

**Institutionalised and decentralised ‘copycats’? Exploring the
implication of entrenched political and bureaucratic corruption
pestilence in Sub-Saharan Africa.**

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Abstract

In this paper, the author observes that corruption in Sub-Saharan Africa has reached an unprecedented level yet there is no solution in sight. This paper argues that political and bureaucratic corruption pestilences are ‘copycats’ which have been institutionalized and decentralized with a social functional value. This provides the central argument of the paper. Four subsidiary arguments follow from the main argument. First, the author argues that although corruption in Africa covers diverse practices, *political* and *bureaucratic* corruption is more visible and entrenched in state institutions. Second, corruption is a balanced equation between *demand* and *supply*. Political and bureaucratic corruption in Africa is encouraged on the one hand by the complicity of actors from ‘outside’ the continent who *demand* the ‘loots’ from the continent and on the other hand by corrupt leaders who *supply* the market with the ‘highly demanded’ stolen wealth from the continent. Third, perpetrators of corrupt practices consider them as legitimate and not corruption. Last but not least, curbing political and bureaucratic corruption does not require any political solution.

A few examples of cases of alleged corruption which the author used in this paper are based on properly cited secondary data sources and do not reflect views of any institution(s) or Centres to which the author is affiliated. And, the reader may find that the examples are selective and not exhaustive either.

In conclusion, the paper argues that since the existing attempts to abate corruption have failed, perhaps it may be significantly reduced when it is ‘legalized’. The author argues that ‘legalization’ of corruption has the potential of making it reach a ‘hurting stalemate’ state, consequently resulting in its loss of utility. This will, hopefully, evoke all possible ‘genuine’ actions to reduce opportunities for economic rent on which it thrives.



Introduction

The International Monetary Fund (IMF) lists thirty-five countries in the world as politically fragile or corrupt; twenty-three of which are located in Sub-Sahara Africa (SSA) (Collier, 2009). This number approximates to nearly two-thirds of the countries in the continent. A similar view is presented in the corruption Perception Index (CPI) of a leading global anti-corruption watchdog, Transparency International (TI), which cites six out of ten most corrupt countries in the world are in SSA (Govender-Bateman, 2009b).

It seems though, that African independence wheels were unable to transform the newly independent state machines into effective institutional systems that would deliver responsible governance. Instead, political leadership and patronage networks were "Byzantine" and corruption became spectacular with all countries being affected by it, in one form or the other (Okori, 2010). Because of the low level of underdevelopment of SSA, there is a wide (mis)conception that 'corruption' is not only one of the main factors undermining Africa's development and increasing impoverishment, it also the root cause of intractable poverty in SSA (Lerrick, 2005) with its estimated annual costs amounting to \$148 billion each year (Anassi, 2004). Despite the alarming statistical estimates of the cost of corruption, the vice is not typical of SSA as corrupt practices thrive in all continents of the world.

Considering George Orwell's analogy in his famous book, *The Animal Farm*, the writing about power differentials among the animals on Mr. Jones' farm applies to the contemporary nature of corrupt practices in

the world. Just as Orwell's wisdom puts it, the paper observes that "all countries are corrupt; but other countries are more corrupt than others". Evidently, the nature and scale of corruption do vary across developed and developing nations. Citing some few examples from outside SSA helps to illustrate this point. First, the *Daily Telegraph* provides an account of how the Federation of International Football Association (Fifa) was faced with "the most serious corruption allegations in its recent history after it was alleged that the bidding process for the 2018 and 2022 World Cups was riddled with corruption and inappropriate behaviour by executive committee members" (Kelso, 2011). Second, the entire Commissioners of the *European Union* (EU) were forced to resign following a damning report which exposed fraud, corruption and mismanagement at senior levels in 1999 (Marsden, 1999). The third example involves the seventh largest corporation and energy giant in the United States, *Enron Corporation*, publicly admitted to fraud amounting to \$3 billion dollars in 2001. This, according to *The Guardian*, demonstrated how far the White House during the Bush administration was entwined in the biggest bankruptcy in US history which involved a story of greed and political manipulation (Cathy and Dallas, 2002, Ed Vulliamy, 2002). In the forth example, I examined how Julio Godoy writing revealed France's complicity in corruption with African dictators: Garbon's President Omar Bongo (whose 13 and 16 year old sons in 2007 bought a luxurious mansion worth US\$ 25 million in Paris); the Republic of Congo's President, Denis Sassou Nguesso, Angola's President, José Eduardo dos Santos, and that of Equatorial Guinea, Teodoro Obiang to amass their

considerable wealth in real estates and luxurious automobiles in France (Godoy, 2009).the fifth category involved bankers' frauds: Nick Leeson was charged and jailed in 1995 for being responsible for the collapse of Britain's oldest merchant bank, Barings Bank which involved £860 million (BBC, 1995); In September 2011, Kweku Adoboli, a financial "rogue trader" was allegedly caused financial loss at Swiss Bank UBS amounting to US\$ 2 billion (Treanor et al., 2011). These are just tips of the iceberg!

The above examples illustrate that corruption is not atypical to developing countries; it affects all nations in the world.

"Corruption is not atypical to developing countries; the vice affects all nations in the world".

