Why do Anti-corruption Agencies Fail in Pakistan? A Phenomenological Study

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**ABSTRACT**

**Purpose:** Pakistan’s consistently poor ranking on the Corruption Perception Index (CPI) highlights the urgent need to address the pervasive corruption problem in the country. This study aims to explore the reason behind the failure of anti-corruption agencies in Pakistan.

**Design/methodology/approach:** This study has adopted a phenomenological research design. Six in-depth interviews were conducted with government officials working in anti-corruption agencies. NVivo 20 software was used to analyze the data.

**Findings:** The study identified three main themes; Political influence, legislation, and lack of capacity building. The finding indicates victimization, job insecurity, weak prosecution, self-beneficiary reforms by lawmakers, and lack of resources are the major reasons behind the failure of anti-corruption agencies in Pakistan.

**Practical implications:** The study provides implications for policymakers, regulators, and anti-corruption agencies to formulate effective policies and regulations to combat corruption.

**Originality/value:** To the best of the author's knowledge, this study is the first that explores the reasons behind the failure of anti-corruption agencies from the perspective of anti-corruption agencies.

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**Introduction**

Corruption is a persistent problem across the world, especially in developing countries. It has a detrimental impact on the functioning of government institutions and the delivery of public services and can undermine public trust in government (Transparency International, 2020). Corruption results in unequal access to security and justice, increase inequality and divides societies. It renders whole sections
of society marginalized, isolated, and discriminated. Corruption leads to low economic growth rates and rising income inequalities and is responsible for reducing national financial stability. According to World Bank reports, every year, $1 trillion is paid in bribes, and $2.6 trillion is stolen through corruption worldwide (World Bank report, 2021).

This adverse effect of corruption on society and the economy forced governments to take anti-corruption measures. The establishment of anti-corruption agencies (ACA) is one of the important measures that had taken by many countries across the globe. Governments are spending substantial amounts of taxpayers' money on these agencies. Unfortunately, the performance of these agencies is not satisfactory, especially in Asian Countries (Quah, 2021; De Sousa, 2010). It is essential to understand the underlying reasons behind the failure of these anti-corruption agencies.

Like other Asian countries, corruption is not a new phenomenon in Pakistan. Regarding corruption, including bribery, Pakistan ranked 140th out of 180 countries in the transparency international corruption perception index (CPI, 2021). Pakistan has also established several anti-corruption agencies (ACAs) at the provincial and federal levels to combat corruption. The three active working agencies, namely, are Anti-corruption Establishment Punjab (ACE), National Accountability Bureau (NAB), and Federal investigation authority (FIA). Despite establishing these anti-corruption agencies, the CPI rating of Pakistan is increasing over time (from 117th place in 2017 to 140th place in 2021). This increasing trend in corruption raises a question mark on the existence and performance of these agencies. It is essential to explore the reasons behind the failures of these anti-corruption agencies (ACA). It motivates us to study this crucial topic and uncover the issue's root. Therefore, a qualitative study has been designed based on the following research question: Why do anti-corruption agencies in Pakistan fail to minimize corruption?

A lot of research has been done on corruption and its adverse impact on the economy and society (Gould & Reyes, 1983; Klitgaard, 1988; Shleifer & Vishney, 1994; Nwabuzor, 2005; Pellegrini & Gerlagh, 2008; Ata & Arvas, 2011; Agbiboa, 2012). However, more is needed to be focused on the heart (anti-corruption agencies) and the practical mechanisms for fighting against it (Zuleta, 2008). This issue needs to be viewed from a different angle rather than the macro aspect. Our inquisitive mind worked on the possibility that we may need to study the issue from the perspective of anti-corruption agencies. This study will provide insight into the challenges faced by anti-corruption agencies (ACA), which can inform the development of anti-corruption policies and practices in the public sector in Pakistan. The scope of our study can advance the literature as it can contribute to increasing knowledge on the subject from the perspective of anti-corruption agencies rather than estimating its impact on nations.

This study will contribute to the existing literature on corruption by providing a detailed understanding of the experiences of employees in anti-corruption agencies in Pakistan. The findings of this study can inform the development of anti-corruption policies and practices to support the anti-corruption agencies in Pakistan.

