

The corruption race in Africa: Nigeria versus South Africa, who cleans the mess first?

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SUMMARY

The aim and objective of this article is to unpack in a comparative format the fiend of corruption in Africa, using Nigeria and South Africa as the giant in corruption alongside Somalia, South Sudan and Madagascar in the continent of Africa. It is true that corruption has been imported and/or incorporated into the African political space; although, the dimension and effects of corruption differ from country to country in Africa. In Africa, corruption is clearly visible culminating in several high-profile scandals standing out. In Nigeria for instance, former and late military head of State, Sani Abacha and South Africa's Jackie Selebi were some among many public office bearers indicted in corruption mess. Kofele-Kale noted that corruption is punishable in all African countries, prohibited in their Constitutions and in various regional and pan-African anti-corruption instruments. In fact, Africa's leaders are concerned about the problem of corruption that hardly a day goes by without some government entity criticising corruption and its cancerous effects on African society, yet, Africa has made little or no progress on this front.

The article examines corruption in Nigeria and South Africa and tries to find out which of these two countries will be first in the complete eradication of corruption.

1 Introduction

Corruption is endemic and has become part of every day routine in the continent of Africa, this is no longer news. What may be news however to the international communities and Africa is that the evil of corruption has been completely wiped out in Africa and has become history because:

“As long as corruption continues to go largely unchecked, democracy is under threat around the world because corruption chips away at democracy to produce a vicious cycle, where corruption undermines democratic institutions, weak institutions are less able to control corruption, over and above this, with many democratic institutions under threat across the globe – often by leaders with authoritarian or populist tendencies – we need to do more to strengthen checks and balances and protect citizens' rights.”¹

1 Transparency International, *Corruption Perceptions Index* 2018 (2019) 1.

The major and principal challenges confronting the African continent is the need to develop and sustain positive socio-economic results which may lead to structural transformation processes.² To achieve structural transformation in Africa, three vital requisites are important in this regards: first, is good governance, which is extremely important; secondly, is that decision-making processes should be implemented by African leaders; and thirdly, Africa needs to keep up great administration and manufacture strong administration organisations, not exclusively to battle defilement, yet in addition to quicken and support its endeavors towards social and financial improvement.³

As a corollary to the foregoing, the Africa agenda 2063 states unequivocally that:

“Africa shall be a continent where democratic values, culture, practices, universal principles of human rights, ... justice and the rule of law are entrenched.”⁴

In addition, institutional transformation for Africa’s development is very critical in wiping out corruption from Africa, this comes on the heels of the African Agenda 2063, which further affirms:

“Africa shall also have capable institutions and transformative leadership in place at all levels. Corruption and impunity will be a thing of the past.”⁵

Corruption is a social menace and global phenomenon, it is however more pronounced in some jurisdictions than the other; for instance, corruption is more common in all African countries as shown in the chart below than in any other part of the world.⁶ Corruption through its perpetrators undermines and twists public policy leading to resource misallocation which ultimately affects private sector growth and produces negative economic effects that bring untold hardship and hurt the common man.⁷

The World Financial Institution (World Bank) perceives corruption as an international and domestic problem,⁸ individual wealth accumulation attitude by public office holders culminating in the misuse of public goods for individual and/or private benefits and enrichment, this takes the form of payment of bribes to bypass laid-down procedural principles. As a result, corruption becomes widespread in places where people in fiduciary trust and privileged positions monopolise the use of public funds to their advantage in the discharge of their constitutional duties with less or no

2 United Nations Economic Commission for Africa Measuring corruption in Africa: The international dimension matters *African Governance Report IV* (2016) 2.

3 United Nations Economic Commission for Africa 2.

4 Agenda 2063 *The Africa we want: The vision for 2063 Aspiration* (2015) 5.

5 Agenda 2063 28-29.

6 Gamuchirai “Corruption in Africa: Implications for development” 2014 *Polity* 1.

7 Gamuchirai 1.

8 The World Bank *Helping Countries Combat Corruption Operational* (2000) 43.

accountability to tax payers, which results into the abuse of private gains.⁹ Although, corruption cuts across all phases of human endeavour globally, the impact is however felt by poorer and underdeveloped countries, particularly in Africa where corruption robs the commonwealth and brings the diversion of public monies into private coffers to the impoverishment of the people.¹⁰ In general, corruption hinders sustainable economic growth, peace and good governance. The former United Nations Secretary General, Ban-Ki Moon puts it succinctly in these words:

“We all know the heavy toll taken by corruption. More than a trillion dollars stolen or lost, every year-money needed for the Millennium Development Goals.”¹¹

There are several types of corruptions: first is political corruption. Political corruption prevents the government from implementing, enforcing and upholding the rule of law; the second type of corruption is the one called the bureaucratic corruption which comes in the form of bribes collected by public office bearers to circumvent due diligence and process in the public sector giving space to the violation of constitutional duties to the central government.¹² The danger inherent in bureaucratic corruption is that it does not take into consideration the ability of governments to serve the people.¹³ The third type of corruption is the economic corruption where an insider of a particular organisation trades information and inflates tenders in exchange for financial gains, whilst disregarding due process in economic transactions.¹⁴

2 A brief overview of corruption in Africa

“If Africa fails to stop corruption, corruption is most likely going to stop Africa.”¹⁵

The Transparency International has asserted in many instances that Africa ranked highest in the world when it comes to corruption issues.¹⁶ The genesis of corruption in the continent is linked to the footprint of European rule from slave trade and the industrial revolution in the nineteenth

9 Amundsen “Political Corruption: An Introduction to the Issues” 1999 *Chr. Michelsen Institute Development Studies and Human Rights* 7.

