinas expounded on the Aristotelian idea of disposition by defining a habit as "a disposition according to which that which is disposed of is either well or ill-disposed and either in itself or with reference to something else" (as cited in Gonsalves, 1989, p.199).

From the above definitions of a habit, it is suggested that habits that are either evil or good are developed over time through practice. And, being dispositions, they, therefore, define the character of a person. Habits or character are not natural to the person. They only play a role in activating and actualising the internal potential and capability of a person. The internal potential and capability may either be good or evil. Gonsalves notes that:

> Habit does not give us the power to do something; this we must have from our nature. Rather, habit enables us to do something more *easily and readily*. If the habit is good, it turns our originally fitful and clumsy efforts into quick, smooth, and masterful action. If the habit is bad, it makes us fall more easily and readily into the undesirable course of action. Habits are therefore called a "second nature" for just as nature is the principle or source of the action itself, so the habit is the source of facility in action (1989, p.199).

From the above, we notice that habits are not natural to people but they (habits) act so close to the nature of the person that it may be seen as a natural factor. It should as well be noted that these vicious habits weaken the will, which ultimately makes it hard for the person to do the right thing even when they know what the right thing to do is.

We can infer from the above conceptual clarification that corruption can be looked at as a vice or a habit – a wrong act that has been done repeatedly by people in society to the point of becoming part of their behaviour or way of life. People have developed a habit (character) of misusing their official position to satisfy their ego without taking into consideration the good of other members of society. Due to the continuous corrupt practice by public officials, it turns out to be a disposition of the sort that oftentimes causes them to decide or act without reflecting on the evilness of their action. With repeated indulgence over time, a vicious person may not acknowledge that his/her actions are bad. They may only look at the ends of their actions in view of how they benefit from them or just as a normal inclination. They may only exercise restraint out of fear of getting caught for breaking the law.

Schools are another critical site. While they contribute in many ways to nurturing children and habituating them into virtuous conduct, some practices that have been normalised socialise citizens into corruption. Some do so directly, others inadvertently. One such example is a practice in early school education, and also rampant in leadership campaigns in many institutions of higher learning in Uganda. For one to be a leader at any level, be it a class monitor, guild leader or any prefectural position, in most cases, 'gifts'/'logistics' are given to other learners to vote for them. This is a form of bribery, nurtured through practice throughout the life of the children who are to become future public servants. The mischievous administrative practice of asking students for items such as brooms, toilet paper, reams of paper and so on, which are commonly known to

often end up elsewhere, is another example where bad examples are set at a time when young minds learn through emulation. When they eventually join public service, they might become fully initiated into the corruption arena, especially in an environment where institutional frameworks are incapable of addressing the vice, sometimes because they are well staffed by corrupt people. We may not underestimate the moral impact of such practices, even if they are not widespread.

The vicious character manifested in Uganda's public service is a manifestation of a bigger problem in wider society; that comprehensive attempts have not been made to cultivate virtues that can help to deter corruption - like honesty, integrity, and respect for people. While parents, teachers in schools, religious and cultural leaders could be playing vital roles in moral socialisation, the other sociopolitical forces with which these efforts compete critically compromise their impact.

Going forward, the next section explicates how we could build a strong virtue system for comprehensively building public integrity. Such a system could complement institutional capacities by its outcomes, but these institutions should also contribute to establishment and embedment.

Towards an alternative anti-corruption ethical framework

Having ascertained the source of the problem as being a lack of appropriate moral values among citizens that would motivate them to reject corruption, there is a need to bridge this gap by capitalising on the moral development of citizens to cultivate virtue. This paper suggests a strategy that is a long-term solution that may not have immediate results but can provide a lasting solution if successfully implemented. It is suggested since the immediate practical remedies for corruption that are already in place have not created a desirable impact due to their predominant focus on secondary causes of the vice.

