

FPC Briefing: Corruption Fighting Efforts in Africa Fail Because Root Causes Are Poorly Understood

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Introduction: Colonial Roots of Corruption

Most well-intentioned corruption busting remedies in Africa fail because the root causes of corruption on the continent is often poorly understood. Post-independence African countries inherited deeply corrupt institutions, laws and values from colonial and apartheid governments. In the majority of African former colonies, the colonial elite centralized political, economic and civic power, exclusively reserving top jobs in the public and private sector, as well as education only to fellow colonials.

At the time in the colony, the institutions that should have served as watchdogs against corruption: the judiciary, police, security services and rule of law, selectively served the interests of the elite classes. These institutions were more often subservient to the all-powerful colonial administrator or governor. The colonial private sector, for the most part, produced for export to the imperial market and as such were, usually deeply dependent on the colonial government for licenses, contracts and subsidies. This sector rarely held the colonial government to account. With the exception of a few, colonial media sources were equally bridled.

Independence movements turned governments' entrenched compromised colonial-era governance systems

Instead of changing colonial era institutions, laws and values for the better, African ruling parties and leaders entrenched these deeply compromised governance systems. At African independence, the colonial elite were often replaced by similar narrow elite class. This time however, it was the aristocracy of the independence and liberation movements; the dominant independence leader and dominant 'struggle' families, or the dominant ethnic group or political faction. African independence movements were often highly centralized or strongly dominated by one leader and his political, ethnic or regional faction. The dominant structural make-up of these movements has meant that they can seamlessly fit into a similar centralized political culture very much like the colonial administration.

At independence, the indigenous communities of most African countries were relatively poor, unskilled and without any significant holdings in the private sector. Very few grassroots cadres which formed part of the liberation movements had professional careers outside the struggle. Post independence, many were simply appointed to posts for which they had little aptitude, experience or skills to perform. Such a situation is fertile for corruption. The newly acquired state bureaucracy, military, judiciary, nationalized private industries were often seen as the 'spoils' of victory. A reward for the struggle of independence. The whole process often become opaque and unaccountable with 'struggle aristocracies' dishing out patronage – jobs, government tenders, and newly nationalized private companies - to their political allies, ethnic group(s) or regional interests.

Giving jobs to members of the same faction, ethnic group or region meant the idea of merit-based appointments was all too often thrown out of the window. This also meant that even if the newly empowered independence movement launched economic development programs to transform the

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colonial economy, such reforms were hardly ever going to have any impact, given the fact that unqualified cronies were managing key public institutions, and that scarce resources were being coarsely diverted to allies, family and friends. Appointments to the key institutions that scrutinize as well as hold rulers to account - the judiciary, the police, and the media - became increasingly occupied by liberation aristocracy loyalists. These institutions already corrupt under colonialism continued to be perverted with a new set of management cadre who were unlikely to hold the rulers, through whose patronage they serve, to account. In many countries, this continues to be the case today.

Those who held junior ranks in the part hierarchy but had little skills, education, or employment, found it difficult to make a decent living in the now normalized society. They too were forced to seek out, by corrupt means, the patronage of leaders that had control over the distribution of the 'spoils'. Almost the only jobs available in the newly independent country were in government or , the newly nationalized media, banks, schools, universities etc. , Decent employment very much depended on 'clearance' from the liberation movement leaders or the ruling group. In most cases, those critical of the dominant leaders or their policies were likely to be excluded from work in the public and private sectors.

Indigenization of economies often fuel corruption

Very few African countries at independence had a significant private sector: those that had, more often than not saw it nationalized by the liberation or independence movement, turned government. Where significant private sectors remain, they often existed under the threat of possible nationalization or not securing trading licenses if they failed to toe the line. Given this, such companies are unlikely to employ anyone out of favour with the ruling elite. Partially for these reasons, post-independence, the private sector in many African countries were usually docile and unlikely to demand accountability from national governments. The private sector was often under constant threat of having their businesses nationalized or 'indigenized' from the new rulers.

In some instances liberation movement governments embarked on a policy of creating a 'capitalist class' or new 'indigenous' business owners, black economic empowerment or indigenization programs. In many such instances, political capital forms the basis of these attempts at creating indigenous capitalists. Political leaders either get stakes in newly privatized public companies, get state tenders to supply services for government, or get slices of private companies owned by former colonials, minority ethnic groups or foreign companies.

