VOL. 06 NO. 6,
NOVEMBER, 2024
E-ISSN 3027-1401
P-ISSN 3026-9148

African Scholar Publications & Research International
www.africanscholarpub.com

Journal of Arts and Sociological Research (JASR)

A Critical Evaluation of Governance, Democracy and the Rule of Law in Africa

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Abstract

African leaders came to the conclusion at their summit in Sirté that creating a new organization would be the best way to resolve differing views over the reform of the Organization of African Unity (OAU). The proclamation of Sirté was released on September 9, 1999. The African Union's Constitutive Act was ratified in 2000 in Lomé at the Heads of State and Government Assembly. Following that, an

extraordinary OAU summit took place in Sirté in 2001, and the implementation plan was produced during a meeting in Lusaka. The acceptance of the declaration of establishment meant that in order for the legal requirements to be met, the Constitutive Act needed to be ratified by two thirds of the member states. The African Union (AU) was formally founded during the 2002 Durban Summit. The main objectives of the African Union's founding were the promotion and defense of human rights, the bolstering of democratic institutions, and the encouragement of good administration. They felt that these issues, along with others like constitutionalism and legal observance, were necessary in order to pursue security and growth. The AU's Constitutive Act included these goals and objectives along with social justice, gender equality, and public participation. This paper examines the challenges that democracy, good government, and the rule of law face. It also examines the impact of corruption on governance and discusses strategies for overcoming the challenges faced by African leaders.

Keywords: Organization of African Unity, African Union, Governance, Democracy, Rule of Law, Corruption

Introduction

The Organization of African Unity (OAU) concluded that their current approach to conflict resolution was insufficient in light of the severity of the wars that had broken out across the continent in the 1990s. As of 1998, African states could no longer afford to remain silent about crimes committed in their neighboring countries. Since the organization's foundation, the continent has witnessed many horrifying conflicts, but the 1990s also saw several significant milestones, including the end of apartheid and South Africa's subsequent membership. The proposal of reevaluating the OAU was introduced by President Tabo Mbeki of South Africa, together with the late President Ghadaffi of Libya and President Obasanjo of Nigeria. In order to draw in outside capital, Mbeki was keen to present African nations in a positive light. He wished to reconstruct African identity, to make the continent able to play a role politically, but in order to achieve such a role the whole organization had to be questioned.

As the OAU's expiration date approached in 1999, late President Ghadaffi invited the organization to an exceptional

summit in Sirté, where participants deliberated on how to increase the organization's efficacy. He was personally invested in the process, and Benedikt Franke, director of the Global Governance Institute, characterized his reform suggestions as catalysts for the resurgence of continental security cooperation (Eriksen, 2018).

The three presidents described above did not agree on the manner in which the OAU needed to be changed, even though they all recognized that changes were necessary. Resuming his devotion to Pan-Africanism, late Ghadaffi sought to return to the geopolitics of what political scientist Thomas K. Tieku refers to as "black Africa". On the other hand, Obasanjo envisioned a reform of the OAU's organizational structure to improve the organization's capacity to manage security-related concerns, which were connected to stability and development through the Kampala Leadership Forum. The African leaders gathered in Sirté concluded that the wisest course of action would be to replace the OAU with a new organization to address divergent opinions over the organization's reformation. On September 9, 1999, the Sirté declaration was made there. 2000 saw the adoption of the African Union's Constitutive Act at the Heads of State and Government Assembly in Lomé. The implementation plan was then decided upon in a conference in Lusaka, and in 2001 there was another extraordinary summit of the OAU in Sirté. There was the adoption of the declaration of establishment, which stated that the Constitutive Act had to be approved by two-thirds of the member states for the legal conditions to be fulfilled. With the Durban Summit in 2002 the AU was officially launched.

The African Union (AU) is an organization with high aspirations that wants to unify Africa. It was established in 2002 in response to global concerns that called for major, coordinated initiatives to improve Africans' level of life. The AU was established mainly as a result of the founders' dedication to safeguarding and advancing human rights, fostering good governance, and maintaining democratic standards. They felt that these issues, along with others like constitutionalism and legal observance, were necessary in order to pursue security and growth. These ideas and objectives, together with social justice, gender equality, and public involvement, were incorporated into the AU's Constitutive Act.

A Charter on Democracy, Elections, and Governance (henceforth referred to as the Charter on Democracy) was approved by the AU. The primary goals and tenets of the Charter expound upon the democratic features found in the Constitutive Act. Along with eliminating corruption, the Charter on Democracy aims to instill a culture of peace and create a conducive atmosphere for the development of democracy, which

includes the institutionalization of political parties in opposition. It aims to expand civilian control over the security sector, the separation of powers, and checks and balances in addition to advancing representative governance through free and fair elections (Article 3).

To accomplish these aims, cooperation amongst several organizations would be required, including the donor community, African governments, the African Union, and Regional Economic Communities (RECs). A key element of this process is the realization that Africans must be involved and consulted in order to realize the objectives and ambitions of the AU. Theoretically, this represents a normative turn away from the state-centric policies of the OAU and toward what seem to be people-centered processes and activities. If successful, it may represent a change from the impunity culture to "the responsibility to protect" underprivileged groups.

Governance, democracy, and the rule of law require appropriate processes at the local, state, and federal levels. In actuality, the African Union's objective of promoting "democratic principles and institutions, popular participation, and good governance" (Article 3[g]) cannot be achieved throughout the continent without cooperation between local, state, and continental governance organizations. Not only should democratic mechanisms be present at all three levels, but they should also be free from corruption and run by people who are committed to allowing citizens and CSOs to participate in decision-making. Several factors make such a situation unlikely, including the disparate political and legal systems across Africa, local populations' ignorance of the AU, and the continued rule of some African states by leaders who refuse to acknowledge their responsibility to their subjects. This paper will be separated into three sections going forward. A few of the words and concepts used in this paper are briefly discussed in the first. The second looks at the nature of corruption, the rise of several tangible, concerted international initiatives to combat corruption, and the AU's and NEPAD's attempts to combat corruption directly. The third analyzes political leadership and examines options for overcoming constraints that African leaders face.

Conceptual Issues

When we discuss democracy, governance, and the rule of law, what do we mean? The simplest answer is that the definitions of these concepts are based on historical context and vary throughout different historical periods and geographical locations. Even

among people who live in the same historical era and geographical region, their meanings might vary substantially.

Governance

As the Introduction notes, governance occurs at several dimensions of social activity, ranging from the hamlet to the state and the global system. "A continuing process through which cooperative action may be taken and conflicting and diverse interests may be accommodated" is what the Commission on Global Governance defines as governance (Eriksen, 2018). This perspective defines governance as the structures, legal frameworks, and administrative procedures that Africans have created to address social, political, and cultural issues. Formal and informal arrangements have often been referred to as governance. For instance, "the conscious management of regime structures with a view to enhancing the legitimacy of the public realm" is how Goran Hyden defines governance (Eriksen, 2018). It is frequently implied by governance that governments cannot handle mega-policy challenges like development, security, and the environment on their own. Consequently, decision-making procedures may incorporate village associations, women's groups, ethnic networks, and other non-governmental organizations (Weiss & Gordenker, 2016).

This implies that the extent to which decision-makers have consulted with civil society is one factor used to assess the legitimacy of government actions. This is the reason why national, transnational, and subnational networks have all been referred to as "governed." Because governance entails institution development, the creation of new norms, and the management of societal change, it might be essential to the application of globalization processes and security management. For this reason, the Charter on Democracy calls for the establishment of political, economic, and social governance in order to foster sustainable development, stability, peace, and security.