**Literature Review**

**Corruption: Concept and Definition**

Corruption is a global phenomenon that impacts economies and societies worldwide (Klitgaard, 1988; Egwemi, 2012). It refers to the misuse of power for personal gain, where misuse in the term refers to a departure from accepted societal norms (Anand et al., 2004). The most commonly used definition of corruption is "abusing authority for material gain" (Anechiarico & Jacobs, 1996). Klitgaard (1988) explain corruption in term of the principal-agent relationship. This principle-agent concept of corruption imagines agents as "the civil servant" by passing the interest of the principal, "the general public," and working for their interest. Kalin (2014) defines corruption as the "non-optimal allocation of public goods due to abuse of influence". Transparency International defines corruption as “the abuse of entrusted power for private gain" (TI, 2017b), and it has become a standard definition for corruption. Corruption has many forms, such as bribery, nepotism, electoral corruption, budget corruption, procurement scam, and
misappropriation of public resources for personal gain (Otusanya, 2011; Agbiboa, 2012; Ijewereme, 2015). Scholars have classified corruption into several categories such as political, bureaucratic, Judicial, educational, moral, and social corruption (Osoba, 1996; Berlinski, 1997; Agbiboa, 2012; Egwemi, 2012; Mohammed, 2013; Berkovich, 2015; Rumyantseva, 2005; Sadiq & Abdullahi, 2013; Yaru, 2009). Political corruption refers to the general fraud within the political setup of the nation, including a weak electoral process, poor accountability mechanism, a weak judiciary and legislator bodies, and, in extreme cases single-party state system (Yaru, 2009; Fjeldstad, 2003). Political corruption has serious consequences for society, including a lack of trust in government institutions, reduced economic growth, and increased inequality. It can also undermine democracy by limiting the ability of citizens to participate in the political process and by concentrating power in the hands of a few individuals or groups (Sadiq & Abdullahi, 2013). Bureaucratic corruption refers to the abuse of power or position by government officials for personal gain (Kaufmann, 1997). It is a widespread problem in many countries, particularly those with weak institutions and ineffective governance systems (Mohammed, 2013). Educational corruption refers to abusing authority for personal and material gains, including bribery, fraud, plagiarism, cheating, and nepotism (Anechiarico & Jacobs, 1996; Kalnins, 2001). Economic corruption involves weak structures of a state, extreme poverty in a state, and wide income disparity between the rich and the poor (Yaru, 2009).

**Review of Anti-corruption Agencies' Success and Failure Factors**

This literature review examines the reasons for the failure of anti-corruption agencies in both developed and developing countries. Quah (2009) examined the effectiveness of anti-corruption agencies in four Asian countries: Singapore, Hong Kong, Thailand, and South Korea. He argued that anti-corruption agencies in Singapore and Hong Kong are more effective than South Korea and Thailand because of the strong political will in these countries. He also argued that policy content in Korea and Thailand is less favorable for curbing corruption. Persson et al. (2010) analyze the failure of anti-corruption policies in Kenya and Uganda. They argued that the failure of anti-corruption policies in Africa is because of misconceptions about corruption. They argued that African anti-corruption reforms ignore the collective action problem and mold policies in the context of principle agent theory. Quah (2021) argued that the cycle of failure in combating corruption in Asian countries is because of corrupt political leadership, corrupt police, and multiple anti-corruption agencies used for political victimization. Heilburn (2004) argued that the interference of political leadership is the main hurdle to the success of anti-corruption agencies.

Dionisie and Checchi (2008) emphasized civil service reforms, a delegation of power, and capacity development for the success of anti-corruption agencies. Heeks and Mathisen (2012) reviewed the anti-corruption policies in developing countries and observed that most anti-corruption campaigns fail because of the design reality gap. Policies should be made by considering the ground realities that minimize the design reality gap. Bashir et al. (2011) conducted a comprehensive survey among government officials in Pakistan and reported that whistle-blowers are not protected and face resistance from their superiors and colleagues. Khan (2016) evaluates the efforts at the government level to combat corruption in Pakistan. He criticized the bureaucratic structure that is highly authoritarian and views the state as a milch cow. He emphasized reforms and policymaking for effectively combating corruption. Mohammed (2013) found that a lack of legal frameworks and weak enforcement mechanisms hindered the efforts of anti-corruption agencies in Nigeria.