Virtue ethics and its role in Uganda's anti-corruption initiatives

Virtue ethics is a theoretical perspective that is traceable from the works of ancient Greek philosophers like Plato and Aristotle, explained further by medieval philosophers like Thomas Aquinas. This theory has been expounded further by thinkers such as Elizabeth Anscombe, Alasdair MacIntyre and Michael Slote, among others. It premises its judgement of rightness or wrongness not on the actions of the individual, but rather on the character of the actor, and emphasises making an ethical evaluation of agents, their motivation for action and also their character traits (Slote, 1992). Virtue ethics attempts to address questions like: What kind of person should I be or how should I live my life? (McKinnon, 1999). It places emphasis on cultivating virtues like integrity, honesty, fairness, self-control and commitment to fulfilling duty, among others, which, after continued practice, becomes one's character. The above virtues are not cultivated just for their own sake; there has to be an underlying reason. As Aristotle contends, at the core of virtue ethics is the notion of *eudaimonia*, which, in other words, may be referred to as human flourishing. To him, the reason for being virtuous, therefore, is to promote human well-being (Ross, 2009).

Virtue ethics underscores the idea of the character of the actor – a character that is developed

through the continuous practice of virtue over time. For one to be regarded as an ethical person, he or she should exercise good character traits. His/her action should be born out of a disposition that it is the right thing to do (McKinnon, 1999).

In light of our understanding of virtue ethics, as clarified above, one can deduce then that being ethical is about living a life of exercising values grown within the person rather than following rules that are enforced from without. In this regard, therefore, any attempt at fighting corruption, in light of virtue ethics, requires going beyond simply following rules set by the social authority. It calls for cultivating a sense of virtue in people in such a way that they develop a character of living a morally justifiable life without being coerced from without. Virtue ethics thus requires that those concerned about fighting corruption develop an integrity system that focuses on cultivating virtue among citizens from whom public servants would emerge, specifically emphasising virtues such as integrity, fairness, honesty, self-control, moderation and commitment to performing duty – virtues that are vital to neutralising corruption tendencies. This area of virtue cultivation has not been given due attention in Uganda's anti-corruption strategies.

Building a value system based on virtue ethics

One of the greatest tools in changing societal attitudes is education. In order to build a strong value system for the country, much attention should be placed on the education sector. As Alvin Toffler (1990) observes, education "is the most versatile and basic, since it can help one avert the challenges that might require the use of violence and can often be used to persuade others to perform in desired ways out of perceived self-interest that is alive to the interest of others. Knowledge yields the highest-quality power" (Toffler, assumptions from which Power shift springs, assumption 8). Following this observation, therefore, deliberate effort through education needs to be undertaken, with a key emphasis on character/moral education. Moreover, children spend more time at school than home.

Uganda's education system, as it stands today, includes some moral training embedded in curricular and co-curricular activities, but has not appropriately developed a deliberate comprehensive strategy for habituating virtue. It is rather done in bits and pieces and in an isolated manner that undermines the education system's capacity to realise the goal of producing virtuous citizens. To achieve better results, character education should be formally introduced in two ways: Firstly, as a distinct subject, with its content creatively designed to cultivate positive character; secondly, character training should also explicitly become a deliberate part of the entire school socialisation process and exercised in all areas of learning in order to habituate learners to doing right. Such socialisation would, however, require complementary habituation and reinforcement from home, including regulation of what learners are exposed to in the media. Constant well-packaged campaigns schooling parents on proper parenting would be adopted by relevant organs such as DEI.

In attaining desirable changes in society, cultivating moral education among citizens is inevitable

(Gyekye, 1997). The major goal of moral education is to cultivate inner motivations in people to develop a tendency to do right just for its own sake without even thinking of the consequences. We need as a society to invest so much in moral education as to aid the development of people's moral thinking and the capacity to reject temptations of involving in themselves in unethical acts such as corruption. This education should target certain virtues that are important in nurturing an integral and honest citizenry. Virtues of integrity, transparency, accountability, honesty, moderation, respect for people and commitment to duty, among others, are important in this aspect.

Such an education should be provided to people at all stages of life from preschool, primary, high school, university and other tertiary institutions. This can be made possible by including it in the education curriculum after carefully studying the moral and cognitive development of the person from childhood. As we design this education that will enable building a strong value system, we need to take into consideration three major capacities, especially in the lower levels of education. These include: the capacity for critical self-examination and critical thinking about one's own culture and tradition; the capacity to see oneself as a human being who is bound to all humans with ties of concern; and the capacity for narrative imagination (Nussbaum, 1997). In Uganda, these capacities are mainly cultivated at higher levels of education, especially in humanities programmes at universities, and given less curricular attention at lower levels of education, yet character formation is best done at the formative level of human development.