10 United Nations Economic Commission For Africa & African Union Advisory Board on Corruption “Combating Corruption, Improving Governance in Africa” *Regional Anti-Corruption Programme for Africa* (2011 – 2016) 3.

11 Ban Ki Moon *The ONE campaign: the trillion dollar scandal* (2014) 2.

12 United Nations Economic Commission 10.

13 United Nations Economic Commission 10.

14 Fitzsimons “Economic models of corruption” 2011 *Researchgate* 4.

15 Udombana “Fighting Corruption Seriously? Africa’s Anti-corruption Convention” *Singapore Journal of International & Comparative Law* 2003 447.

16 Transparency International Corruption Perceptions Index 2010 <https://www.transparency.org> (accessed 2019-23-5).

century.¹⁷ The local leaders held powers for the colonial masters through indirect rule which in the final analysis turned leadership into a corrupted enterprise, the local leaders asked for money from the community with a view to manipulating the bureaucratic process put in place by colonial administrators.¹⁸ The consequences of the institutionalised corrupt system was where self-enrichment became the stock in trade in the African continent and corruption increased progressively from one historical era to another with the complex nature of corruption involving finances being introduced in Africa through colonialism.¹⁹

Over and above the foregoing is that it has been estimated that corruption in Africa takes away about twenty to thirty percent of funds earmarked for basic service provision.²⁰ In addition, African leaders embezzled billions of dollars on a regular basis stashed away in foreign bank accounts.²¹

For instance, the UN estimated that African leaders siphoned more than \$200 billion out of Africa in 1991.²² Scholars have argued that the 200 billion dollars stolen from Africa by corrupt leaders is far and above of Africa's foreign debt and that the money go far beyond the total amount of foreign aid to the whole of Africa put together.²³

Corruption has caused and fueled organised violence through illegal utilisation of tax payers resources for private interests.²⁴ This is the case in circumstances where regulation of resources is premised on social identities which creates uneven allocation of resources and/or inequalities that aggrieved unrecognised or marginalised groups.²⁵ It has been argued that war economies, are built on corruption because the conflicting parties depend on fraud, criminal partners who give and collect bribes to execute the conflicts, for instance through acquisition of ammunitions and weaponry.²⁶ In September 2018 UN Security Council through John Prendergast on anti-corruption asserted that "corruption

17 Elizabeth and Tenamwenye *Corruption in Africa: A Threat to Justice and Sustainable Peace* (2014) 20.

18 Gamuchirai 1.

19 Elizabeth 20.

20 AllAfrica.com Africa: Corruption Hampers MDGs – Transparency International <http://allafrica.com/stories/201010271133.html> (accessed 2019-23-5).

21 Oyedoyin James Ibori in final fall <http://www.odili.net/news/source/2012/apr/18/30.html> (accessed 2019-23-5).

22 Owoye and Bissessar "Corruption in African countries: A Symptom of Leadership and Institutional Failure" *Challenges to Democratic Governance in Developing Countries* <https://www.researchgate.net/.../265193869> Bad Governance and Corruption in Africa (accessed 2019-23-5).

23 Gbenga "Corruption and Development in Africa: Challenges for Political and Economic Change" 2007 *Humanities and Social Sciences Journal* 1-7.

24 Murimi "Policy Breifing Arresting corruption in Africa: Role of the youth" 2018 *Institute for Security Studies* 6.

25 Le Billon "Buying peace or fuelling war: The role of corruption in Armed conflicts" 2003 *Journal of International Development* 417.

26 Church "Lilies that fester: seeds of corruption and peacebuilding" 2009 *New Routes Journal* 3.

was at the root of the conflicts in the Democratic Republic of the Congo, South Sudan and the Central African Republic.”²⁷

It is important to examine how citizens in Africa perceive how their governments are performing in respect to the war against corruption. In all of Africa, about sixty four percent of the populace are of the opinion that the various African governments are doing a poor job at handling corruption, while only thirty two percent think that the governments are performing fairly or otherwise in the fight against corruption.²⁸ It is submitted therefore that this poor evaluation of Africa’s leaders’ effort at tackling corruption is indicative of the fact that more work need to be done by governments to clean up the public sector and bring corrupt officials to justice.

An examination at country-level evaluation in Africa showed that a small portion of governments are rated as doing well at cleaning up corruption; for example, the citizens of Botswana, Lesotho and Senegal agreed that their governments are doing well in eradicating corruption in their countries.²⁹ Outside of the three preceding African countries, all others scored very poor in terms of percentage in stopping corruption. Madagascar is the worst hit and most critical with ninety percent of the people asserting that the leadership has done either fairly or very badly, reason being that over forty percent of Madagascar budget is lost to corruption.³⁰

Nigeria is placed at 136th over 178 countries (Transparency International, 2017),³¹ South Africa, ranked 54 of the 178 countries,³² Zimbabwe, ranked 156th over 175 countries in Transparency International 2014 Corruption Perceptions Index,³³ Liberia, ranked as 75th least corrupt out of 176 in the world and 11th in Africa,³⁴ and in the Benin Republic,³⁵ only about 45% of the Beninese believed that the government is performing below expectation in respect of corruption.

27 Murimi 6.

28 Pring *People and corruption: Africa survey global corruption barometer* (2015) 9.

29 In Botswana 54% answered well, 42% badly; Lesotho 47% well, 41% badly; Senegal 47% well, 46% badly (2015) 10.

30 Freedom House (2015) Madagascar <https://www.freedomhouse.org/report/freedom-world/2015/madagascar> (accessed 2019-23-5).

31 Ojewale “In Nigeria, perceived corruption remains high despite praise for president’s anti-graftfight” 2018 *Afrobarometer* 1.