Additionally, there are several kinds of governance, including corporate, global, good, terrible, and cooperative governance. The World Bank and the International Monetary Fund (IMF) have been referring to a specific kind of political and economic order supported by neo-liberal ideology as "good governance" since the 1980s (Vreeland, 2021). In the 1990s, the World Bank and the IMF included a condition for "good governance" in their structural package; nevertheless, their definition was limited to "governmental efficiency and the absence of corruption" (Barkan, 2019). They did not expand the concept to encompass greater public engagement in the formulation of

public policy, government accountability and transparency, or the establishment of democratic institutions until 1999 (Barkan, 2019). Thus, "good governance" is linked to the growth of liberal democracy, smaller bureaucracy, accountability, openness in government, and free markets according to the World Bank and the International Monetary Fund (IMF).

But the IMF and World Bank's interpretation of "good governance" has also included unfavorable elements that have seriously hurt the African people and undermined the legitimacy of their own governments. Serious ethical concerns have been raised by their good governance concept. Is it ethically appropriate, for instance, for African policy officials to prioritize export crops above food crops? When their own people are starving, may impoverished African governments be morally justified in allocating a significant amount of their resources to debt repayment? Why should the younger African generations foot the bill for loans that may be attributed to lenders as much as borrowers from earlier times? There are no simple answers to these questions, but democracy empowers the African people to raise them.

Democracy

Democracy is a political system whose "main features are free competition among political parties, periodic elections, and respect for the fundamental freedoms of thought, expression, and assembly," despite the fact that definitions vary greatly (Maa, 2018). For this reason, the following are listed as founding principles of the Charter on Democracy (Article 3): representative democracy; regular, transparent, free, and fair elections; respect for human rights; separation of powers; public involvement; and constitutional transfers of political power. Beyond this, the Charter on Democracy establishes a connection between democracy and peace, sustainable development, and human security. By requesting that African governments commit to advancing democracy in tandem with the rule of law and human rights, it links democracy with human rights (Article 4(1)). Additionally, "freedom of expression, in particular freedom of the press," is acknowledged in Article 27 as a necessary component of good administration.

"A way of government firmly rooted in the belief that people in any society should be free to determine their own political, economic, social, and cultural systems" is democracy, as one of us put it (Maa, 2018). Another definition of democracy given by Larry Diamond is "a civilian, constitutional, multiparty regime with competitive

elections" (Diamond, 1995). A review of the literature indicates that consent, public engagement, and accountability are central to the many conceptions of democracy.

Simply put, *consent* is the electorate's voluntary agreement to the rules controlling the allocation of political power and the process of making decisions within their community. This suggests acknowledging the equality of all people, but it does not imply agreement on any particular subject. The idea that people are sovereign within their own political group is also communicated through consent. Only a few African leaders have come to terms with this latter viewpoint; others maintain that they are sovereign beings who are free to act whenever they like inside their states.

According to Article 4(2) of the Charter on Democracy, *popular participation*—especially through "universal suffrage"—is "the inalienable right of the people." In this paper, it refers to situations when the majority of Africans have fairly equal access to voice their opinions on the laws and choices that govern them. It suggests equal rights to vote, including the one-person, one-vote system, and equality before the law, which suggests a chance for complaints to be addressed and disputes to be settled amicably. Equal access to the mass media and the ability to form political parties and civic associations are other implications of popular involvement. The AU Declaration on the Principles Governing Democratic Elections in Africa is specifically included in Chapter 7 of the Charter on Democracy, which outlines the guidelines for conducting democratic elections.

In this sense, *accountability* refers to the presence of systems that force African leaders and other powerful individuals to defend their decisions in front of voters. It means that the political elites must keep trying to win over the governed. Only when African state people are aware of their possibilities, rights, and duties can accountability be achieved. Several African nations that identify as democratic do not seem to be able to achieve the standards for accountability, consent, and public engagement. This may also help to explain why there are frequent and severe human rights breaches in these states. By urging African governments to "commit themselves to democracy, the principle of the rule of law, and human rights," the Charter on Democracy aims to put an end to this practice. "Ensure that citizens enjoy fundamental freedoms and human rights taking into account their universality, interdependence and indivisibility," the statement adds, is another directive given to African governments.

The AU's efforts to advance democracy must be viewed in light of the continent's repeated failures to achieve this type of government. African governments experienced a brief period of democracy in the 1950s and 1960s after gaining

independence. But before it could take hold, a dictatorship established itself, which persisted until the early 1990s. It is one thing to have frequent elections and a multiparty system under such circumstances, but it is another to solidify democracy. When an authoritarian era is finished, this is referred to as *democratic consolidation*. It is a difficult task to impose democratic values and norms on societies that have long been subject to repressive governments. An "interval between one political regime and another... delimited, on one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy," is what some critics have claimed characterizes a transition from authoritarian rule (O'Donell & Schmitter, 2006). Stated differently, a transition occurs when a political system has undergone positive change, "not just in the individuals holding positions of political power." Additionally, "the political system's assumptions and methods, the way the system formulates, passes, and executes policies, and the ways in which individuals gain access to power" must alter (Fischer, 2016). Many things can impact such a shift, including the duration of the authoritarian regime's rule, the means by which it imposed its will, and the degree to which the populace is aware of its rights and obligations. Consolidating democracy is probably going to take time in a place like the Democratic Republic of the Congo (DRC), where Mobutu's tyranny lasted for more than thirty years. A society is said to have solidified its democracy, according to Juan Linz and Alfred Stepan, when a majority of its citizens agree that democratic practice is the only kind of law that is appropriate, or "the only game in town" (Linz & Stepan, 2016).

When democratic institutions and norms are reinforced and the new government "does not have the perverse elements undermining [democracy's] basic characteristics," democracy is consolidated (Valenzuela, 2012). According to Adam Przeworski, democratic systems must be equitable in order for "all the relevant political forces to win from time to time" and "even losing under democracy more attractive than losing under non-democratic alternatives" (Przeworski, 2011, p. 211). Under the current international environment, corruption, outside meddling, and the "war on terror," which has persuaded some regimes to flout the law, are likely to thwart the consolidation of democracy in Africa.

Rule of Law

Among the tenets upon which the rule of law is based is the requirement that the law "be universally heeded, that is, obeyed and complied with" (Gibson & Gouws, 2017).

Ishmail Mohammed states that the rule of law is predicated on five tenets. First, the law has supreme authority over all other authorities, including the state. Second, the content of the legislation must be definite, comprehensible, and predictable for the subjects. Third, the application of the law must be broad and inclusive. Fourth, the court ought to be impartial and open to all parties who have been wronged, regardless of their standing. Fifth, procedural and ethical substance must be included in the law (Mohammed, 2009). According to the aforementioned interpretation, it is possible to claim that the rule of law can exist in Africa in situations where the executive and judicial branches have clearly defined authorities and the court is free from "political pressure to decide particular cases in certain ways" (Widner, 2021).

"[I]ndependence of the judiciary, impartiality of adjudication, fairness of trial, and integrity of the adjudicator are so universally accepted that one may reasonably conclude that these principles are inherent to any justice system in a democracy," stated Francis Nyalali, a former Chief Justice of Tanzania (Widner, 2021). Nyalali went on to say, "[T]he African dream, which sprang from the liberation fight against colonial and racial oppression, is without a doubt based on these same ideas. They are an essential part of the statehood that emerged from the political independence of each of our nations (Widner, 2021). Political leaders and other influential people or organizations would need to give up trying to sabotage justice to further their agendas if they were to see the consolidation of the rule of law throughout Africa. Article 10 of the Charter on Democracy lists constitutionalism as a means of bringing democratic ideals to all people. A fair and democratic society is also said to be predicated on the ideas of "the right to equality before the law and equal protection by the law" (Article 10[3]). The Charter on Democracy (Chapter 5) calls on African states to "develop the necessary legislative and policy frameworks to establish and strengthen a culture of democracy and peace," acknowledging that principles must be reflected in societal norms and values and must be put into practice through tangible structures.