By the 1980s, under pressure from the World Bank, International Monetary Fund and Western powers through 'structural adjustment reforms', the privatization of state-owned companies saw African independence/liberation movement governments sell off state assets to individuals that were close allies of the dominant political faction, ethnic or regional group of the independence/liberation movement government. Those who benefit from black economic empowerment, indigenization or privatization programs were the most jingoist and were not going to hold African governments to account.

Post-independence, the African elite mimicking the 'bling' lifestyle of colonial elite

Before independence, the small colonial elite often lived lives of conspicuous consumption: expensive mansions and shopping trips in the capital cities of colonial empires, and lavish parties. A culture of hard work was often absent. Sadly, many of the post-independence African elite – both the political and

economic empowerment classes - took the colonial elite's conspicuous consumption standard as a benchmark for 'success'. Not surprisingly, some poor people also wanted to emulate this 'bling' lifestyle – and may not have seen any problem with leaders living such lives of opulence, if they themselves remained poor.

Such excessively lavish and wasteful 'bling' lifestyles enjoyed by a small elite provided fertile ground for corruption, particularly with a background of high levels of poverty, inequality and unemployment. During the struggle against colonialism and white-minority rule there was active resistance by opposition independence movements against, colonial and racist regimes. This helped bolster the individual and collective self-worth of the oppressed. Sadly, however when many of these former independence and liberation movements finally secured power, individual self-worth was now measured by the extent to which a 'bling' lifestyle could be secured. This provided fertile grounds for corruption. In the long-term, making significant inroads into tackling pervasive poverty, unemployment and inequality - linked to a new emphasis on values - is one of the best anti-corruption measures that can be adopted.

During struggles for liberation and independence, progressive civil groups, whether: religious groups, NGOs, youth groups, or trade unions often joined the liberation or independence as part of anti-colonial alliance. At independence most liberation and independence movements argued that civil society, especially when they played a crucial role in ousting colonial or white-minority regimes, had now played its historic role and should be 'demobilized'.

After independence, significant independent civil groups, such as trade unions and farmers associations, were often incorporated as 'desks' or 'leagues' of the new ruling parties (formerly independence/liberation movement). This meant that civil society groups that held the colonial governments to account and served as checks and balance mechanisms – and importantly had the credibility and legitimacy obtained by their sterling opposition to colonialism or apartheid - abdicate this role now at the dawn of victory, leaving corruption to flourish unabated.

Underground cultures of anti-colonial and anti-apartheid movements spawns corruption – if not replaced by democratic cultures

During independence struggles and liberation movements which fought corrupt autocratic regimes, often became corrupt themselves, as they were forced to adapt to the unaccountable, and opaque strategies frequently employed by their oppressors. For example, while waging an armed struggle, it was not always possible donor funding could be reconciled with receipts, or to properly supervise how money is spent during the course of underground operations. This process or lack thereof was often referred to as 'struggle accounting'. Unfortunately, when eventually installed in government such 'struggle accounting' practices continued post independence.

During the independence struggle, many African liberation movements discouraged dissent and criticism of the movements themselves, unless in highly circumscribed ways, lest they expose divisions within the movements of the oppressed. It was fear that such dissent could be exploited to brutal effect by the colonial government army, police and intelligence agencies.

By its very nature, many independence movements' struggles were secretive. They often had to act in secrecy and subterfuge to foil the intelligence and security services of the colonial or white-minority governments. Sadly, in power, most post-independence and liberation movements turned governments also governed with obsessive secrecy: lack of openness, transparency and limitations on access to even basic information. Again, a breeding ground for corruption.

Liberation and independence leaders were often put on a pedestal by supporters. This often continued after independence and allowed leaders to get away with corruption and personalized rule, disguised by the rhetoric of ruling in 'the service of our people'.

The colonial system of legal inequality necessarily forced many among the oppressed to find ways to escape the (unjust) laws and rules. Until independence in the post-colonial period sets clear standards with respect to compiling with the rule of law, the masses will continue such corrupt practices. In many cases liberation/independence leaders applied the law selectively, especially when it came to wrongdoing: enjoy impunity, yet ordinary citizens are subject to the law thus a climate in which corruption flourishes is created.

Corruption mushrooms when opposition parties are weak and irrelevant

Weak and irrelevant opposition parties also allow corruption to flourish. In some African countries, the main opposition parties are either associated with the colonial or the minority governments, or had opposed independence, leaving them with legitimacy problems. In many instances, opposition parties were focused on ethnic constituencies.