32 Policy briefing 14: Combating corruption in South Africa <https://www.democracyworks.org.za/Programs/Monitoring/> (accessed 2019-23-5).

33 Ndoma “Zimbabweans see corruption on the increase, feel helpless to fight it” 2015 *Afrobarometer* 1.

34 Johnson Corruption remains a major problem in Liberia 2012 *CENTAL Heritage* 11.

35 Chêne “Overview of corruption and anti-corruption in Benin” 2014 *Transparency International* 1.

3 African Union anti-corruption legal documents

The African Union and the Regional Economic Communities have tried to address corruption in Africa and in its Agenda 2063, the African Union desires an Africa where corruption will be history.³⁶ In line with the AU Agenda 2063 with a view to eradicating corruption in Africa, the Convention on Preventing and Combating Corruption was adopted in 2003 and became operational in 2006.³⁷ The 2006 Convention created the African Union Advisory Board on Corruption.³⁸ The Board *inter alia* is saddled with the responsibility of promoting the adoption and application of anti-corruption measures in African countries and further render advise to governments on how to deal with corruption challenges at the national level.³⁹

In addition to the AU Convention 2006, the following legal instruments were introduced to compliment the Convention. The African Charter on Democracy, Elections and Governance;⁴⁰ the African Union Convention on Values and Principles of Public Service and Administration;⁴¹ the African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development;⁴² and; the African Union Declaration on the Principles Governing Democratic Elections in Africa.⁴³

The Economic Community of West African States Protocol on the Fight against Corruption,⁴⁴ and the Southern African Development Community Protocol Against Corruption,⁴⁵ were also adopted at the regional level. It is submitted at this juncture that all of these instruments on corruption are intended to yield positive outcomes in the pursuit of AU Agenda 2063; however, the task remains on how to ensure the continental principles enshrined in these legal frameworks are achieved through efficacious and constructive implementation by African

36 Agenda 2063.

37 Adopted on 11 July 2003 and came into force on 5 August 2006.

38 Created on the 26 May 2009 under Article 22(1) of the Convention.

39 Art 22(5) of the African Union Convention on Preventing and Combating Corruption.

40 Contained in Art's 2(9), 3(9), 27(5) and 33(3) of African Charter on Democracy, Elections and Governance.

41 Contained in Art 12 of the AU Convention on Preventing and Combating Corruption.

42 Contained in Art 14 of the AU Convention on Preventing and Combating Corruption.

43 Paragraph III (g) of the AU Declaration on the Principles Governing Democratic Elections in Africa.

44 Economic Community of West African States Protocol on the Fight against Corruption (ECOWAS Protocol) was signed on 21 December 2001.

45 Protocol Against Corruption 2001. The SADC Protocol Against Corruption aims to promote and strengthen the development, within each Member State, of mechanisms needed to prevent, detect, punish and eradicate corruption in the public and private sector.

countries who are signatories to these statutes. The political will to combat the monster called corruption is a vital and critical instrumentality in effective implementation. The quantum of laws do not deter corruption, it is the will and commitment by public officer bearers that can eradicate this social evil from the African societies. To corroborate this assertion, President Buhari opined that:

“In Nigeria, there are enough laws, rules, regulations on good governance, anti-corruption commissions and agencies and there is perhaps no need for more. What is required, is to strengthen, adequately fund and motivate existing institutions to do their jobs.”⁴⁶

4 Corruption in South Africa

According to the mid-year 2018 reports, Statistics South Africa (Stats SA) puts the South African population at 57,73 million,⁴⁷ and corruption along side with unaccountable government is noticeable both in the public and private sectors.⁴⁸ The current situation in South Africa is reflected in SA's rankings in international indices and other reports on corruption in the media.⁴⁹ One must however say at this point that there are some proofs of anti-corruption efforts in South Africa, one of which is the present Raymond Zondo Commission of Enquiry.⁵⁰

The South African authorities have continuously made unrelenting moves and quality commitments to fighting corruption in South Africa, this move is reflected in the SA's government's statement on Anti-Corruption Summit in 2016 in the UK.⁵¹ It is interesting to note that SA is one of the founders of the Open Government Partnership (OGP),⁵² and a member of the G20 group of nations.⁵³

46 President Muhammadu Buhari “My plan to fight corruption in Nigeria” *Against Corruption: A collection of essays*, 12 May 2016. <https://www.gov.uk/government/publications/against-corruption-a-collection-of-essays/against-corruption-a-collection-of-essays#contents> (accessed 2019-24-5).

47 Stats SA Mid-year population estimates 2018 1.

48 Van Schalkwyk “Open data and the fight against corruption in South Africa” 2017 4.

49 South Africa remains among the world's most corrupt countries. This is after the country ranked 73rd in the 2018 Corruption Perceptions Index released by Transparency International. The Index uses a scale of 0 to 100, where 0 is highly corrupt and 100 is very clean. South Africa had a score of 43 and was placed 9th in Sub-Saharan Africa which is ranked as the worst performing region in the world. The most un-corrupt countries are Denmark and New Zealand and the most corrupt Somalia, Syria and South Sudan. <https://www.sabcnews.com/Home/HomepageFeaturedStorySlider> (accessed 2019-24-5).

50 The Raymond Zondo Commission was appointed on 23 January 2018 by former president Jacob Zuma in terms of section 84(2)(f) of South Africa's Constitution. Its purpose is to investigate allegations of state capture, corruption and fraud in the public sector, including organs of state.

51 UK anti-corruption summit: South Africa's statement - Corruption Watch <https://www.corruptionwatch.org.za/uk-anti-corruption-summit-south-africas-statement> (accessed 2019-24-5).