Following the ratification of the 2000 Lome´ Declaration on Unconstitutional transfers of Government and the inclusion of a principle in the Constitutive Act denouncing and rejecting this practice, there has been a notable decline in military takeovers and unconstitutional transfers of government. But the 2005 military and constitutional coups in Togo and Mauritania, the military putches in Burkina Faso in 2022, the military coups in Mali in 2020 and 2021, the military coups in Guinea and Sudan in 2021, and the military putsches in Niger and Gabon in 2023 all indicated that the current systems needed to be strengthened. Strengthening and institutionalizing

constitutional civilian control over the armed forces and security forces is the goal of Article 14 of the Charter on Democracy, which aims to address this need and acknowledge the detrimental effects of security apparatuses on the development of democracy and the rule of law. The Charter on Democracy lays forth a number of actions that must be followed in the event of an unlawful change of administration in order to give the AU's system some teeth.

Even if the aforementioned ideas and concerns are protected by the Constitutive Act, they still need to be firmly established as African standards in order to empower and emancipate the African people. This may be done with the help of political will, strategic leadership, and well-formed institutions. The presence of an atmosphere free from corruption will determine how far the AU takes its ideals into practice.

Why Corruption Erupted

In the last three decades, corruption has evolved from primarily being a national or regional problem to a worldwide revolutionary force. The global movement against corruption has swept the political scene today like a flame. Nations have collapsed. Long-standing ruling parties have faced pressure to leave power. Prosecutors have questioned and herded presidents, prime ministers, lawmakers, and once powerful business chieftains into the docket. No country or area, almost none at all, has been immune, including Brazil, Nigeria, South Africa, Italy, France, Japan, South Korea, India, Mexico, Colombia, and Brazil. This is a revolution that not even Karl Marx could have predicted: a five-continent simultaneous uprising against one of the oldest part-time jobs in history, offering and receiving bribes, that is mainly nonviolent.

Of course, anti-corruption campaigns are nothing new. Over six or more international groups, both governmental and nongovernmental, have actively pursued this issue since 1992. Several organizations are attempting to address the issue, including the World Economic Forum, Interpol, the Organization for Economic Cooperation and Development (OECD), the Organization of American States (OAS), the International Chamber of Commerce, the newly established Transparency International, and the United Nations. Nobody believes that corruption, which is pervasive across the world and appears to be on the verge of expanding, is going to be defeated.

Many new leaders have been brought to power on platforms of fighting corruption, only to be shown as utterly corrupt individuals themselves. Nevertheless, there are grounds to think that, in the long struggle of mankind against corruption, we could be at a turning moment in history. It seems that a new global norm is emerging in human

awareness, which might have significant effects on our institutions, as well as on our political and commercial life. The decade of the 1990s was not without notable advancements in institutional and legislative measures to combat corruption. What caused this unexpected "eruption of corruption"?

There are several reasons of the corruption eruption. In several nations, there have been apparent and actual rises in corrupt practices. Social, political, and legal institutions have been undermined or destroyed in some areas due to systemic political upheaval, which has allowed for new abuses. In other places, the liberalization of politics and the economy has only brought concealed corruption to light. However, we see a substantial decline in the public's tolerance for unethical behavior on the part of their political and economic elites practically everywhere.

The current anticorruption movement may be broadly understood as an extension of the continuous crisis of legitimation that has emerged as the defining feature of world politics in the last 25 years. From the most developed democracies to the most oppressive nations, leaders and publics have been at odds over power, and this trend is still favoring transparent, democratic administration. The rise of the Information Age and rising levels of education and wealth are the main factors behind this shift. An information-rich environment in which leaders are compelled to provide a more thorough public accounting of themselves than ever before is the result of a number of factors, including the growing availability and consumption of information on a global scale, the media's growing influence, and technological advancements that prioritize knowledge and information in economic life.

The foundational elements of authoritarian and totalitarian governance, secrecy and Orwellian manipulation of the reality, have grown more challenging to uphold in the more open postindustrial world. With the aid of knowledge, people nearly everywhere are voicing their disgust at the long-standing, dishonest elites' subterranean practices. They are bringing their displeasure to the streets and, when feasible, the polls.

A few examples of this global trend toward democracy include the Watergate scandal in the United States in the middle of the 1970s, which exposed and overthrew a powerful president; the peaceful democratic revolutions that overthrew dictators throughout Latin America in the 1980s; Mikhail Gorbachev's pivotal decision to inject a significant amount of openness, or glasnost, into the sclerotic Soviet economy and political culture; and the peaceful popular uprisings that followed in Eastern Europe and led to the eventual fall of the Berlin Wall and the fall of the Soviet Union. In a

way, the current worldwide outcry against corruption is really the most recent development in this modern tale.

Clearly, the process has accelerated with the end of the Cold War. This has been especially evident in Italy, the epicenter of the anticorruption movement of the 1990s, where the public's long-standing acceptance of the country's infamously high levels of corruption was supported by a fear of communism. A group of Milanese magistrates started to realize in 1992 that many of the once-political untouchables could be brought down on corruption charges because the Soviet Union had collapsed and the communist menace had been neutralized. The end of the Cold War unleashed a wave of popular resentment in South Korea as well, directed on the antidemocratic and unscrupulous actions of the country's powerful chaebol corporations and politicians. It was more crucial to resist communism in every nation that was formerly part of the Cold War, including South Korea, Taiwan, Mexico, Italy, and even Japan, than it was to establish genuine free markets and political rivalry. Shockwaves are currently starting to shake the foundations of the developed world.

The general belief that corruption is an issue with intrinsic global implications has also been influenced by the end of the Cold War and the rise of a genuinely linked worldwide economy. Our sense of interdependence across the globe has grown as the world is no longer split into two major camps. More people are becoming aware that a variety of interrelated political and economic variables, in addition to air forces, armies, and national arsenals, are also necessary for security and stability.

One country's security may be drastically impacted by solely internal events in a seemingly far-off state. For instance, there is an unbreakable connection between drug-inspired criminality on American city streets and official corruption in Latin America. As seen by the current controversy over US economic espionage in France, disagreements over accusations of corruption can even cause a rift between friends. Potential connections between political instability and corruption are especially clear when considering Eastern Europe and the former Soviet Union. The short-term expansion of corruption opportunities has been greatly facilitated by the elimination of totalitarian regulations, decentralization, privatization, and opening these economies to foreign engagement. In certain regions, like Russia, corruption is rife.

In these developing markets, corruption is twice as harmful. It first undermines the effectiveness and efficiency of economic activity, which makes the shift to a free market democracy more challenging. Second, and just as importantly, corruption warps the public's understanding of the nature and efficiency of a functioning market

economy. In these situations, it is all too easy for the public to confuse democratization with economic corruption and criminalization. This fosters an environment that is favorable to an authoritarian backlash and, in turn, may lead to hostile international behavior by these states. Corruption in Russia has the potential to pose a serious security danger to the West and the United States if it aids in stalling democratic change and sparks an authoritarian response.

Furthermore, as we have shown, corruption's negative political repercussions are not limited to developing nations. A surprising fallout from the end of the Cold War has been a general sense of unease and a worsening crisis of legitimacy in advanced industrial nations, which has been made worse by the public's belief in pervasive government malfeasance. Italy, Japan, Great Britain, and the United States are just a few of the OECD nations whose governments are having trouble, if not outright failing.

The emerging world has also been impacted by the conclusion of the Cold War. A tangible geopolitical manifestation of superpower rivalry was the endurance of regimes like the one under Marcos in the Philippines, the one under the Duvaliers in Haiti, the one under Stroessner in Paraguay, and the numerous dictators in Africa who persecuted their people and plundered their central banks. Even while it was well known that the eponymous destination was sometimes only a detour on the way to the private Swiss bank accounts of the ruling families and their allies, foreign funding and military support nonetheless poured into these nations. Corrupt regimes can no longer rely on allegiance to the cause as an automatic guarantee of support in the modern world, when aid budgets have been cut everywhere, the communist threat is a thing of the past, and the public in donor nations is more aware of worldwide abuses.