Za'farullah & Siddique (2013) found that inadequate funding and resources were one of the primary reasons for the failure of anti-corruption agencies in Bangladesh. Ankamah & Manzoor (2017) found that political will is positively related to the performance of anti-corruption agencies. He further argued that political will is not an effort but a necessary condition to fight corruption. Smirnov (2010) highlighted that institutional capacity development and upgrading the policy capacities are very crucial factors for the success of anti-corruption campaigns. Doig et al. (2005) argued that the government and the agency must set mutually exclusive goals, and the resources required to meet those goals and the capacity to achieve them are necessary for anti-corruption agencies' success. Persson et al. (2010) argued that the government
had designed appropriate policies to control corruption. However, implementing those policies becomes difficult, so the design reality gap is one of the crucial reasons behind the failure of anti-corruption agencies.

Methodology
Campbell (2015) describes phenomenology as a useful philosophical tool for researching untapped issues. Phenomenology aims to determine what an experience means to a person who has had it and can provide a thorough account of it (Maxwell, 2012). Furthermore, irrespective of evidence and facts, phenomenological inquiry seeks the inner creation or rationalization of truth in the subjective world. In the current research, we are particularly intrigued to explore the reasons for the failure of anti-corruption agencies in Pakistan.

Participants
A phenomenological approach relies on deliberate sampling and does not necessitate large sample numbers because it allows respondents to disclose the meanings of subjects or share their lived experiences (Creswell, 2013). No straightforward rule determines the optimum sample size in phenomenological studies. Because the outcomes of this study emphasize the uniqueness of each person's experience, the data saturation point is unlikely to occur (Ironside, 2006; Morse, 1994). Croswell (1998) suggests that a minimum of six and a maximum of 15 participants are sufficient for the phenomenological study. Finding out barriers to control corruption using large sample sizes is unrealistic. Some potential respondents may wish to remain anonymous or avoid being questioned about their performance. Some functionaries of anti-corruption agencies may also have been reluctant to give researchers free access for fear of government or devaluing their image (Nichols et al., 2009). So, this study conducted six in-depth interviews of anti-corruption officials from three respective agencies. The experiences of the functionaries are narrated in their own words following the research questions. We eliminated all personally identifiable details about interviewees to preserve anonymity. The aim and nature of this investigation were explained to the informants. The Belmont Report's ethical principles, which emphasize respect for people, the beneficence principle, and fairness or fair treatment of all subjects, served as the research's guiding because it involved human subjects (NCPHSBBR, 1979). The interview format was a one-on-one interview without any interactions between the participants. All interviews were conducted personally, face to face, and then transcribed. After the interviews were transcribed, the researchers used Nvivo 20 software to aid in categorizing and organizing the data. The software allowed the researchers to efficiently identify and organize codes in the data. After identifying the potential themes, they were shared with the respondent to get their point of view and the researcher’s interpretation of the meanings to enhance the study's validity.

Results
Based on the analysis, the following three themes emerged behind the failure of anti-corruption agencies to control corruption.

(1). Political Influence
(2). legislation
(3). Capacity Building

(1) Political Influence
Political factor is one of the basic reasons for the failure of anti-corruption agencies. Powerful politicians used to influence government departments to achieve personal and political goals. The anti-corruption agencies are also no exception. The Political factor can further be categorized into the following three factors.

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Victimization
One of the key themes that have emerged in the study is the issue of political victimization. Anti-corruption agencies are often used as a political weapon against opponents. The participants reported that political parties and influential individuals use anti-corruption agencies to victimize their opponents. According to R1, "anti-corruption Officers/Officials are victimized by the strong politicians to launch fake complaints and FIRs against their political opponents." The participants highlighted that these fake complaints and FIRs harm the reputation of anti-corruption agencies in the public eye and have a demoralizing effect on their staff. The respondent pointed out that every new province government often appoints their preferred bureaucrat as the provincial head of the anti-corruption department, exacerbating that victimization problem. R3 supported this opinion, "Politicians and powerful people do not want anti-corruption institutions to be powerful and autonomous, as this would harm their self-interests. As a result, they exploit their power to nominate their preferred candidates for key positions and to penalize employees who refuse to comply with their directives”. Respondents emphasized that unless political meddling is addressed, anti-corruption authorities will continue to struggle in fulfilling their objectives.