Although, SA is member of the OGP, it does not have a defined and identified open data policy and the SA government has not signed the International Open Data Charter.⁵⁴ However, the only domestic open data and anti-corruption policy in SA is captured in the National Development Plan: Vision for 2030.⁵⁵

The SA's National Development Plan is one of the few documents with a defined focus as regards open data and anti-corruption issues.⁵⁶ In addition to the NDP, there is the National Integrated ICT information and communication technologies Policy White Paper,⁵⁷ released in 2016.⁵⁸ The principal objective of the National Integrated ICT is to provide the direction for the implementation of SA government's commitment to open governance and open data.⁵⁹

In its third Open Government Partnership National Action Plan, SA showed signs of commitment by incorporating both the open data and anti-corruption policy into three segments

“open budgeting, which commits to making information publicly available via an accessible platform that allows citizens to track government spending; a national open data portal, to increase government transparency; and beneficial ownership transparency.”⁶⁰

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- 52 The Open Government Partnership was founded on 20 September, 2011. The Open Government Partnership is a multilateral initiative that aims to secure concrete commitments from national and subnational governments to promote open government, empower citizens, fight corruption, and harness new technologies to strengthen governance. Other founding members are: United States, United Kingdom, Mexico, Philippines, Brazil, Indonesia, Norway and South Africa.
- 53 Founded on 26 September 1999. As of 2017 there are 20 members of the group: Argentina, Australia, Brazil, Canada, China, the European Union, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey, the United Kingdom, and the United States.
- 54 Out of a total of 54 countries in Africa, only ten countries had held open data events, these countries include Liberia, Rwanda, Burkina Faso, Uganda, and Ghana. <https://www.od4d.net/files/reportiodc-2016-web.pdf>. (accessed 2019-24-5).
- 55 National Development Plan: Vision for 2030: Our future: Make it work. <https://www.poa.gov.za/.../NPC%20National%20Development%20Plan%20Vision%202...> (accessed 2019-24-5).
- 56 National Planning Commission, National Development Plan: Vision for 2030 (Pretoria: National Planning Commission, 2011), 408, https://www.gov.za/sites/www.gov.za/files/devplan_2.pdf. (accessed 2019-24-5).
- 57 Department of Telecommunications and Postal Services, National Integrated ICT Policy White Paper (Pretoria: Department of Telecommunications and Postal Services, 2016) https://www.dtps.gov.za/images/phocagallery/Popular_Topic_Pictures/National_Integrated_ICT_Policy_White.pdf (accessed 2019-24-5).
- 58 Fin24Tech Cabinet Finally Approves SA ICT Policy 29 September 2016 <https://www.fin24.com/Tech/News/cabinet-finally-approves-sa-ict-policy-20160929> (accessed 2019-24-5).
- 59 Department of Telecommunications and Postal Services (2016) 117.

In assessing the South African government's activities in general with regard to the performance and commitments to the G20 Principles, one cannot but come to the sad conclusion that South Africa as a country has not fared or done well at the national space in translating the war against corruption into alreity. This conclusion comes on the heels of the fact that no alleged public officers in South Africa, whether serving or retired has been brought to justice or convicted by a court of competent jurisdiction. It is submitted therefore that, in the absence of a stronger political governance and the de-institutionalisation of corruption, the transparency policy being pursued by South Africa by open government data will not result into accountability. It is hoped and believed that as South Africa's sixth administration comes into effect on the 25th of May 2019 and after the May 8th general elections respectively, positive and drastic measures will be taken to fight corruption to a stand still in South Africa.

The exact cost of corruption in South Africa is not certain, there are however some institutions such as Corruption Watch and Civil Society Organizations (CSOs) that are unequivocal that corruption is endemic across government parastatals in South Africa; as a result, there is no accountability.⁶¹ Corruption in SA takes different dimensions and narratives and these include but are not limited to: gross financial misadministration, fraud, political interference in the recruitment of public sector employees, fraudulent representations by executive members of their qualifications, procurement irregularities and bribery.⁶² The foregoing assertions are corroborated by South Africa's position in international indicators in corruption matters;⁶³ to this end, corruption is pervasive and systemic in South Africa.⁶⁴ Although, there is no specific sector and no evidential proof to buttress the selection of certain sectors as highly affected, corruption is nonetheless clearly visible in the health sector,⁶⁵ with Corruption Watch reporting in 2015 corruption in education (16% in total), traffic licensing (12%) and immigration (6%).⁶⁶

60 Open Government Partnership The 3rd South African Open Government Partnership Country Action Plan 2015–2017 (Washington, DC: Open Government Partnership, 2015) https://www.opengovpartnership.org/sites/default/files/South_Africa_Third_%20AP.docx (accessed 2019-24-5).

61 Africa Check <https://africacheck.org/reports/has-sa-lost-r700-billion-to-corruption-since-1994why-the-calculation-is-wrong> (accessed 2019-27-5).

62 Open Government Partnership, South Africa Progress Report 2013–2014: Second Progress Report (Washington, DC: Open Government Partnership, Independent Reporting Mechanism, 2014) 23 https://www.opengovpartnership.org/sites/default/files/IRMReport_SouthAfrica_final.pdf (accessed 2019-27-5).

63 Transparency International's Transparency Index available <https://www.transparency.org/cpi2015#results-table>, the World Justice Project's Rule of Law Index <http://data.worldjusticeproject.org/#/groups/ZAF> and the Afrobarometer available <http://afrobarometer.org/> (accessed 2019-27-5).