Alongside these changes in the global environment, there have been internal reform demands brought about by the expansion of democracy itself. Freedom House, a human rights group, categorized 117 governments as free and democratic in 2016. This represents 61 percent of all countries worldwide, an increase from 42 percent ten years prior. Stronger legislatures with the ability to hold leaders responsible and a more engaged national media have emerged as a result of growing democracy. Indeed, there is no clear-cut relationship between the degree of corruption and democracy. Democracy does not automatically provide immunity from public corruption, as the numerous scandals that have occurred recently in democratic industrial and developing nations demonstrate. However, it is definitely reasonable to claim that, in the long term, democratic regimes provide stronger antibodies against corruption than

do systems that restrict political liberty. More restrictions on the extent and frequency of corruption are certain to result from a government with regular elections, political rivalry, vibrant and well-organized opposition forces, an independent legislature and court, free media, and freedom of speech than from one without any of these features. This fundamental pattern is demonstrated by the current wave of cleanups in the South American nations that adopted democracy in the 1980s.

However, as the issues in many post-communist governments demonstrate, corruption may have complicated effects for nations making the shift from authoritarian to democratic and market economies. Democracies may initially only result in dispersed corruption, with payments going to state and municipal officials instead of the federal government.

Furthermore, the abrupt deregulation of whole new economic sectors that were previously solely governed by the state can greatly increase the space for wrongdoing, providing a platform for fraud and other abuses by businesses looking to profit from the opportunities presented by capitalism. When government officials in charge of privatization publicly held assets sell them for a bribe at a discount or even inherit them through friends and family, they can become overnight millionaires. Indeed, there are several possibilities for public officials to engage in rent-seeking or rent-taking activity during such a shift.

It is quite profitable to sell rates for newly privatized services, such as power and phone service. Early on in the shift to a market economy, when monopolistic businesses are frequently privatized without a strong regulatory framework in place or the banking sector is liberalized without sufficient oversight by monetary authorities, is when these chances reach their zenith. During this time, there are significant distortions and plenty of potential for fraud and abuse due to the coexistence of sectors with free markets and free prices and sectors with central planning still in place. Ultimately, though, a less centralized, more competitive economy will inevitably provide less room for corruption than one that is centrally planned, if only because it will lessen the opportunity for official rent-seeking and change the relative power between the public and private sectors, which typically results in greater official accountability.

Preventing and Combating Corruption

Almost every day, the media serves as a reminder that unethical behavior persists. It happens in all economic systems, from open capitalist economies like the US to

centrally planned economies like the USSR, and in both democracies and military dictatorships. It also happens at all stages of growth. However, in the 1990s, a combination of political changes, economic liberalization, and growing global integration revealed corruption and increased public awareness of its effects. Consequently, a global reaction against corruption was ignited by these developments. The sheer number and diversity of nations that have had corruption scandals in recent years highlights how diverse corruption is in terms of its manifestations, levels of prevalence, and outcomes. Corruption has the potential to worsen political instability and poverty in developing nations by undermining democratic legitimacy, slowing economic growth, and obstructing economic progress. The economic impacts could be less severe in developed nations, but even in wealthy nations, diverted resources would not be available to raise living standards. Additionally, corruption tends to make wealth disparities worse by giving those who can afford bribes more authority at the expense of those who cannot, a problem that is becoming more and more prevalent in both industrialized and developing nations today. Lastly, by severing the populace from its political leadership and impeding efficient governance, corruption may erode democratic legitimacy in both industrialized and developing democracies.

The worst consequences of corruption may be seen in developing nations like Russia, where unfettered corruption might erode support for democracy and a market economy. However, history also shows that nations with very strong economies—like Nigeria, South Korea, Japan, Mexico (until recently), and Italy—are also plagued by corruption. Furthermore, it seems that in several of these instances, political patronage and corruption had a larger role in short-term political stability than destabilization. However, corruption that formerly seemed to support stability may eventually have the opposite effect, as seen by the unrest that has recently occurred in Italy, South Korea, and Japan as well as the growing discontent in Mexico. More importantly, corruption may provide stability to an oppressive and unfair political environment because the majority of people, with the exception of a wealthy elite, lack the means to defend themselves against exploitation. Based on available data, widespread and unchecked corruption typically has a crippling effect on the economy.

The intricacy and political sensitivities of the corruption matter present several obstacles for both analysts and those looking for a workable policy solution. Good governance is critical to Africa's ability to pursue peace and security, achieve social, economic, and political development, and transform globalization into a force "with a human face" (Omu, 2016). However, widespread corruption and sound government

are incompatible. The globalization of markets has allowed corruption to flourish, and it now encompasses a wider variety of activities. These include the smuggling of drugs and weapons, money laundering, passport forgeries—some of which have been used by terrorists—and the looting of Africa's natural resources, which include minerals, oil, forestry products, and wildlife. The illicit activities have deprived the economies of Africa of the impetus required to grow. As the circumstances in Nigeria, Liberia, and Sierra Leone showed in the 1990s and early 2000s, there are links between corruption and both poverty and insecurity. The AU and its member states would have to combat corruption by taking use of the mutually beneficial relationships between globalization, security, and governance in order to advance development.

"Corruption—in particular, grand corruption and looting of the kind that has tangible economic implications—is at the epicenter of the failure by many African countries to achieve economic objectives so finely articulated in their development plans," claims John Githongo, a former senior anti-corruption official in Kenya (Githongo, 2022). According to an AU research released in September 2020, corruption costs African countries more than $168 billion annually. Corruption's direct and indirect expenses account for 25% of Africa's GDP and frequently result in a 20% rise in the price of commodities (Githongo, 2022). The reality that a great number of Africans have been denied possibilities for liberation and empowerment is a tale that these numbers scarcely begin to tell. In summary, corruption has created barriers to human emancipation, undermined indigenous entrepreneurship, scared away foreign investors, weakened state institutions, and transferred public resources into private hands, all of which have slowed down development and increased the likelihood of insecurity.

The Convention on Preventing and Combating Corruption, often known as the Anti-Corruption Convention, was approved by the AU Assembly in July 2003. Its goal is to put in place practical policies and procedures that would stop, identify, prosecute, and eliminate corruption and associated offenses. Once approved, this Convention would be an additional tool to support the NEPAD Action Plan's recommendation to establish a coordinated system to fight corruption. However, this top-down approach to corruption looks to have been geared at hoodwinking contributors and is unlikely to work. Furthermore, it doesn't seem like this strategy takes into account the possibility that the state has in certain cases turned into "a vehicle for organized criminal activity" (Bayart, Ellis & Hibou, 2019).

Understanding Corruption in Africa

Numerous factors contribute to the prevalence of corruption in Africa, such as individual greed, internalizing negative habits, believing that politics is the path to prosperity, weak government structures, ethnic ties and considerations, and low pay for public servants. These elements have led to corruption that has spread from the local government authority to the state, RECs, and OAU/AU.

Personal greed was a major factor in the economic looting of Sierra Leone, Congo, Nigeria, and Liberia by late Sani Abacha, late Mobutu Sese Seko, late Charles Taylor, and late Foday Sankoh, respectively. But these leaders, who took advantage of the state to commit crimes, took advantage of a culture that encouraged people to steal from the government. The population has taken up negative habits. When we talk about the internalization of negative behaviors, we're referring to the corruption culture that persists even when a president is removed, a corrupt minister is fired, or a corrupt judge or magistrate is imprisoned. Individuals' and social groupings' identities and interests have been so molded by corrupt activities that some of them are unable to distinguish between wrong and right actions. Bad behaviors are picked up in schools, social organizations, sports teams, political parties, and government departments. Nepotism, cronyism, patronage, and tribalism are some of the vices that lead to and foster this type of corruption. Additionally, it supports other illegal operations including the smuggling of weapons and drugs as well as the looting of national economies. These kinds of actions are what keep undermining democracy, decent governance, and the rule of law. Some governments may find it difficult to profit from the dynamic conflict between globalization, security, and governance as a result of these vices.