Independence
The participants in the study also highlighted the issue of undue influence in anti-corruption processes. They reported that government and establishment influence the anti-corruption processes, which is a major hurdle in the success of anti-corruption agencies. Participant R4 stated, "The ruling party uses its influence to protect its members and those close to them from being investigated, which undermines the very purpose of the anti-corruption agency." The participants emphasized that such interference not only demotivates the staff but also weakens the agency's credibility in the public eye. They highlighted that the government must provide a conducive environment for the anti-corruption agency to work independently and without any undue influence. Participant R5 shared his experience of facing undue influence during his tenure at the anti-corruption agency. According to R5, "I was pressurized by the ruling party to drop an investigation against their member, and when I refused to do so, I was transferred to a remote area." Participant R7 stated, "Government interference in the appointment of authorities impedes the independence of anti-corruption agencies" Participant R1 stated, "Financial independence is the most crucial factor for the success of anti-corruption agencies; government can restrict the agency activities by reducing its budget". It also reveals from the discussion that establishment in Pakistan is very powerful and strongly influences the agency's activities. Participant R2 stated, "Everyone has some weakness, and the establishment targets that weakness and runs agency affairs in their way." The participants suggested that political interference must be curbed. The anti-corruption agency should be allowed to work independently to achieve its objectives.

Insecurity
Insecurity faced by Anti-corruption agencies' functionaries is a major reason behind their failure. The participant highlighted that they face illegal transfers, suspensions, and even life threats during their job tenure. The participants stated that officers are usually transferred due to noncompliance with illegal orders from ruling politicians. They argued that completing their normal tenure in a station would enable officers to conduct investigations without fear of transfer and more effectively. Participant R3 stated, "The frequent transfers hamper the investigation process and lead to a lack of institutional memory and continuity". It highlights the need for a stable and consistent workforce in anti-corruption agencies to ensure efficient and effective investigation and prevention of corruption. Participants highlighted that transfer and posting decisions are often influenced by political considerations rather than merit and competence. Participant R5 pointed out, "Transfer and posting decisions in anti-corruption agencies are often based on political affiliations rather than professional competence." The insecurity is not limited to transfer posting; the anti-corruption officials sometimes lose their jobs due to non-obey of illegal orders. Participant R5 stated, "Officers are reluctant to take any bold action against corruption due to the fear of losing their jobs. They prefer to turn a blind eye to the corrupt practices rather than risking their livelihood." This fear of losing their jobs not only affects their performance but also allows corruption to go unchecked. Participant R6 stated, “Losing jobs is not the only concern; in extreme cases, anti-
corruption officials face the risk of physical harm and even life threats". Participant R2 stated, "Officers fear for their lives when they are investigating cases involving influential individuals. There have been instances where officers have been physically harmed or even killed for doing their job." This highlights the dire need for protection and security measures for anti-corruption officials in Pakistan. R7 emphasized that "the corrupt elements are well-connected and can use their influence to harm the officials and their families, which creates a sense of fear among officials and prevents them from taking action against corrupt individuals". These life threats to anti-corruption officials not only affect the functioning of anti-corruption agencies but also pose a threat to the safety of officials and their families.

Legislation
Legislation is pivotal in curbing corruption and promoting good governance within societies. By enacting and enforcing anti-corruption laws, governments can establish rules and regulations that deter corrupt practices and hold individuals accountable for their actions. Three more sub-themes have been derived from the legislative factor.

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Weak Prosecution
The role of prosecution is very crucial in awarding punishments to corrupt elements. R1 stated that most corrupt officials escape punishment due to weak court prosecution. R3 stated, "Corrupt elements are usually very influential peoples; they hire top-quality lawyers for their cases. On the other hand, our prosecutors are weak in front of them, so we have to reduce this class gap to obtain the desired results from anti-corruption agencies." The respondents also highlighted that the allocation of cases and workload on public prosecutors are very high. The emphasis is on the new hiring of specialized prosecutors with updated knowledge to make anti-corruption agencies effective. Respondent R6 stated, "Unfortunately, the leading anti-corruption agency lacks well-trained prosecutors, and many amongst the prosecutors even do not command grip over the most important legal documents such as Prevention of corruption law 1947".