64 Merchant "A Captured State?" in Carbone *South Africa: The Need for Change* (2016) 54.

65 Rispel "Exploring Corruption in the South African Health Sector" 2015 *Health Policy and Planning* 239–249.

In addition to the above claims, The Organisation Undoing Tax Abuse (OUTA) points its fingers to entities like Eskom, the African electricity public utility, established in 1923 as the Electricity Supply Commission by the government of South Africa, South Africa Airways, the South African Broadcasting Corporation and the South African National Roads Agency.⁶⁷ In fact, the SA Auditor-General unpacked that there has been increase in reckless transactions from 2007 to 2015, with much of the unaccounted-for expenditure taking place at the subnational levels.⁶⁸ With that being said, there are several key legislations to combat corruption and robust legislative frameworks to root out corruption in South Africa. These legislations just to mention a few are: the Prevention and Combating of Corrupt Activities Act 2004; being the vital law on corruption in South Africa, and the Promotion of Access to Information Act 2000, which gives effect to the constitutional right of South Africans to access government-held information.⁶⁹

5 South Africa Corruption Index

Transparency International scored South Africa only 43 points over 100 in the 2018 Corruption Perceptions Index, which on average gives South Africa only 46.62 scores from 1996 until 2018 as reflected in the chat below, which is about 56.80 scores in 1996 and a record low of 41 scores in 2011.⁷⁰



66 Corruption Watch Amp Up the Volume: Annual Report 2015 (Johannesburg: Corruption Watch, 2016), <https://www.corruptionwatch.org.za/wp-content/uploads/2016/03/Corruption-Watchannual-report-2015.pdf> (accessed 2019-27-5).

67 Van Schalkwyk 12.

68 Merchant 54.

69 Van Schalkwyk 68.

70 South Africa Corruption Index 2019 <https://www.tradingeconomics.com/South-Africa> (accessed 2019-21-5).

6 Corruption in Nigeria

“Unlimited power is apt to corrupt the minds of those who possess it; and this I know, my lords: that where laws end, tyranny begins.”⁷¹

It is no longer news that one of the social menace and phenomenon confronting the entire human race is corruption, and Nigeria is no exception in the sense that this monster evil called corruption has manifested in all areas of national life in Nigeria.⁷² Pre and post independence Nigeria on October 1st 1960, every administration has promised to address corruption, up until now, there been no serious progress made in this regard.⁷³

Like South Africa, corruption manifests itself in every facet of public and private sector in Nigeria since 1960. The Economic and Financial Crimes Commission (EFCC) is one of the anti-corruption agencies in Nigeria, in 2012 asserts as follows:

“corruption in the public sector remains a sore spot in Nigeria’s quest to instill transparency and accountability in the polity. The failure to deliver social services, the endemic problem of the power supply and the collapse of infrastructure are all linked with corruption.”⁷⁴

Lamenting the effect and evil of corruption in societal underdevelopment, the late Kofi Anan said:

“This evil phenomenon (corruption) is found in all countries – big and small, rich and poor – but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately – by diverting funds intended for development, undermining a government’s ability to provide basic services, feeding inequality and injustice, and discouraging foreign investment and aid. Corruption is a key element in economic underperformance, and a major obstacle to poverty alleviation and development.”⁷⁵

Over the years, the quality of life of the common man in Nigeria has been and is still negatively impacted by corrupt leaders through corruption in Nigeria. In this regard, the general opinion across Nigeria is that corruption is traceable to all tiers of governments in the country because Nigeria is famous for high profile corruption.⁷⁶

71 Ogbeid “Political Leadership and Corruption in Nigeria Since 1960: A Socio-economic Analysis” 2012 *Journal of Nigeria Studies* 1.

72 Adesina “Nigeria and the burden of corruption” 2016 *Canadian Social Science* 12.

73 Tignor “Political corruption in Nigeria before independence” 1993 *The Journal of Modern African Studies* 176.

74 Ishaka “Corruption, conflict and national development in Nigeria” 2018 *Veritas international journal of entrepreneurship development* 16-17.

75 Anan *United Nations Convention Against Corruption* (2004) iii.

76 Amundsen *Good governance in Nigeria a study in political economy and donor support* (2010) 1.

The former military head of state and also President of Nigeria for two consecutive terms who himself is not free from corruption, Olusegun Obasanjo abridged the corruption scenario in Nigeria in the following words:

“The story of my country Nigeria is fairly well known. Until 1999, the country had practically institutionalized corruption as the foundation of governance. Hence institutions of society easily decayed to unprecedented proportions as opportunities were privatized by the powerful. This process was accompanied, as to be expected, by the intimidation of the judiciary, the subversion of due process, the manipulation of existing laws and regulations, the suffocation of civil society, and the containment of democratic values and institutions. Power became nothing but a means of accumulation and subversion as productive initiatives were abandoned for purely administrative and transactional activities. The legitimacy and stability of the state became compromised as citizens began to devise extra-legal and informal ways of survival. All this made room for corruption.”⁷⁷

The Nigeria corruption situation, just like in Madagascar, South Africa, Somalia and Tanzania, can best be qualified as the criteria of systemic corruption, reason being that corruption is a daily life occurrence in Nigeria, it is tolerated, accepted, and institutionalised in a greater proportion in a way that both the giver and receiver of bribes have internalised and supported that behaviour.⁷⁸

The major hot spots in corruption in Nigeria is identified in the following areas but are not limited to the following:

“intentional distortion of financial records; misappropriation of assets whether or not accompanied by distortion of statement; payment for contracts of jobs not executed; ten percent kick backs from contracts awarded; intentional loss of receipts and mutilation of account documents; insertion of fictitious names in the payment voucher and the amount involved paid to unauthorized persons; using government official letter head paper to order for goods for private use purporting that it belongs to government; paying public cheques into private account for any reason best known to the officer.”⁷⁹

7 Nigeria corruption Index

The 2018 Corruption Perception Index puts Nigeria at 144 least corrupt nation out of 175 countries as shown below, according to Transparency International. This means that corruption rank in Nigeria on the average

77 Obasanjo Nigeria: From pond of corruption to island of integrity a lecture delivered by him at the 10th Anniversary Celebration of Transparency International, Berlin, November, 7 2003.

