

RECORDS AND GOOD GOVERNANCE: RUNNING AWAY FROM ACCOUNTABILITY: THE CASE OF ZAMBIA

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Abstract

Records are created as a by-product of the business activities taking place as an organization in carry out its mandated activities. Subsequently, these records will provide the ultimate proof or evidence of the activities being undertaken by the organization. The records will be the means by which organizations can account for their activities. We argued that if this is the case, then, these records must be management properly in a manner that those records that must be there in the organization should actually be there and those that need not be should not be there. Furthermore, those that should be there should be complete, reliable and accurate. They should be equally accessible at all times. This is cardinal because records are a means of which organizations can account for their activities and transaction. In this regard, well-managed records can be seen as an instrument for achieving accountability and transparency. We contend that The Zambian Governments from the colonial masters to the post independence period to present, they have been running way from the issues of transparency and accountability by destroying records and not allowing for the enactment of the Freedom of Information Bill. The article argues that archivists and records managers must be proactive in trying to come up with progressive information policies.

Keywords: Accountability, Good Governance, Records Management, Zambia

Introduction

The world is in an era where issues of good governance have become the benchmarks for measuring the performance of both the private sector and government institutions. However, there is more demand for government institutions to involve themselves in good governance issues because it is believed that government institutions

are carrying out their activities on behalf of the general members of the public. It is in this regard that they should be seen to be accountable to the people on whose behalf they are acting. After all, it is from taxing the people that governments get the necessary revenue to carry out their mandated activities.

It should be noted that as the governments are carrying out their mandated activities, they create records. Records will therefore play a very important role because they provide documentary evidence of the transactions that are taking place as the government is operating. Records therefore become an indispensable element that can help governments to account for their activities as they serve the members of the general public. On the other hand, members of the public can use these very records to make governments accountable to whatever they have been doing.

Records and good governance

The International standardization organization (ISO 15489: 2001), defines a record as "information created, received, and maintained as evidence and information by an organization, in pursuance of legal obligations or in the transaction of business".

Similarly Emmerson in Kennedy and Schauder (1994: 4) defines a record as "all those documents, in whatever medium, received or created by an organization in the course of its business, and retained by that organization as evidence of its activities or because of the information contained". It can thus be argued that records are created as a by-product of the business activities taking place in a particular organization. In other words, as an organization carries out its mandated activities, it does some transaction, and these transactions are recorded in some medium. Subsequently, these records will provide the ultimate proof or evidence of the activities being undertaken by the organization. The records will be the means by which organizations can account for their activities. If this is the case, then, these records must be managed properly. To manage records properly, it entails having a record management programme in place.

Traditionally records management is defined in relation to the activities or processes it is concerned with, that is,

the systematic control of recorded information from creation to final disposition it focuses on procedures and systems for the creation, storage, retrieval and disposal of an organization's records, and the complex issues surrounding the selection, implementation and maintenance of such systems (Kennedy and Schauder 1994: 4).

It can thus be argued that this systematic control of recorded information from creation to disposal entails that those records that must be there in the organization should actually be there and those that need not be should not be there. Furthermore, those that should be there should be complete, reliable and accurate. They should be equally accessible at all times. This is cardinal because records as earlier noted act as evidence of the transaction that took place in the organization. Records are a means of which organizations can account for their activities and transaction. In this regard, well-managed records can be seen as an instrument for achieving accountability and transparency.

Apparently, issues of accountability and transparency are some of the ingredients of good governance. Currently, good governance has become a topical issue. Organizations such as the World Bank, the International Monetary Fund, and the New Partnership for Africa's Development (NEPAD) are talking more on the issues of good governance, as it is believed that it is key to any democratic society that is good for the development of any nation (Chibambo 2003). Good governance, according to Lipack (2002: 13) refers to "how government undertakes functions and activities in an efficient, transparent and responsive manner in which citizens participate and engage with the government in the pursuit of their mutually social, political and economical objectives." It is in this regard that The World Bank (2002) specifically contends that good governance has to do with the institutional environment in which citizens interact among themselves and with government bodies/or officials. Furthermore Ngulube (2004:33) submits that:

government governs on behalf of the public that gave it the mandate and should be transparent to enable the public to know how it functions. Accountability entails that organization

and individuals should be able to explain their actions to others in a transparent and justifiable manner.