Self-Benefitted Reforms
One of the key themes that emerged in the study is the reforms that only benefited the lawmakers. Most of the prevailing laws for corruption protect the lawmakers themselves, such as plea bargain law. The respondent criticized the plea bargain law as it absolved the culprit of its crime and punishment. Respondent R3 stated, "I arrest an influential politician occupying illegal currency, but he avails a plea bargain opportunity and escapes from punishment by returning the partial money". Respondent R1 stated, "In Pakistan, plea bargain laws are mostly manipulated by white-collar individuals". The respondent highlighted that politicians have made reforms for their self-interest, which destroys the nation. Respondent R2 stated, "Under the National accountability bill 2022, corruption cases under Rs500m will not come under the National Accountability Bureau's (NAB); these types of legislation are reducing the power of anti-corruption agencies". Respondent R5 stated, "The accountability bill 2022 give the authority to the federal government to appoint judges for the NAB court, it was only carried out to benefit the lawmakers". The participants emphasized the need for legislation that helps to combat against corruption. Respondent R4 stated, "frankly speaking, some laws look like they are designed to protect the culprit, and in most of the cases culprit benefitted from them".

Lack of Capacity Building
The lack of capacity building of investigation agencies is also a major factor behind the failure of anti-corruption agencies. The lack of capacity building factor has been subdivided into three categories: specialized training, resources, and awareness.

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<td>Lack of Specialized Training</td>
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Lack of Specialized Training
Specialized training is a crucial aspect of capacity building for anti-corruption agencies. As R1 highlighted, "Financial crimes have taken new shapes with the advent of modern technology, but unfortunately, we are not well familiar with modern financial technology. This lack of knowledge allows the culprit to escape from the charge." Specialized training programs must be designed to ensure that the investigators have the necessary knowledge, skills, and expertise to handle complex corruption cases. This sentiment was echoed by R6, who emphasized the need for ongoing training to keep up with evolving corruption methods and technologies. The respondent highlighted that a lack of cross-disciplinary knowledge also affects the investigation process. Respondent R2 stated, "Anti-corruption agencies should also provide inter-disciplinary training to investigators to enhance their understanding of the nature of corruption and the various schemes used by corrupt actors." Moreover, R4 emphasized the need for specialized training to enhance the capacity of prosecution teams, stating that "It is not enough only to train investigators; we also need to focus on training prosecutors to prosecute corruption cases in court effectively." This sentiment was also echoed by R5, who highlighted the importance of training investigators and prosecutors to work collaboratively to build strong cases against corrupt actors. Overall, specialized training is critical to enhancing the capacity of anti-corruption agencies to investigate and prosecute corruption cases effectively.

Lack of Resources
Three types of resources are needed adequately for the proper functioning of anti-corruption agencies, i.e., human, financial, and technological resources. All these resources are essential, and every agency can only function properly in the presence of these resources. Human resources is one of the crucial factors for the success of any organization. Respondent R2 stated that “one of the reasons for the failure behind anti corruption agencies is our lack of employees; we are only three officers and investigating several cases in our area, so we cannot properly give time to any particular case”. R3 stated that we have a limited number of prosecutors that looks at several cases and that is the main reason behind the delay in corruption cases” R5 highlighted the significance of these financial resources and stated that “there are acute shortage funds in the anti-corruption department. Financial and budgetary resources are not provided per the requirements for fulfilling official responsibilities”. Corruption increasingly involves digital transactions and cybercrimes, so anti-corruption agencies need expertise and technological resources in digital forensics and cyber security. R6 stated that we still need access to modern technologies, failing to analyze the digital evidence. Respondent R6 stated, "Nowadays, white-collar crimes are usually done by the use of modern technologies, and to overcome those crimes, we need unauthorized access to modern forensic tools”.