78 Aluko “The institutionalization of corruption and its impact on political culture and behaviour in Nigeria” 2002 *Nordic Journal of African Studies* 396.

79 Agenyi “Corruption in some public sectors: Implications for sustainable socio-economic development in Nigeria” 2009 *NASHER Journal* 128- 134.

is 121.48 % from 1996 until 2018, culminating in an all high level of 152 in 2005 and a record low of 52 in 1997.⁸⁰



8 Cleaning corruption mess in Africa

The African Union has provided both legal and institutional mechanisms in its Convention to combat corruption in Africa, it is noted however that these mechanisms provided by the AU may not be able to achieve this aim since corruption is systemic in Africa.⁸¹ Legal and institutional mechanisms must combine with collective involvement of all people; put differently, there must be social involvement or social empowerment in the fight against corruption.⁸² Social empowerment includes the protection of political and economic resources available to ordinary citizens.⁸³ Additionally, social empowerment involves making sure that civil society is fortified with a view to strengthening political and economic vitality which ultimately culminates in providing an orderly routes of access and rules of interaction between state and society.⁸⁴ It is submitted that in circumstances where social empowerment succeeds, it may not completely eradicate corruption, it will however provide the necessary support for institutional reforms and help institutionalise reform for the long term by linking it to lasting interests contending in active political and social processes.⁸⁵

80 Nigeria Corruption Rank 2019 Data <https://www.tradingeconomics.com/Nigeria> (accessed 2019-27-5).

81 Opeoluwa A *Human Rights Approach To Combating Corruption In Africa: Appraising The AU Convention Using Nigeria And South Africa* (LLM dissertation 2005 UP) 34.

82 Johnston "The Search for Definitions: The Vitality of Politics and the Issue of Corruption" 1996 *International Social Science Journal* 85-104.

83 Johnston 85.

84 Johnston 83.

85 Johnston 83.

9 Approaches to cleaning up corruption in Nigeria and South Africa

9 1 The fourth industrial revolution approach (4IR)

The fourth industrial revolution, (4IR) explains and depicts a situation where people move between artificial intelligence (AI) and offline reality with the assistance of interlinked technology which helps humans to manage their daily lives and activities.⁸⁶ The various industrial revolutions have chronicled chequered history. The (1STIR) changed the course of human history and economy from an agrarian and handcraft economy to that of industry and machine manufacturing dominance; the (2ndIR) brought with it oil and electricity which fastened abundance of production; while the (3rdIR) ensured that (IT) information technology was utilised to automate production.⁸⁷ It is submitted that, each industrial revolution is viewed as a separate advent, however, all the three revolutions are perceived as several phenomena building upon the creativity of the previous revolution which brings with it more advanced forms of production.

In line with the 4IR, the University of Pretoria (UP) has become the first University in the continent of Africa to hire the services of the first client robot working at the University library; according to UP, “the introduction of the robotic librarian is in keeping with its focus on evolving in line with the fourth industrial revolution.”⁸⁸ In addition, UP hosted its Tuks Robot Race Day, with over seventy autonomous robotic vehicles competing for sports. The robotic librarian is called Libby, it interacts with all the library users and visitors on wheelchairs.⁸⁹ Libby commenced employment in the UP main library on Tuesday, 28 May 2019, “having over 60 sensors, cameras and software integrations that enable her to receive and process various commands and requests. She boasts a tablet integrated on her chest area for manual input. Her brain is connected to Watson, IBM’s question-answering computer system, which processes queries directed at Libby.”⁹⁰

Without advocating for the loss of employment to robots in the public and private sectors of the economy, Nigeria and South Africa can borrow a leaf from the University of Pretoria and take advantage of the 4IR by robotising all of their governments institutions to monitor and report cases and incidents of corruption or even the intent to perpetrate corrupt act; South Africa can install the use of robots in all of its chapter nine institutions,⁹¹ and other state owned enterprises (SOEs) in the country,⁹²

86 Miller “Natural Language: The User Interface for the Fourth Industrial Revolution” 2016 *Opus Research Report* 3.

87 Min Xu The Fourth Industrial Revolution: Opportunities and Challenges 2018 *International Journal of Financial Research* 90.

88 Admire “University of Pretoria employs Watson-powered robotic” 2019 1.

89 Admire 1.

90 Admire 1.

while Nigeria can do same in all of its government parastatals.⁹³ This will ensure governmental openness and fidelity at all spheres of government because before corruption takes place, the robots would have exposed the fraud and the officials involved.



Prof. Tawana Kupe, University of Pretoria vice-chancellor and principal, with Libby in South Africa,⁹⁴

As can be seen above, Prof. Kupe interacting with Libby for a possible instruction on the task the VC wants Libby to carry out for him.

9 2 The print, electronic and other social media platform approach

All forms of media act as institution for checks and balances in all facet of societal activities because the media can curb corruption.⁹⁵ On top of this, modern societies and the media serve as external monitor in fighting corruption.⁹⁶ The media further ensures compliance with procedural, democratically enacted legislations, values, and norms.

91 Chapter 9 State Institutions Section 181(1) of the South African Constitution.

92 Stuesson *State-Owned Enterprises Catalysts for public value creation?* (2015) 1.

93 Broadcasting Organisation of Nigeria (BON), Bureau Public Enterprises (BPE), Bureau of Public Procurement (BPP), Central Bank of Nigeria (CBN) etc.