Furthermore, since the African state gained its independence, prospective lawmakers and government employees have viewed it as a "cash cow." Karl Marx's theory that political power is determined by the economic foundation has been overturned by African politicians and government officials. For those who hold them, political office or a high public service job has historically been the path to affluence in Africa. Corruption in hiring procedures, tender granting, and parastatal organization administration have resulted from the desire to take advantage of the state for private benefit. Most corrupt regimes have "a hopelessly corrupt political elite—a political class across the spectrum that simply sees politics as a way of becoming wealthy," according to Jeremy Pope, the founding executive director of Transparency International (Gidley-Kitchen, 2023). Pope issues a warning, saying that "as long as

politics is seen as the path to wealth," it would be impossible to eradicate corruption in Africa. According to Bayart, Ellis, and Hibou, "in Africa, the interaction between the practice of power, war, economic accumulation and illicit activities... forms a particular political trajectory," whereas other nations have been stained by corruption (Bayart, Ellis & Hibou, 2019).

State institutions are weak as a result of the exploitation of the state for personal benefit. William Kalema, a member of the Commission for Africa, which was established by British Prime Minister Tony Blair, claims that one of the causes of Africa's pervasive corruption is the progressive weakening of the continent's governance frameworks (Gidley-Kitchen, 2023). As is sometimes implied, corruption is not a sign of weakness in culture, even though, regrettably, it has become the standard. The issue facing Africa is that the institutions meant to act as a check and balance on the government are frequently insufficiently powerful or autonomous.

It is not possible for Africans to combat corruption on their own. International organizations, Western nations, multinational firms, and China more and more need to contribute. China was uninterested as of this writing. Though none of the G8 states have accepted the UN Convention Against Corruption, the West has often voiced concern about the negative impacts of corruption and urged that Africans conform to specific norms of behavior. Nonetheless, the pact has been ratified by 29 nations, 15 of which are in Africa (Gidley-Kitchen, 2023). Sadly, there have been instances when the West has done little to stop "the criminalization of the state in Africa"(Gidley-Kitchen, 2023). For instance, Western government representatives have colluded with African leaders to enable the illicit dumping of hazardous waste into the continent by Western chemical companies. Furthermore, Western businesses have persisted in paying bribes to African governmental officials and deducting these payments from their taxes. Furthermore, funds for bribes paid in Africa are routed through offshore tax havens like British Jersey. The businesses registered on these offshore islands have persisted in paying bribes with impunity, even after the OECD pledged in 2018 to shut down these conduits. Aminatta Forna's claim that "Africa doesn't have the monopoly on corruption" is partially explained by this (Forna, 2020).

A Global Breakthrough?

The development of several tangible, concerted worldwide attempts at anticorruption reform is the catalyst for change in the contemporary global context. A startling number of international governmental and nonprofit organizations have taken action

against corruption throughout the last 20 years or have urged for action. Early initiatives focused more on the associated issue of drug money than they did on corruption in and of itself. By ratifying the UN Convention Against Trafficking in Illicit Narcotics and Dangerous Drugs in 1998, around one hundred states pledged to outlaw money laundering and remove the veil of secrecy that prevented its detection. To accomplish this task, the industrialized nations established the Financial Action Task Force, an ad hoc group of 26 governments, during the next year's Paris economic conference. Since then, member nations have consented to let technical teams from other member governments to keep an eye on their countermeasure initiatives, and the task force has approved forty of the recommendations. Drawing from the recommendations of the task force, the European Union, a regional member of the group, has created its own anti-money laundering regulations.

The international anticorruption agenda expanded and quickened with the start of the corruption eruption in the 1990s. The United Nations hosted a high-profile meeting on organized and cross-border crime in Naples in November 1994. The Naples Declaration, which pledged more domestic action and international collaboration in the fight against organized crime, was signed by 128 countries. It emphasizes the necessity for a certain skepticism about such international announcements that Italian Prime Minister Silvio Berlusconi, who was hosting the conference, was himself stated at the time to be under investigation by prosecutors on corruption accusations.

The World Economic Forum, the biggest global association of CEOs, demanded in 1995 that industry and government work together to combat corruption. To investigate the issue, they formed the Davos Group, an unofficial gathering of prominent international corporate leaders, law enforcement officers, and specialists, including Hermann Franz, the chairman of Siemens AG, and Raymond Kendall, the secretary general of Interpol.

The biggest and most promising endeavor is an attempt to address bribery in international commercial transactions, a persistent, fundamental, and up until recently, seemingly unsolvable issue. Apart from the United States, which outlawed the practice almost three decades ago, multinational corporations in developed nations frequently give bribes to authorities in underdeveloped countries in order to secure commercial agreements. Not only are these kinds of bribes permissible in many industrialized states, but they may also be written off by businesses as allowable expenses. This is not just a common and harmful example of corruption, but it is also a method wherein the developed world effectively supports and aids in corruption in the developing

world. A group of former World Bank officials founded openness International in 1993 with the goal of combating corruption and advancing more openness in commercial and financial transactions globally. The organization was partially designed after Amnesty International. Transparency International has been remarkably active and effective in the short years since its founding, raising awareness of the issue of foreign bribery.

The OECD Council's official recommendation to member states to take effective measures to deter, prevent, and combat the bribery of foreign public officials in connection with international business transactions was approved in 1994, in response to prodding from the United States. This was the most significant reform. If implemented effectively, the OECD initiative—the first official political commitment of this kind by industrialized nations—could bring about a radical shift in global economic practices. In 1996, the Paris-based International Chamber of Commerce made some intriguing but minor changes to its rules and standards for international commerce. Part of the changes were prompted by the OECD suggestion, which called for stronger measures to prevent bribery. These changes were the first to be made in almost 20 years.

The American Watergate scandal of the early 1970s, when congressional hearings revealed a number of corrupt practices by American multinationals, including illegal payments to the Nixon campaign (laundered through foreign banks) and direct bribes by American companies to foreign public officials, is where the OECD recommendation's historical roots lie. Japanese Prime Minister Kakuei Tanaka was found guilty of bribery and resigned when it was revealed that Lockheed Corporation had paid $25 million to Japanese authorities in order to guarantee the sale of its Tristar L-1011 aircraft. This case is the most notorious of its kind. The Foreign Corrupt Practices Act (FCPA) was established by the US Congress in 1977 as a result of the reform movement that followed Watergate. The statute, which was revised in 1988, consists of two main provisions: the first makes it illegal to make specific payments to foreign government officials, and the second mandates that all transactions be accurately recorded and that an internal control system be established, with regular audits.

The act's anti-bribery provisions are intricate and comprehensive. They forbid American individuals or corporations from offering to pay, paying, or promising to pay foreign government officials in order to influence any official act, coerce officials into acting against their legal obligations, or coerce officials into using their influence

with the government to secure business. According to the FCPA (as revised in 1988), American managers who are proven to be aware of an unlawful behavior or to have shown purposeful disdain or ignorance of a foreseeable violation may face prosecution, penalties, and even imprisonment.

Three exclusions are allowed under the FCPA. The primary purpose is to enable or hasten the payment of official salaries to subordinate officials, sometimes referred to as "grease payments," in order to ensure the execution of regular government tasks. A payment may also be exempt if it is authorized by the written rules and regulations of the recipient nation or if it is a legitimate expense, such as travel and hotel costs associated with a product demonstration or fulfilling a contractual obligation. Nevertheless, the FCPA has imposed special limitations on the overseas activities of American companies, notwithstanding its flaws. Not a single industrialized nation has even nearly similar legislation in place or implemented. It should come as no surprise that the FCPA has been a contentious topic and source of pain for many in the American business community over the past 20 years, especially as foreign commerce has contributed to an increasing portion of US company revenues. The argument that America's attempt to play the lone Boy Scout put US businesses at a significant disadvantage when compared to international rivals has been raised time and time again.