Consequently, Gray (1984) contends that accountability implies the rendering of an account, that is, the disclosure of information and the submission of the account to external verification. Verification also implies audit by or on behalf of those to whom the organization and its management is accountable.

Although the talk of accountability always evokes pictures of money and finances, it has had general use even in biblical times. In Genesis chapter 3 verse 9 –13 the Lord asked Adam and Eve to render an account of what they had done. Adam passed the “buck” to his wife Eve who in turned blamed the serpent. May be the classical example is the one found in Genesis chapter 4 verse 9 – 11. Then the Lord said to Cain, “where is your brother Abel?” “I don’t know”, he replied. “Am I my brother’s keeper?”

It is important to note that the Lord wanted Adam, Eve and Cain respectively to account for their actions because were put where they were by him. However, they totally refused to take responsibility of the decisions they had made. They refused to account for their actions. However, it should be noted that accountability requires the acceptability of responsibility of our actions or inaction when we have a duty to perform and not running away from it.

Another dimension in the understanding of accountability concept requires an understanding of the concept of transparency. Transparency involves information disclosure in some form or the other. It can thus be pointed out that transparency may represent the highest form of accountability. In other words, for transparency and subsequently accountability to be there, access to information must be guaranteed. In this regard, Mwakyembe (2002) contends that “without transparency, there can be no accountability”.

However, if access to information is to be there, the records that have the information must be there and those creating the records must guarantee access to them. In this regard, records and their orderly management and disposal provide the necessary basis for accountability. It is in this line that Lipack (2002) submits that proper records

management is a prerequisite to effective accountability. Accountability therefore depends greatly on sound records management and the ability to capture, maintain and make available documentary evidence of organizational activities. If this is the case, then, it can be argued that “those” who do not want to account for their actions will not be interested in having a sound records management programme as this will at the end of the day put them in some problems. This is especial so because records accumulate naturally when government or indeed any organization is performing its functions, and will contain nothing but the truth of how that government or organization has been functioning.

Records management in Zambia

Before and during colonial period

Before the arrival of the colonial masters, government was in the hands of chiefs, whose authority depended largely on personality and military strength. During this time, information was passed on from one authority to another orally and this went on from generation to generation. Oral history played a major role at this stage. The arrival of the British South Africa Company administration saw the imposition of direct rule over many areas than had been controlled by the traditional chiefs. Mukula (1982) points out that at this stage there were written records of the British South Africa Company (BSAC) 1887 – 1924 that are in the National Archives of Zambia.

In 1924 the Colonial Office took over the administration of the then Northern Rhodesia and introduced a system of indirect rule. This rule ended in 1953 when the Federation of Rhodesia and Nyasaland was put in place. At the inception of the Federation, the Federal Government acquired, along with other assets, the records of those departments whose functions were transferred to it from the Territorial Government. All these entities continued to create records as they carried out their mandated activities.

On 24 October 1964, Zambia got its independence. During this transition period, Kangulu (1994) submits that large amounts of records were destroyed haphazardly by the colonial administration. He further contends that some of the records were airlifted to the United Kingdom to the delight of the colonial government. It can thus

be argued that, the colonial government did not want to account for whatever they did, hence they destroyed and carried some of those records that could help the nationalist government make the colonial government account for whatever they did. Subsequently, the nationalist government could not pursue the injustice of the colonial system due to lack of evidence. It can thus be argued that the colonial governments in away run away from the issues of good governance, as they could not let the nationalist government access these records. McKemish in Wickman (2003) draws attention poor or unethical organizational cultures, citing instances such as at the State Bank of South Australia where documents were allegedly shredded after the announcement of an investigation.

The post-colonial period (1964 – 1990)

Post Independent Zambia brought indigenous Zambians in Leadership. The new government was in a hurry to improve the well being of most of the indigenous population that they were deprived of under the colonial regime. This government's gesture led to the creation of new ministries and departments. An aspect that was common during this period was the nationalization of a number of companies that brought in parastatal organizations. Consequently, there was an increase in the types and volumes of records that were being created. It should be noted that during this period, one president ruled the country.