94 Admire 1.

95 Christopher "Free to Expose Corruption: The Impact of Media Freedom, Internet Access, and Governmental Online Service Delivery on Corruption" 2016 *International Journal of Communication* 4702–4703.

96 Brunetti "A free press is bad news for corruption" 2003 *Journal of Public Economics* 1803.

Although, the media does not possess the constitutional legitimacy and powers like the three arms of government to impose sanction for the misconduct of corrupt public officials; they however influence public control indirectly,⁹⁷ by holding political decision makers accountable for their actions;⁹⁸ strengthen checks and balances between equally powerful actors i.e horizontal accountability;⁹⁹ providing a civic forum for voicing complaints and contribute to forming public opinion; providing information about corruption, contributing to a general climate of transparency within society, curbing corruption on both systemic and individual levels;¹⁰⁰ by having a preventive effect and highlighting the magnitude of external rewards through bribes and high severity of punishment.¹⁰¹

Finally, a nation communicates with itself and the rest of the world through the mass media because it is through the media authorities within a state sense and see the challenges and desires of the people they are constitutionally and democratically legitimised to serve. On the other hand, it is through the media that the citizens notice the strength, power, sincerity, capacity and policies of those in the position of authority because

“A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power that knowledge brings.”¹⁰²

9 3 Philosophical approaches to cleaning up corruption

The motivation to clean up corruption from Nigeria and South Africa in particular and in Africa in general require effective, accountable leadership and political will rather than by actual or real interest in the efficacy of a country’s political and economic institutions;¹⁰³ reason being that “corruption goes with power ... therefore to hold any useful discussion on corruption; we must first locate it where it properly belongs – in the ranks of the powerful.”¹⁰⁴

97 Stapenhurst “The Media’s Role in Curbing Corruption” 2000 *World bank institute* 20-21.

98 Norris “Giving voice to the voiceless: Good governance, human development & mass communications” 2002 *New York, NY: United Nations Development Programme* 15.

99 Camaj “The media’s role in fighting corruption: Media effects on governmental accountability” 2012 *The International Journal of Press/ Politics* 26-27.

100 Kolstad “Is transparency the key to reducing corruption in resource-rich countries?” 2009 *World Development* 521–532.

101 Becker Crime and punishment: An economic approach (1974) in Becker, *Essays in the economics of crime and punishment* 1–54.

102 Kilimwiko “The Role of the Media in Fighting Corruption” in Investigative Journalism in Tanzania 1996 *Arusha Tanzania* 73.

103 John “Bureaucratic Corruption in Africa: The Futility of Cleanups” 1996 *The Cato journal* 7.

Under this segment, the article tries to argue and elucidate the real character of corruption using philosophical approaches.

9 3 1 Utilitarian approach to eradicating corruption

The utilitarians are of the view that human beings should behave or act in a moral way that will result in the best outcomes.¹⁰⁵ On the other hand, the deontologists maintain that people should adhere to certain rules with a view to militating against acts of corruption.¹⁰⁶

The utilitarian approach emphasises greatest happiness for the majority of the people, it can be deduced therefore that anyone cut in an act of corruption will give little or no attention to any laws and rules forbidding corruption because actions are considered right when they produce happiness, not the doer's happiness, but the greatest amount of happiness altogether for the populace.¹⁰⁷ To this end, actions are right when the actions result into or promote happiness and the actions are wrong when the actions do not promote happiness.¹⁰⁸ The logical conclusion from the preceding argument is that if corruption does not advance pleasure or prohibit pain for the commonwealth good they are not morally wrong from a utilitarian point of view and the utilitarians would say that corruption is valid when it benefits more individuals in a society than it harms.¹⁰⁹

9 3 2 Deontological approach to eradicating corruption

The deontologists believe that in matters relating to corruption, the judge or the court will consider the issues differently, depending on the rules of reasoning or interpretation of the relevant laws. To the deontologists, rules, commandments, laws and codes of practice act as moral compasses, as a result, deontologists ascribe to strict rule-based morals when dealing with public monies. It is for this reason that Blanchard opined that:

“Deontologists have shown a fidelity to actual moral judgment that is probably closer than that of any other contemporary school. They have argued with great force that moral judgments are really judgments, not expressions of feelings only, and here – for whatever it is worth – common sense is undoubtedly on their side.”¹¹⁰

104 Achebe The trouble with Nigeria 1993 <http://www.vanguardngr.com/2013/05/achebe-the-icon-and-greatest-anti-corruptioncrusader/> (accessed 2019-4-6).

105 The most important classical utilitarians are Jeremy Bentham (1748-1832) and John Stuart Mill (1806-1873).

106 Vorster “Fighting corruption – a philosophical approach” 2003 *Die Skriflig/ In Luce Verbi* 651.

107 Mill *Utilitarianism* (1907) 9.

108 Mill 108.

109 Ashley “A bitter pill must be swallowed: An ethics based view of corruption” 2013 *Arkansas Journal of Social Change and Public Service* 1.

110 Vorster “Fighting Corruption- A philosophical Approach” 2013 *In die Skriflig/ In Luce Verbi* 47(1) 4.

From the above reasoning, it is submitted that, a deontological perception of corruption requires a meticulous care to moral norms and their relation to conscience in the human mind.