However, over one-third of respondents said the FCPA had a negative impact on their foreign operations, and over 60% said it made it harder for American companies to compete overseas. There have been corporate voices opposing the FCPA, despite the fact that some American CEOs have voiced their disapproval of it. The weight of evidence indicates that the majority of US companies comply with the FCPA, despite the fact that compliance has not always been flawless. However, newly publicized federal investigations of IBM and Boeing under the FCPA raise the possibility that the pressures of global competitiveness are beginning to manifest. IBM recently sacked its Argentine subsidiary's senior executives following allegations by Argentine officials that it had paid $6 million in bribery. In contrast, it is alleged that Boeing's Canadian company offered a $1 million bribe to a Bahamian official as part of an agreement to sell aircraft there. Both inquiries are still in progress. Regardless of their differing opinions about the FCPA, CEOs of US multinational corporations have been nearly unified in their desire for fair play, always pressing the US government to act to internationalize FCPA prohibitions or to convince other countries to enact comparable legislation.

The 1994 strongly worded OECD recommendation on international bribery resulted from two key events: a new, high-level US government decision to push for serious OECD action on bribery, and a wave of anticorruption sentiment in Europe that made it harder for European governments to publicly oppose the US initiative.

The trade-minded Clinton administration brought forth a significant change in U.S. policy toward bribery in 1993. Secretary of State Warren Christopher and Assistant Secretary of State for Economic and Business Affairs Daniel K. Tarullo chose to prioritize the OECD bribery talks over the previous administration's back-burner strategy. An official from the State Department stated that the two were, by training, seasoned business attorneys who were familiar with FCPA matters. Both expressed the long-standing need for fair competition in the American business world. Additionally, State Department representatives claim that American motivations go beyond economic self-interest, citing the detrimental impacts of corruption on the growth of democracy and the economy in emerging nations.

As was to be expected, Germany, France, and Britain first rejected the US effort behind closed doors; but, the British have since come around to the American stance. During the 1993 OECD meetings, the Europeans voiced many concerns with the US strategy. They maintained that rather than the Western businesses that may offer bribes, the major duty for monitoring bribery rested with the (mainly developing) nations whose officials habitually took them. They described the FCPA as an illegal extraterritorial attempt to enforce US law outside US borders. In addition, they said that the US was attempting to infringe upon the sovereignty of other OECD members by attempting to impose a consistent international criminal code across the board. In addition, Germany argued against mixing taxation with morality - a reflection of its peculiar taxation philosophy.

However, the US's success in the negotiations depended more on the arguments made in the headlines than on the arguments made at the conference table. Throughout the conversations, the US administration constantly and carefully employed public diplomacy to push its position, according to one participating US official. When corruption emerged as a major issue in Germany and across Europe and Asia, and numerous French leaders found themselves under investigation, US officials made their case to the international media, which was unexpectedly receptive.

The Americans could be sure of maintaining the upper hand once the matter was made public. The official made note of how high the shame factor is in these conversations. Transparency International and State Department officials worked together behind the

scenes to support OECD changes in a parallel public campaign. However, the final wording of the suggestion, as accepted by OECD ministers at their ministerial in May 1994, astonished most outside observers. The decisive element was undoubtedly the scandal storm that was sweeping over Europe at the moment. European foreign ministers and governments could not afford to be seen as endorsing bribes in any way during the height of the corruption scandal.

The rate at which things have moved forward after the advice was adopted, however, has been even more unexpected. After May 1994, the OECD ordered a study of country laws concerning the tax deductibility of bribery as the first follow-up effort. Under the direction of Swiss official Mark Pieth, the OECD Working Group on Bribery properly started the legislative assessment. A significant development occurred in 1995 when the British uncovered the long-forgotten 1906 Prevention of Corruption Act, which outlawed bribery of this kind in language that was very similar to the 1977 American act. The European claim that the FCPA had been a singular and unprecedented American exercise in extraterritoriality was disproved by the revelation of this outmoded statute, despite it having been disregarded and unenforced for a long time. It also catalyzed a shift in the British stance on the issue toward the American position.

Interestingly, the tax deductibility debate came up at an OECD Committee on Fiscal Affairs regular meeting. This expert committee is mostly made up of tax experts and economists. An American official claims that the OECD tax specialists "bonded" over the tax deductibility of bribery for an unknown reason, coming to a strong consensus over their economic unutility. Pieth's attempts gained momentum when it was revealed that OECD tax experts opposed the tax deductibility of bribery. Pieth's OECD Bribery Working Group, allied with the Fiscal Affairs Committee, produced a set of stringent new proposals on tax deductibility in 1995. These suggestions were approved at the OECD's annual ministerial in May 1996.

The OECD effort has two main advantages as an illustration of global action against corruption. First, rather than undertaking the difficult work of reaching unanimity on text for an international convention or treaty or establishing a new international regulatory body, it depends on a wide political consensus among nations to change their domestic laws. Second, it addresses the issue from a supply-side rather than a demand-side perspective, mirroring US tactics in the drug war. Achieving the necessary legal and political reforms in the scores of developing countries where bribes are routinely accepted is clearly a more manageable task in the long run than

stopping companies in well-ordered industrial countries from offering bribes (though the United States simultaneously pushed for parallel reforms in Latin America through negotiations that resulted in approval of an Inter-American Convention Against Corruption, signed by OAS states in March 1996). One of the most significant and underappreciated accomplishments of the Clinton administration's foreign and trade policy has been the OECD project, which has the potential to significantly reduce chances for corruption in developing nations and alter the nature of international trade in the long run.

Even still, there is still more work to be done before the most significant and divisive topic is resolved: specific suggestions for making bribery in cross-border commercial dealings a crime. Governments must concur to enact legislation against this kind of bribery. Furthermore, passing and, just as importantly, enforcing the legislation required to make bribing foreign officials a crime would remain the responsibility of national governments and legislatures, even in the event that the OECD ministers are able to reach a consensus on final recommendations. It is unlikely that opposition to such action will be overcome quickly given the strong OECD position and the ongoing public attention given to the corruption problem, but it will undoubtedly take a long time and a lot of effort to bring about the necessary legal reforms in Europe, and possibly even more so in Asia.

African Union (AU) and New Partnership for Africa's Development (NEPAD) Anti-Corruption Measures

The Anti-Corruption Convention and the NEPAD Action Plan are anti-corruption guidelines that have been produced by the AU and NEPAD. However, it appears that both texts are predicated on the idea that African leaders—many of whom still stand to gain financially from corruption—will take the lead in this area.

As of this writing, the AU's Anti-Corruption Convention had been signed by 36 states and needed 15 of them to ratify it before coming into force. Some of the objectives of the convention are to:

- coordinate and harmonize the policies and legislation among African states that would eradicate corruption;
- promote socio-economic development by removing barriers to the enjoyment of economic, social, and cultural rights as well as civil and political rights;
- strengthen the development of mechanisms to prevent, detect, punish, and eradicate corruption and related offenses in the public and private sectors;

- promote, facilitate, and regulate cooperation among states of effective measures and actions to eradicate corruption and related offenses; and
- establish the necessary conditions to foster transparency and accountability in the management of public affairs.

A comparable pledge to "fight and eradicate corruption" is seen in the NEPAD Action Plan, which also asks for certain measures (Forna, 2020). Short-term goals include international help for training in anti-money laundering measures, steps to expedite financial sector evaluations, and elevating the recovery of stolen assets to the top of the international agenda.