Lack of Awareness
Lack of awareness is a critical sub-theme and contributes more to the failure of anti-corruption agencies in Pakistan. Respondent R2 stated, "I observe that most peoples in Pakistan do not think of corruption as a crime and deals corruption as a secondary issue”. Public awareness is essential to control corruption in any society. The government should utilize various platforms to run anti-corruption campaigns to educate the public about the dangers of corruption and the role they can play in reporting corrupt practices." Respondent R4 stated, ''I was conducting an inquiry against a government servant, where I realized that all around his surrounding are trying to protect him, I was amazed what was going around” The public must understand the detrimental impact of corruption on the economy, society, and the state as a whole. Respondent R3 stated "our department had introduced the whistle blow policy. However, unfortunately, we could not get the expected result. The reason I realized behind the failure of policy is lack of public interest and fear” R1 emphasized the importance of integrating anti-corruption awareness into educational curriculums to cultivate a culture of integrity from an early age. He stated, "Education institutions play a crucial role in promoting ethics and integrity. It is important to integrate the topic of corruption and its impact on society in the educational curriculums to create awareness about the consequences of corruption to a new generation". 
Discussion
This study identifies three main themes responsible for the failure of anti-corruption agencies in Pakistan; Political influence, legislation, and lack of capacity building. The interviews revealed that all these factors create hurdles in controlling corruption and encourage corruption by protecting the culprit. Moreover, all of these factors are interlinked, and these factors must be addressed simultaneously for the proper improvement of anti-corruption agencies. Political influence is the most influential factor affecting anti-corruption agencies' functions. There needs to be more political will to strengthen anti-corruption agencies because politicians habitually use the anti-corruption agencies as per their own motives (Tangri & Mwenda, 2006). The Respondents revealed that most employee transfers are made on a political basis. Every new government posts its favorite bureaucrats at the key posts in the anti-corruption establishment (Malik & Qureshi, 2020).

Furthermore, the ruling politicians use the agencies to victimize their political opponents. This political victimization eventually results in insecurities within the agencies. The Employees got demotivated and often forced to make decisions against their merit. Respondents stated that anti-corruption establishments should be independent institutions. There should be no interference in the working of anti-corruption agencies; complete autonomy and independence are crucial for the success of anti-corruption agencies. The role of prosecution is also very crucial in awarding punishments to corrupt elements. Weak prosecution gives a chance to the culprit to escape from the charge. The knowledge and capacity of public prosecutors also play a crucial role in the success of anti-corruption agencies (Sorunke, 2018). The interviews reveal that public prosecutors are normally overburdened, affecting their efficiency. The respondent emphasized the need for specialized prosecutors with updated knowledge. The respondent also highlighted that the self-beneficiary reforms by the lawmakers are the main factors contributing to the anti-corruption agencies' failure. The self-beneficiary reforms inherently design to protect the culprit from punishment (Rose-Ackerman et al., 2012). The respondent emphasized that the lawmaker's self-beneficiary reforms badly hurt the investigators' morale. There is a need to diminish these black laws that only benefited the culprit and develop new, updated laws.

The respondents highlighted that the employees' capacity building is crucial to enhance agencies' efficiency. Specialized training for anti-corruption officials is necessary to cure the disease of corruption (De Sousa, 2010). Besides training, adequate resources, human, financial, and technological are also very important. The lack of adequate resources creates hindrances in the performance of the functionaries of the anti-corruption agencies. Most of the Respondents expressed their concerns regarding the non-provision of the required resources for anti-corruption agencies to deal with white-collar crime is a major reason behind the failure of anti-corruption agencies. Complete logistic support is essential to the investigators to fight against corruption in the anti-corruption agencies (Camerer, 2001). The Respondents highlighted the need for awareness campaigns in public through electronic and print media. As more people become aware of the corruption issue, they will have more chances to highlight and play their roles in controlling corruption. It will be greatly beneficial to teach about financial crimes in educational institutions. It will enhance public participation in eliminating corruption in society and government organizations.

Conclusion
This study focuses on the major factors responsible for the failure of anti-corruption agencies in Pakistan. The country has federal and provincial anti-corruption and accountability Agencies, but the corruption issue has worsened over time. This study has adopted a phenomenological research design and interviewed six anti-corruption officials. The study revealed several reasons behind the failure of anti-corruption agencies, categorized into three major factors, i.e., Political, Insecurity, and Capacity Building. The result revealed that the victimization of honest officers creates an atmosphere of insecurity among officials. The self-beneficiary reforms and weak prosecution system benefitted the culprit to escape from the charge. The respondent highlighted that lack of skills and knowledge are the significant factors
hindering anti-corruption agencies' success.

References