10 Way forward in Nigeria and South Africa: developing a corruption plan

Corruption builds and brings an environment that becomes corruption-friendly.¹¹¹ In Nigeria,¹¹² and SA,¹¹³ the endemic poverty, collapsed public institutions and the decaying moral values must be viewed and perceived against the backdrop of the desires for materialistic gains by few individuals in the position of authority. The role anti-corruption mechanisms have played in the fight against corruption cannot be over emphasised by adopting preventive measures in addition to criminal law measures, creating a mutual evaluation mechanism to monitor implementation and encourage international cooperation, and recognising the important role for civil society in the fight against corruption,¹¹⁴ however it is imperative to stress that a long-term programme is required to improve and strengthen moral renewal and awareness of the entire population in Nigeria and South Africa. Creating awareness and moral renewal will require a well-informed programme managed by the government with special contributions by the civil society directed towards inculcating values and practices built on honesty, integrity and responsibility. Although, a corruption prevention programme is a proactive idea modelled to radically reduce corruption, it does not completely eradicate the incidence of corruption in any society or organisation. Precedent upon the foregoing, the paper reproduces verbatim the understated programme plan for Nigeria and South Africa.¹¹⁵

10 1 The offender

This refers to the corrupt person, i.e. the person who demands and receives bribes or gratification for carrying out his normal paid duties. A corruption prevention plan developed in line with the offender would see to it that they would be caged through laws and rules making it difficult for them to intervene in official business. Similarly, the strict enforcement of the laws and rules in official business must be a priority.

111 Vorster 7.

112 Rawlings "Understanding Corruption in Nigeria and its Implications to National Security and Sustainable Development" 2013 *IOSR Journal Of Humanities And Social Science* 64.

113 Manyaka "The Phenomenon of Corruption in the South African Public Sector: Challenges and Opportunities" 2014 *Mediterranean Journal of Social Sciences* 1572.

114 Brandolino "Fighting corruption: The role of diplomacy and International agreements" 2001 *The journal of public inquiry* 11-12.

115 McLaughlin and Muncie *Controlling Crime* (2001) 62-63.

10 2 The victim

This refers to the person who (in the case of bribery for instance) gives either willingly or unwillingly. The victim is often forgotten or even neglected in the incidence of bribery, as an aspect of corruption. However, without willing or comprising victim there would be no corruption in the first place. Developing a prevention plan along this line would encompass clearly laid out and strictly enforced sanctions against victims in corruption cases. It is important to add that the victim may be the society, organisation, or the citizenry. The problem in this case is that the application of sanctions is usually difficult as the 'victim' here may not even be aware of what is going on. In other words, there are instances where gullible persons are made "victims" thereby suffering what they are unaware of.

10 3 The environment/community

This refers to the place where corruption takes place. It can be the office, church, school, the community or indeed the highway. Developing corruption prevention plan in this section would centre on giving officials better incentives such as improved salaries, allowances and promotions as when due. Again, this should be explicitly formulated code of conducts with sever and swift execution of sanctions.¹¹⁶

11 Conclusion

"By justice a king gives a country stability, but those who are greedy for bribes tear it down."¹¹⁷

Reducing corruption to a sustainable level is feasible in Nigeria and South Africa, however, it requires a direct attack because systemic and institutional challenges require a solid social grounding to succeed and sustain over a long period of time; in this connection, fight against corruption does not require only the ability to detect, deter and punish corrupt acts but also needs the long-term formulation of a system of public order and transparency in government.¹¹⁸

The article provided an analysis of the corruption clean up in Africa, using Nigeria and South Africa as the case study. Corruption exists in Nigerian and South African public sectors is no longer news, but what may be news are the problems and opportunities that could be harnessed more beneficially to bring to the barest minimum the extent and level of corruption in both countries. In addition, the paper also agrees that both Nigeria and South Africa public sectors have sound legal frameworks and strategies to fight corruption to a stand still, but the problem remains the

116 McLaughlin 3.

117 The King James Bible Proverbs Chapter twenty nine verse four.

118 Antonio "The Global Programme Against Corruption" 2004 *United Nations Anti-corruption Toolkit* 22.

failure to comply with those processes and procedures as a result of the insufficient governmental dedication and devotion that provides chances for immoral, unlawful and/or corrupt practices.¹¹⁹

The article argued that corruption poses a serious obstacle to sustainable economic, political and social progress in the African continent in general but to Nigeria and South Africa in particular in every areas of development. Corruption has eroded transformation and competitiveness in Nigeria and South Africa, thereby giving space to bribery.¹²⁰ Governments officials divert public funds meant for the promotion of the wellbeing of people for their individual purposes. As a result of what has been said, corruption has brought severe and acute growth in income and wealth inequality for many years in both countries under examination. On top of this, it was submitted that corruption in a greater dimension will hindering the possibility of achieving the 2030 Sustainable Development Agenda. This is corroborated with the need to intensify concerted drive to improve leadership frameworks, strengthen actions to hold public servants accountable, to improve, prevent, detect and sanction corruption by all means possible. It was also opined that the fight against corruption requires all hands to be on deck which must be approached holistically with coordinated efforts.

Finally, the role of the media is vital in creating public awareness, promote integrity, detect, and report acts of corruption. The media owe an obligation to the people they serve because a successful action against corruption depends on the information disseminated by the media. To this end, media gives information on corruption, its sources, repercussion and possible solutions; additionally, media can investigate, detect and report incidences of corruption, bringing corruption cases into the public space and instituting judicial prosecution.¹²¹

119 Manyaka 1579.

120 Angel "Putting an end to corruption" 2016 *Organisation for economic co-operation and development* 1.

121 Organisation for economic co-operation and development (OECD) (2018), *The Role of the Media and Investigative Journalism in Combating Corruption* <https://www.oecd.org/corruption/The-roleof-media-and-investigative-journalism-in-combatingcorruption.htm> (accessed 2019-6-6).