In the medium term, the NEPAD Plan requires African states to ratify pertinent international conventions, best practices, and standards; authorize foreign legal assistance in matters pertaining to anti-money laundering based on recognized international legal standards; enact laws governing the roles and responsibilities of participants in financial institutions; fortify laws pertaining to anti-corruption measures and prosecutorial capabilities; enact national laws that criminalize the financing of terrorism and money laundering; and enhance cooperation both inside and outside of Africa to aid in the recovery of illicitly obtained funds through corruption and criminal activity and then deposited abroad. Long-term NEPAD Plan requirements include strengthening arrangements for access to courts and investigative authorities, particularly in developed nations; developing robust judiciaries to bolster independence and international credibility; and establishing robust and trustworthy regulatory and intelligence agencies.

The goal of NEPAD is to advance good governance in exchange for debt reduction, investment, and help. The need to reconsider the African state's obligation to its inhabitants seems to have encouraged this movement. It is an endeavor to reduce poverty that stems from the idea that development in African states can only proceed if external trade and investment climates are changed and domestic governance is firmly established.

The African Peer Review Mechanism (APRM), a tool for promoting political, economic, and corporate good governance, enhancing the effectiveness and efficiency of governments in providing goods and services to their citizens, and boosting target countries' ability to draw support and investment, is a testament to NEPAD's commitment to good governance (Nkuhlu, 2020). APRM is intended to monitor member nations' achievements and advancements in the areas of democracy, human

rights, and good governance. Its strength stems from the clause allowing the peer review report to be made available to the general public, allowing people to point out areas that require improvement. The adoption and enforcement of strong anti-corruption and anti-money laundering legislation, as well as the ratification and application of international codes, such as the African Union anti-corruption code, are some of the criteria used to evaluate nations. As of this writing, only Rwanda and Kenya had ratified the Anti-Corruption Conventions of the African Union and the United Nations Convention against Corruption, out of the four nations that had committed to participate in the first "peer review."

There are several issues with the APRM. While the African Peer Review secretariat and an impartial panel of seven distinguished individuals oversee the process, technical specialists actually evaluate each other's performances. After receiving the experts' report, the heads of state and government provide suggestions. Their responsibility to penalize member nations that have strayed is over; this concludes the process. Moreover, involvement in the peer review procedure is entirely optional. Only three countries—Ghana, Kenya, and Rwanda—have finished the review out of the 23 that have joined the program thus far. There are no signs that the country under review would give any thought to the suggestions about corruption and other governance-related issues, even after going through the review process.

Potential Strategies for Combating Corruption

The top-down approach to fighting corruption that the AU and NEPAD have proposed has never been tested. Given the nature of corruption in Africa, this is unlikely to be effective there. Furthermore, it is clear from the cold reception the Anti-Corruption Convention has received that African leaders are ill-equipped to overthrow the patron-client political structures that give rise to corruption, given that many of them themselves the progeny of corrupt practices.

People harbor corruption because they have internalized it since they were young. People thus believe that anti-corruption initiatives ought to begin. The eradication of corruption necessitates the long-term diffusion of specific norms and values, much as the consolidation of democracy demands for the promotion of certain values over time. This is not to say that there aren't alternative approaches to dealing with corruption. To be sure, several African leaders have shown that they are serious about taming corruption by taking admirable steps. For instance, South African President Thabo Mbeki dismissed Jacob Zuma, his deputy, in May 2005 due to his involvement in

dubious and fraudulent transactions. President Olusegun Obasanjo of Nigeria, which is ranked as the second most corrupt nation in the world by Transparency International, dismissed several high-ranking officials after they were found to have engaged in corrupt practices, including the minister of education and the head of police.

But as the Nigerian situation demonstrates, eliminating a few dishonest high-ranking officials would not be sufficient to defeat corruption. In addition to strong leadership, there has to be extensive civil service reform, the deconstruction of entrenched networks of corruption, widespread public awareness campaigns, citizen involvement in the fight against corruption, and the establishment of monitoring organizations. Furthermore, as Ray Matikinye notes, "studies indicate that governments that cling to unsound investment decisions while lacking a strong framework of good governance, the rule of law, and adequate banking regulations, provide fertile grounds for corruption to thrive" (Matikinye, 2022, p. 112).

The anti-corruption initiatives under AU/NEPAD need to be founded on a bottom-up anti-corruption approach in order to be effective. A policy like this would involve bolstering national laws, tightening protocols and audit systems, enhancing public service performance, creating a climate of indignation, promoting public service integrity, and fortifying governance frameworks (Mamah, 2023). By destroying patron-client networks, good governance, which is predicated on efficient public financial management systems and political accountability frameworks, would control corruption.

In order to advance the continental standards of accountability, transparency, and good governance, the AU and NEPAD can only work in tandem. They might also build an anti-corruption architecture made up of international financial houses, national anti-corruption organizations, regional economic communities, and Civil Society Organizations (CSO).

The aforementioned anti-corruption plan would function most effectively under the direction of public ownership and devoted political leadership. Stated differently, it is ultimately the people's obligation to fight and eradicate corruption. Individuals must be made aware of their rights and obligations. They must be made aware of the ways that corruption obstructs their path to empowerment and freedom. The fight against corruption may really get underway when the public starts to reject dishonest politicians and leaders.

Strategic Leadership

The success of the AU will largely depend on Africa's strategic leadership, particularly with regard to its ability to take advantage of the ongoing struggle between globalization, security, and governance. The argument that there is leadership in every state is credible. Some nations have strong and progressive leadership, while others have poor and outdated leadership. Strategic leadership is necessary to realize the AU's objectives and principles. Strategic leadership is defined as having the capacity to articulate a clear vision, provide motivation, and devise workable plans for coordinating the use of human, financial, scientific, and social resources. This ability calls for inventiveness, entrepreneurship, and innovative and imaginative thinking. Africa's strategic leaders should clearly understand the needs and aspirations of the people and value the people's input in governance.

Within the framework of the African Union, greater unity and solidarity amongst African countries and peoples are contingent upon strategic leadership. It is crucial to the growth and upkeep of democracy. This type of leadership is essential for achieving sustainable development, promoting science and technology, maintaining peace and security, and combating corruption. The AU Constitutive Act recognizes the three ethical pillars of socio-economic fairness, human welfare, and security as the minimal basis for this leadership. These concepts might help individuals become more independent and powerful.

African governments have had many leadership philosophies and approaches since gaining their independence in the 1950s and 1960s. For instance, according to Ali Mazrui, there are at least four "traditions" associated with the traditional leadership in Africa: the monarchical tendency, the warrior tradition (exemplified by Idi Amin, 1971–1979), the sage tradition (exemplified by Julius Nyerere, 1961–1985), and the elder tradition (like that of Jomo Kenyatta, 1963–1978) (Mazrui, 2005). While some African leaders' charisma, personality cult, and monarchical tendencies may have been alluring during the liberation struggle, they later created an environment that was conducive to authoritarianism and hampered the growth of robust governmental structures and democratic rule.

Kwame Nkrumah was one of those leaders who fell victim to the personality cult. Nkrumah's authoritarian methods are criticized by Mazrui, who respects Nkrumah's organizational abilities. "While Nkrumah strove to be Africa's Lenin, he also sought to become Ghana's Czar," asserts Mazrui. "Nkrumah's tragedy was a tragedy of excess,

rather than of contradiction," the speaker continues. He made an excessive attempt to resemble a revolutionary ruler (Mazrui, 2006).

The beliefs, conventions, regulations, and tenets upon which the African Union is founded might be considered subversive to some of the aforementioned leadership traditions and styles. These leadership practices and traditions had differing outcomes even throughout the Cold War. For instance, Idi Amin's violent history and warrior culture drove intellectuals from Uganda, drove away Indian-origin Ugandans, devastated educational institutions, and left the nation in a state of poverty. His administration was a textbook example of a dictatorship that resulted in chaos inside. Yes, one of the reasons Uganda lagged behind its neighbors in growth was Amin's eight-year reign. But, because of Western opposition to Julius Nyerere's socialist experiment, Tanzania became the destination for some of the most prominent thinkers on the left, and its economic growth stopped. Africa would need to reinterpret the antiquated leadership traditions and styles if it were to establish conditions that would lead to human welfare, security, and socioeconomic fairness. It would also have to prevent individuals like Mobutu Sese Seko and Charles Taylor from coming to power, since they brought their nations to ruin with wrong policies, aims, and methods, as well as dictatorships.