However, in 1991, there was a change of government and another president by the name of Mr Frederick Chiluba took over the office of presidency. It was during the take over period that there were reports in the local newspapers about records being destroyed. For instance, Mr Chiluba was reported in the *Times of Zambia* of Friday, 8 November 1991 justifying his reshuffles for parastatal heads:

On the recent shake-ups involving parastatal heads, he said the measure was effected because some chief executives had started to burn files and shift documents to hiding places.

Additionally, in the *Times of Zambia* of 16 November, 1991 Mr. Sam Zulu was quoted as saying:

...All this was fine until Mr. Chiluba came to discuss the difficulties his government was having in taking control of the government. He revealed that there were people in several

departments and parastatals who were destroying files thereby making it difficult for the in-coming officials to know what previously went on.

It would thus appear that during times of political change, some of the public records at the central government levels are destroyed especially when these records might incriminate the people in power when there is change of government or might be of value to the enemy. Whatever is swept under the carpet might be known when there is change of government. This clearly shows the lack of transparency and accountability on the part of the leaving government officials.

1991 to present

During this period, Zambia has embraced plural politics that ensures that the government of the day has to account for whatever they are doing at all levels. The opposition parties acts as a watchdog for the ordinary people. Equally, ordinary people would like their government to not only be effective but also be open and accountable. However, this can only be achieved when access to information is guaranteed. Bearman (1993) argues that accountability depends on being able to demonstrate managed access to information. This can only be achieved when freedom of information laws are put in place. This has led to the growing advocacy for the enactment of Freedom of Information (FOI) laws.

Freedom of Information laws aims at promoting accountability and transparency in government as they provide a legal basis for access to information and openness among public authorities. Sebina (2003) contends that the enactment of FOI by government is actually an assurance that the government wants to be transparent and accountable to the public. This is so because the public will have an opportunity of having accessing to information. This will enable them be informed of what the government is doing for them, why and how they are doing it. It is in this regard, Sebina (2003) further contends that there is a direct symbolic relationship between FOI and good governance. It can thus be argued that without this FOI, then good governance that is closely linked to transparency and, accountability cannot said to be there.

It is in this line that the Zambian government, in trying to be transparent and accountable introduced the FOI bill in 2002 in

parliament. However, the government introduced the bill after the members of the opposition parties started agitating for this bill. The objectives of the bill among other things was to; provide for the right of access to information; set out the scope of public information under the control of public authorities to be made available to the public order to facilitate more effective participation in good governance in Zambia, and to promote transparency and accountability.

However, this bill was withdrawn from parliament for purportedly further consultations with various stakeholders. This then entails that at the moment, there is no legal basis for access to information by the public in Zambia. In the mean time, the National Archives Act Cap 175 of the laws of Zambia that entails that all public records transferred to the National Archives for safe custody are to remain closed to the members of the public for twenty years after which they become archives and are open to the public is in place. However, Mukula (1982:7) submits, "the word open does not mean that every record after twenty years can be inspected by the public. Some of the records owing to their nature of confidentiality continue to remain closed to the members of the public for an indefinite period." In this regard, it can be argued that the way the management of records is done in Zambia, issues of access to information are still not adhered to. Subsequently, transparency and accountability may not be probably in place.

This could be assumed so when it is noted that the rationale for the advancement for the support of access to information is to make governments be open so as to be accountable and exposed to the judgments and evaluation of citizens. However, this can only happen when the information held by public bodies is subjected to maximum disclosure though there maybe limited exceptions to this for information of security in nature. In this regard, Makyembe (2000) argues that the FOI is paramount as it is based on the understanding that information maintained and held by government, is reflective of how public resources are used, thus the need for the information to be opened up to the public unless there are extenuating reasons for its closure. In this way, government can be seen to be accountable.