For far too long, African ruling parties have got away with blaming the previous colonial administration - apartheid government or opposition movements (which are often associated with the ousted colonial or apartheid governments) - for their own government failures. It is common knowledge that African ruling parties make it difficult for opposition movements to operate, often throwing their leaders in jail, depriving them of funds and continually threatening their very existence. By force or negotiation, many independence movements annex opposition parties making one large united party (all be it with ongoing tensions).

Opposition parties that eventually come to power in Africa often offer little alternatives to existing corrupt regimes of installed post independence.

The myth that corruption has no 'victims'

In many African ruling party circles, there were misguided beliefs that there were 'no victims' of corruption. Yet, corruption has a disproportioned impact of the livelihood of the poor. Corruption undermines the delivery of public services including public housing, healthcare, access to water and adequate sanitation, and access to reliable supplies of electricity. Corruption diverts financial and other resources that could have been used for development with respect to job creation, and poverty alleviation instead weakening the capacity of the state to deliver effective services and also equally undermines the trust of ordinary people in government.

Even the so-called 'quiet corruption' is damaging. This kind of corruption might not have necessarily involved money changing hands, but entailed factors such as absenteeism (at work by public officials) or

the deliberate manipulating of rules for the benefit of front line service providers, such as teachers, doctors and other government officials”². For example, a child denied adequate education because teachers did not attend classes regularly; depriving children of the necessary skills needed to play a productive part in the economy once they reach adulthood. A World Bank study showed that ‘big-time’ corruption of senior political leaders’ encouraged this sort of ‘quiet corruption’³.

African leaders and governments lack political will to combat corruption

Most African ruling parties and leaders lack the political will needed to genuinely tackle corruption. Legislative gaps in dealing with corruption must be strengthened across African countries. The enforcement of internal anti-corruption controls within states must be improved. Sadly, scrutiny, enforcement and compliance in African public sectors have often been very low – creating opportunities for corruption.

The corruption fighting capacity of existing institutions must also be strengthened. Africans need independent anti-corruption structures, which could be led by agencies in the private sector or civil society. Such agencies could ensure that corrupt officials have been brought to book, as well as forcing police and public watchdogs to bring cases of corruption exposed in the media and by whistleblowers. Nonetheless, these watchdogs must get the appropriate resources required to be able to attract the best candidates and to remunerate them (and in some cases protect them) appropriately. Furthermore, these institutions must be independent from the presidential office or the executive department, such as police or justice ministry, and be accountable directly to parliament.

African ruling parties must punish the bad behavior of its leaders and party members, legally, socially and politically as well as reward good behavior. If this is highlighted and addressed publicly, governments can begin to restore the moral authority and credibility needed to deal with transgressions from ordinary citizens. Exemplary leaders will encourage ordinary citizens, (themselves included) to uphold the rule of law. Civil society will have to play a role in ‘naming and shaming’ those leaders who espouse corrupt values while encouraging those who behave with integrity.

African ruling parties must train up and bring in a new calibre of leadership at all levels. As well as being competent and honest, these candidates must operate with integrity. A system of merit must be brought into the internal party elections. Candidates must be judged on the basis of competence, moral character and genuine commitment to public service. Merit-based appointments to jobs in the public service, and in politics, will significantly contribute to reducing the patronage system of jobs for ‘pals’, which only works to foster an environment of corruption.

Lack of capacity and toothless watchdogs and regulators undermine the fight against corruption

In many African countries watchdogs, enforcement agencies and regulators often lack the capacity, political backing and teeth. In many other cases there are huge “legislative gaps” in anti-corruption laws. Corruption thrives if there is weak capacity in the enforcement agencies, or where there are gaps in the laws. African governments must strengthen the corruption fighting capacity of existing institutions dealing with corruption. For another, enforcement and compliance in African public sectors is often very low – opening up the system for corruption.

² World Bank. 2010. Africa Development Indicators 2010. World Bank Publications: Washington DC, March

³ World Bank. 2010. Africa Development Indicators 2010. World Bank Publications: Washington DC, March

Sometimes, excessive administrative red tape for the most basic public services, such as getting a business license, encourages corruption. African government should do more to make administrative processes simpler and more transparent, which will reduce the opportunities for corruption. It would be important for African countries to professionalize their public services. Merit-based appointments to jobs in public services, regulators and enforcement agencies will come a long way to reducing the patronage system of jobs for pals, which fosters the environment for corruption. More transparent methods for appointments should be introduced, including making outcomes of decisions publicly available.