The African Union and many African nations are in dire need of strategic leadership capable of assisting governments and civil society organizations in determining how best to leverage the dynamic conflict that exists between globalization, security, and governance. Building mechanisms that empower the populace, securing markets for African commodities, identifying the resources that policies should prioritize, and establishing beneficial connections between domestic players, regional players, and the international community are all goals of strategic leadership. As part of leadership, one must also act as an example. Would South Africa, Nigeria, or Libya be exemplary for Africa? None of them have the qualifications to be considered role models as of this writing.

Libya would be dismissed based on the argument that it has no credible history of promoting democracy. Although the Colonel Gaddafi is recognized for having been a driving force behind the establishment of the AU, the Union has upheld standards and values that surpass Libya's accomplishments in the areas of democracy and human rights. Furthermore, Libya cannot be considered a role model due to its covert nuclear activities throughout its membership in the Non-Proliferation Treaty (NPT).

Nigeria has worked hard to demonstrate its democratic credentials ever since the country's 1999 transition to democratic governance. Over the course of more than ten years, it has also been crucial to Peace Support Operations (PSOs) in West Africa. Nigeria hasn't been a democratic nation long enough to show that democratic governance has established itself, though. Furthermore, Nigeria's democracy remained fragile as seen by efforts made by President Olusegun Obasanjo and his allies to amend the constitution to allow him to compete for a third term in 2007.

Is South Africa a suitable example to follow? Since 1994, when democratic government was instituted, South Africa has come to dominate African politics. South Africa, like Libya, abandoned its nuclear aspirations and is a fervent advocate of nuclear disarmament. But South Africa is a democracy with a multiparty system, not like Libya. One aspect that might cast doubt on South Africa's democratic processes is the country's propensity toward one-party dominance. Despite the state's multiparty constitutional structure, society seems to prefer one party rule. For this reason, since 1948, just two parties have dominated South Africa for 60 years. From 1948 to 1994, the National Party ruled South Africa's political landscape under the apartheid regime. Since then, the African National Congress has dominated politics and there are no signs that it would be seriously challenged for leadership.

The qualifications of South Africa and Nigeria as role models are also under doubt. These two have dominated discussions and other concerns in Africa mostly because of their riches. Their wealth seems to be the main reason they seem to be leaders. Should South Africa or Nigeria be given leadership primarily because of their riches at a time when the African Union is advocating for human rights, the rule of law, and the notion that all individuals and governments are equal regardless of their income? While South Africa's pursuit of continental leadership is motivated by economic concerns about securing markets for its rapidly growing industrial sector, Nigeria desires domination for two major reasons: prestige and safeguarding the interests of its nationals on the continent.

States should not be the only places where role models are considered. Future African leaders might look up to people like Nelson Mandela, the former president of South Africa. Africa can create leaders like Nelson Mandela; it does not need to wait for them to come along. Ultimately, research has demonstrated that leaders of all stripes are formed, defying the antiquated belief that leaders are born, not created. African policy makers must thus place a high premium on the education, training, and development of strategic leaders' at all societal levels. Instead of compensating current

or former government employees for work completed abroad, the AU's organs should be utilized to teach leaders of the continent. Whenever feasible, policymakers ought to look for young people who exhibit the makings of capable leaders and provide them with the tools necessary to grow as leaders. The African Union (AU) and its member states may leverage the intricate connections between globalization, security, and governance to their collective advantage by implementing such policies. In fact, programs like NEPAD are based on the idea that Africa will produce strategic leaders.

Conclusions

For this paper, the implementation of democracy, sound governance, and the rule of law are the goals of the African Union. Without these, the Union and the OAU would remain unchanged. By articulating these concepts and goals, African leaders showed that they were prepared to transform from autocrats to democracies or to redefine who they were. However, implementing these concepts necessitates a corrupt-free environment on all fronts—local, national, and continental. It will probably be more challenging for the AU to effectively pursue its objectives and principles if corruption is widespread. Unfortunately, the top-down approach to fighting corruption that the AU and NEPAD are using is not likely to work. The anti-corruption task requires cooperation between the AU, African states, international organizations, multinational corporations, CSO, and the people of Africa.

Even yet, there is clearly a sense of progress, even if there is still a long way to go in the global fight against corruption and it will take some time until there is no more widespread international bribery. Take the tiny island nation of Seychelles as an example. Late in 1995, the government of the Republic of Seychelles introduced a harmless-sounding bill called the Economic Development Act (EDA). It has a provision that shields foreign investors who invest more than $10 million from prosecution for any kind of criminal activity. The language of the act even ensures that the only means to change the law are via a national referendum and a constitutional amendment. It is, in short, an open, official, cynical invitation to money launderers and drug kingpins: come to the Seychelles with your dirty cash.

A different time period would most likely have met such a development in a small island nation with passivity and apathy, but not today. The Financial Action Task Force, the foreign ministries of France and Britain, the US State Department, the European Commission, the OECD, the Commonwealth Secretariat, Interpol, and the Financial Action Task Force all condemned the law almost immediately, demanding

changes and threatening penalties; moreover, it was revealed that financial transactions that originated in that nation or were routed through it would be closely monitored and tracked by regulatory and law enforcement agencies around the globe. While the law has not yet been revoked, the international reaction has almost certainly already scared away some of the investors whom the Seychelles government was hoping to lure. It seems doubtful, over the long run, that the law will survive such an international assault.

The Seychelles example demonstrates three important elements. First, globalization has brought about a considerable change in the nature of corruption. Second, while the present innovations have facilitated corruption's dissemination, they have also created unprecedented opportunities to curtail or even eliminate it. Third, since corruption is now a fundamentally global problem, states cannot solve it on their own. Successful collaboration and coordination between international agencies has become important in the battle against corruption. These new initiatives for cooperation may seem like little steps toward resolving a major problem. That being said, they represent enormous progress in comparison to even a few years ago, which contributes to the rising belief in many places that the war on corruption need not be lost. A solid foundation for cautious optimism is being established by the combination of new instruments, new institutional structures, and political determination.

Recalling that many prominent contemporary international organizations began with what seemed at the time to be quite limited technical agreements is crucial. For example, the modern European Union (EU) developed from a framework designed to coordinate coal and steel policies. The basis for most of the institutional architecture that keeps the global financial markets somewhat stable today was created by few and limited agreements to exchange information. The Basle Accord, also known as the Standing Committee on Banking Regulations and Supervisory Practices, was founded by the central bankers of the Group of Ten industrialized nations in reaction to two banking failures in 1974 that had a major impact on the world's financial markets. The failures occurred in Germany and the United States. The Basle Accord originated as an effort to ensure a minimal level of supervision of international banks. Later, as a result of the 1982 Mexican debt crisis, the members agreed on international guidelines for minimum capital requirements of international banks.

Fighting corruption is far more difficult than regulating financial markets. But in the current context, the combination of international legal harmonization and increased domestic accountability for the overseas operations of multinational corporations

makes the Basle agreement a useful model for both successful international action and the form that such action is likely to take.

To fight corruption, strategic leadership is also required. Without such leadership, it could be challenging for African countries and the African Union to maintain the organization's principles and objectives, fight corruption, and make good use of the complex relationships between globalization, security, and governance. African countries and the AU need leaders who are prepared to work with business and civil society groups to enhance good governance. The AU's organs are also vital to realizing its objectives and implementing its principles. These organs also require strategic leadership. Thus, the extent of the AU's potential will depend on its capacity to produce future strategic leaders.

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