It can thus be argued that, the non-existence of the FOI bill in Zambia can be seen as if the present and the previous governments did and

do not want to be accountable and transparent to the public respectively. Sebina (2003) concurred with this argument when he contended that for government to be transparent and accountable, it should provide the public with an independent right to the information it manages and uses.

Conclusion

It has been observed that all along, the citizens of Zambia have had no access to records held by government. This is both during the colonial era and the postcolonial era. Whenever an opportunity presented itself for the scrutiny of the records held by those in power, those in power always found a way of not allowing this to happen. The colonial powers and the first post independent masters opted to destroy those records that they thought should not be made available to the public. The current leaders are still clinging to the old rules of operating in secrecy by not allowing the public access the information held by them despite the public wanting to do so. The spirit of running away from accountability and transparency is still rife.

On the other hand, the archivists and other records managers in government have remained passive custodian of information, limiting their roles to the selection, storage, and preservation and controlling the access to these records. However, archivists and records managers should become central players in the development of information policy in government as they are most of the time aware that records always act as evidence of the transactions taking place in government. This can only be greatly influenced by the type of politics that Zambians will engage in. If politics of openness, which guarantee freedom of expression among other things, and demands accountability on the part of politicians, civil servants and all Zambians, flourish, then sooner or later running away from accountability in Zambia will be a thing of the past.

References

Bearman, D. 1993. Archival data management to achieve organisational accountability for electronic records. In McKemmish, S & Upward, F. (eds). *Archival documents: providing accountability through recordkeeping*. Melbourne: Ancora Press.

Chibambo, M. L. N. 2003. Records management: the key to good governance and sustainable development. A paper presented to the XVII Biannual Eastern and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) General conference on Archives, Society and Good Governance in Maputo, Mozambique, 22-26 July 2003.

Gray, S. J. 1984. *Information disclosure and multinationals*. London :Wisey/IRM

International Organisation for Standardization (ISO). 2001. ISO 15489 International Standards for Records Management and Documentation. Available at: www.posc.org/componentDocs/ISO_15489-p.pdf. (Accessed on 15 June 2005).

Kangulu, C. M. 1994. Records management in Zambia: past, present and the future. A paper presented to the National Seminar on Records Management held at Zambezi Lodge, Siavonga, Zambia 26-29 October 1994. Unpublished.

Kennedy, J & Schauder, C. 1994. *Records management: a guide for students and practitioners of records and information management with exercises and case studies*. Melbourne: Longman Cheshire.

Lipack, A. 2002. Information management to support evidence – based governance in the electronic age: a public policy forum discussion paper. Available at: www.ppforum.com/english/publications (Accessed on 15 June 2005).

Mukula, P. M. 1982. *Information about the National Archives of Zambia: a more than three-decade service of the memory of the party, its government and the nation 1947-1981*. Lusaka: Government Printers.

Mwakyembe, H. G. 2000. Access to Information and the law in Tanzania: some thoughts and views. In Routledge, D. Barata, K & Cain, P. (eds). *Information for accountability workshops source book*. London: International Records Management Trust.

Mwakyembe, H. G. 2002. Statement at the Video Conference Proceedings on Current Records Management, Poverty Reduction and Corruption Control, June 6, 2002. Available at: <http://web.worldbank.org/> (Accessed on 15 June 2005).

Ngulube, P. 2004. Fostering accountability and justice: opportunities for records managers in changing societies. *ESARBICA Journal: Journal of the Eastern and Southern Africa Regional Branch of the International Council on Archives* 23:23-32.

Sebina, P. M. 2003. Freedom of Information, Records Management

and Good Governance: a Symbolic Relationship? A paper presented to the XVII Biannual Eastern and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) General Conference on Archives, Society and Good Governance in Maputo, Mozambique, 22-26 July 2003.

Wickman, D. 2003. The failure of Commonwealth recordkeeping: The stolen generations in corporate collective memory. *Comma*. Paris: International Journal on Archives.

World Bank. 2002. Youth for good governance: distance learning programme: introduction to governance. Available at: www.worldbank.org/wib/governance/ (Accessed on 15 June 2005).

Times of Zambia 8 November 1991.

Zulu, S. 1991. *Times of Zambia*. 16 November 1991.