More investigative journalism and protection of whistle-blowers

Effectively tackling African corruption necessitates more and more transparency. “Open access to information provides a basis for government accountability and raises the barriers against capricious, self-serving intervention”⁴.

The solution to tackling corruption is more effective investigative journalism to uncover wrongdoing. Currently, the perception across Africa is that whistle-blowers are most likely to be prosecuted than the actual corrupt individuals. Most African corruption busters leading official anti-corruption institutions are being ousted by ruling parties as soon as they attempt to tackle official corruption head-on and this threatens the interests of powerful ruling parties and their leaders.

Whistle-blowers and anti-corruption busters must be celebrated in African countries.

Many African ruling parties and leaders only selectively punish those who they see as threats to corruption, but allow their allies to escape prosecution. This has discredited the fight against corruption across the continent. In any society there must be a sense that rules are applied fairly – if there is going to be broad buy-in and compliance. Being compelled to upholding the rule of law should not solely apply those without privileged access to the dominant leadership faction of the ruling party. Fairness and transparency must also include: not allowing state institutions, such as the police, security and intelligence services to be used to ‘plant’, manufacture or smear political rivals, critics or opponents’. The continent needs an army of courageous people, not only to support honest corruption fighters, but to become corruption fighters themselves.

Increase African citizen and civil society activism

Ordinary African citizens, community groups and civil society must not only support honest corruption fighters, but must become corruption fighters themselves. One innovation that could be introduced is citizens’ or community forums directly responsible for overseeing government departments that could keep a watch over corruption and service delivery in departments and monitor the progress of complaints. There needs to be grassroots campaigns across Africa against corruption. The masses must know the extent of corruption, the impact it has on public service delivery, and how to monitor as well as report it, and the importance of holding their elected leaders and public servants more vigorously to account.

In the long-term the best antidote to corruption is to foster values across the continent which reward honesty and discourage dishonesty. African citizens, civil society and community groups will have to play

⁴ Simon C.Y. Wong. 2004. ‘Improving Corporate Governance in SOEs: An Integrated Approach. Corporate Governance International. Vol. 7. Issue 2. June, p. 10

a role in shaming those leaders who espoused corrupt values and encouraging those who behave with integrity.

Western governments and business complicity in African corruption

African independence movements turned governments should not solely be in the dock. Sometimes, developed countries essentially 'buy' the support of African leaders. This can be secured by forcing poor African countries, in global forums, to support policies that benefit developed countries, but disadvantage the very African countries supporting such policies. This is often achieved through bribery, the promise of more aid, or indeed threats to cut aid. However, this is almost never seen as corruption – yet it is.

Alternatively, Western countries look the other way when corrupt African governments are their allies, this has in fact encouraged corruption. Western business organizations also abate corruption by colluding in corrupt practices. China, as a new emerging power on the block, has continued these age old practices in return for investment opportunities.

Corruption in business is often not seen in a serious light by business leaders either globally or locally. The global financial crisis was essentially caused by corrupt and greedy bankers, traders and those working in the corporate sector. Yet, many of these business leaders and companies now continue in the aftermath of the global financial crisis, as if they are blameless. Companies should be compelled to adhere to a set of 'integrity' standards (in which they would forego corrupt activities) when trading in government contracts.

African public officials often dismiss international organisations' corruption reports on Africa, saying these reports are infused by Western bias. African critics claim that such analysis overlooks corruption in Western countries and only focuses on developing countries. This is of course true, but only to some extent. The hypocrisy issue is a valid but separate debate and should not downplay the real seriousness of corruption at home.

The duplicity of international politics and Western companies should stop. Whether it is Western countries protecting their allies by turning a blind-eye to official corruption by ruling parties and leaders in the name of the so-called 'war on terror', or it is overlooked in order to secure mineral or oil rights as well as lucrative contracts.

Conclusion: We need South-South and North-South alliances against corruption

Civil society in Western countries and new emerging powers entering Africa should also hold their governments and businesses to account to ensure they are not overseeing corrupt and opaque operations. Corrupt governments, businesses and individuals – from Western as well as new emerging powers must be named and shamed in order to feel the reputational effects of corrupt activities.

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