Character education has to start at an early stage in human development before corrupt habits are deeply entrenched in people in ways hard to change later in life. We need to note, as the psychologists Sigmund Freud and Lawrence Kohlberg observed, that the conscience of children develops at a very early age. By the age of five, a child has a developed conscience that can decipher right and wrong (Kohlberg, 1984).

In light of the above, if corruption is to be dealt with in Ugandan society, we need character education that encompasses three essential elements, as discussed below.

Firstly, this character/moral education should be aimed at empowering citizens to develop the capacity to critically examine themselves and their cultures and traditions (Nussbaum, 1997). Socrates cautions us that 'an unexamined life is not worth living'. In this spirit, there is a need to continuously cross-examine ourselves and our cultures in view of corruption. In line with what he calls the substantive moral revolution, Gyekye observes that:

There are some features of the traditional African system of values that would, in the interest of the progress and success of the politics of the new African nation-state (a heterogeneous state), need to undergo profound changes by way of substantive moral revolution. An entirely new morality with respect to attitudes toward government and public property and resources, and hence toward public office, will need to be created. People will have to be morally weaned from the influences of communo-cultural loyalties that obscure and subvert devotion and commitment to the national political community (Gyekye, 1997, p.209).

Citizens should be trained from childhood to question their cultural value systems with the aim of identifying values that are worth keeping, which can promote the good of all, and those that should be abandoned/discouraged. In an earlier section, some of the secondary reasons/factors that trigger corruption in Uganda were noted, some of which were African cultural values such as gift giving, authoritarianism and extended family patterns. Since some cultural values have a bearing on corruption in Uganda's public service, they ought to be challenged by this training in virtue. As they critically examine their lives and traditions, they should be assisted to see whether they help to cultivate certain virtues that are important for public life.

Secondly, this education should also be aimed at training people to develop the capacity to see themselves as being with others in the world, who have the moral duty to be concerned about the good of others (Nussbaum, 1997). While training in virtue, people should be made to appreciate that all people, wherever they are, matter; that people should not exalt themselves to the expense of others. One of the drivers of corruption in Uganda is the common attitude of thinking in narrow individual or group terms – neglecting the needs and interest of others. There is a need to make citizens appreciate that all have a moral duty to protect people wherever they may be. This moral obligation ought to stretch beyond family members, tribemates or any closely related person to other citizens who may be strangers (Singer, 2002). This is an inner attitude that ought to be cultivated among people from childhood.

Lastly, *narrative imagination* calls for developing the ability to empathise with others (Nussbaum, 1997). This is akin to the spirit of Ubuntu (Ramose, 1999). People should be helped to internalise that we share a common humanity and that what hurts one may hurt the other. A corrupt officer does not put him/herself in the shoes of the one who is in dire need of social services when they enrich themselves and close members of their families.

As virtuous character is cultivated among citizens, the above capacities need to be taken care of, but as already observed, this character ought to be cultivated at all stages of life. It follows then that experts in curriculum development and ethics/moral psychology ought to be brought on board to design an appropriate education syllabus to suit the different categories of learners and the interests of the nation. The above measures should be reinforced with efforts of parents and other elders in homes, religious leaders and through media programmes – so that they do not pull character formation in different directions. It is through such efforts that a strong value system can be built, lived and cherished by society.

Conclusion

This paper's central focus has been on providing an ethical critique of Uganda's anti-corruption strategies and explaining why the vice of corruption has persisted despite numerous anti-corruption efforts. It contended that most of the reasons advanced by various scholars for the persistence of corruption do not explain the fundamental cause(s) of this vice, but are rather secondary explanations. We argued that it is partly due to this misguided position by some scholars and practitioners that the country runs misdirected anti-corruption interventions that yield minimal

outcomes. Our analysis shows that the main reason for the persistence of corruption in Uganda is a lack of a comprehensive moral value system that can sustainably socialise people into integrity.

To address this problem, grounded on a virtue ethics theoretical stance, the paper calls for government efforts to develop a deliberate, comprehensive strategy for habituating virtue. Central to this strategy, we suggest character education passed through the school system by innovatively taught content designed to cultivate positive character, and also ensuring that such character training is made a part of the entire school socialisation process and exercised in all areas of learning. This should be reinforced with synergies from other stakeholders such as parents, elders, religious leaders, cultural leaders and the media. Parenting can be progressively enhanced in its complementary habituation role through targeted sensitisation campaigns. Building such a value system would make government policing less cumbersome and provide a more supportive basis for other existing anti-corruption measures.

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