In this paper, therefore, I present the following main and subsidiary arguments pertaining to the nature of corruption in SSA. The central argument is that corruption in SSA is unique in that it has a social function; and, it is 'institutionalized' and 'bureaucratized'. This is the case of political and bureaucratic 'corruption' which is the subject of this paper's focus.

In addition, I make four subsidiary arguments as follow:

- The first sub-argument is based on the fact that corruption is widespread on the continent in various activities. Although corruption in Africa covers diverse practices, *political* and *bureaucratic* corruption is more visible and entrenched in state institutions.
- Second, corruption is a balanced equation between *demand* and *supply*. Political and bureaucratic

corruption in Africa is encouraged on the one hand by the complicity of actors from 'outside' the continent who *demand* the 'loots' from the continent and on the other hand by corrupt leaders who *supply* the market with the 'highly demanded' stolen wealth from the continent. Besides, Western and Eastern nations require economic transparency (repatriation of stolen wealth stashed in their banks to Africa) and SSA requires a true functional 'democracy' and economic discipline.

- Third, people who are involved in corrupt practices often do not consider such acts as corruption but legitimate practices. As a *social phenomenon*, its practices may be 'hidden' and "sugar-coated" with polished 'languages' in everyday conversations which makes them appear 'legitimate'. Have you ever wondered whether the social 'legitimate' practices of giving "bonuses", "commissions", "expenses claims", "gifts", or "tips", or sitting "allowances" could have 'hidden' corrupt tendencies?
- Lastly, curbing political and bureaucratic corruption does not require any political solution. Similarly, the strength of a state (either 'too much state' or 'not enough state') may not have any significant influence on the level of corrupt practices produced or fought. Therefore, corruption may be significantly reduced when it is 'legalized'. I argue that legalization of corruption makes it reach a 'hurting stalemate', consequently resulting in its loss of utility thus

evoking all possible actions to reduce opportunities for economic rent on which it thrives.

In order to explore the above arguments through reviewing related literature, I structured this paper out as follows. I will begin by presenting a snapshot of the history of corruption after which I discuss the main causes and implication of political and bureaucratic corruption in and to SSA. I will do this by drawing on some few examples from the continent to illustrate the scale of the problem. Finally, I conclude by proposing ways through which the ‘copycats’ – political and bureaucratic corruption pestilence – can be reduced in SSA.

The Problem: What is Corruption?

Corruption is a very broad term with competing and numerous views and approaches and its conceptualization has been perceived to cover fraud, embezzlement and bribery. Its term is derived from Latin verb ‘to break’ or *rumpere*, which implies that ‘something’ is broken (Tanzi, 1995). This ‘something’ might be a moral or ethical code, or more often, an administrative rule or law. The person who breaks it derives from that act some recognizable benefits for him/herself, his/her ethnic group, party or some other relevant group.

To-date, there are several perceptions among scholars regarding what corruption constitutes. Most analytical definitions omit a large penumbra of political and bureaucratic actions that many perceive as corrupt. To Vinto Tanzi, for example, “corruption is the intentional non-compliance with the arm’s-length principle

aimed at deriving some advantage for oneself or for related individuals from this behavior” (Begovic, 2005). From Begovi’s understanding, three basic elements come at play for corruption to occur: the absence of arm’s-length principle; lack of personal or other relationships in the economic decisions that involve an agent; and a bias towards the economic agent.

But stated simply, corruption is a crime of opportunity (Klitgaard et al., 2000). The typology of corruption and corrupt practices is wide and varied, but they all entail the misuse and abuse of office for selfish or personal gain (Bailey, 2006). Corruption can be high level (grand) or low level (petty) with high level corruption is experienced, for example, in formal institutions where large amounts of funds are involved and exercise of discretion by public office-holders is unchecked. On the other hand, low-level corruption is also prevalent in public service delivery sectors such as health clinics, obtaining business or driving licenses, police roadblocks, and customs or immigration counters, to mention but a few.

“Corruption may entail acts of omission or commission; it may also involve legal or illegal activities or it can be internal to an organization (e.g. embezzlement) or external to it (e.g. exhortations)”.

To this end, is essential to distinguish between political and bureaucratic corruption. While the latter involves efforts by civil servants to enrich themselves through illegal means, the former is used by political interest groups to capture the apparatus of the state or maintain a monopoly of power. Political corruption usually includes activities such as vote-rigging, registration of dead and non-

existent voters purchase and sale of votes and falsification of election results (Gillespie and Okruhlik, 1991). Both political and bureaucratic corruption practices are somewhat interlinked; commentators argue that corrupt civil service is nothing but the extension of 'efficient' rent appropriation by the ruling elite.

Corruption in historical perspective.

Corruption is an old practice, a practice which is as old as human society itself. Tracing the origin of corrupt practices in humankind with any degree of accuracy is a daunting task and this paper does not promise to provide the readers with any 'corruption timeline' either. However, it is worth noting that some anecdotal historical episodes provide some examples on how corruption was practiced in the ancient time, which I highlighted here: prototype corruption, for instance, can be dated back to biblical times; Jean Jacques Rousseau traces the origin of corruption in social contract to the beginning of civilization; and, the Hammurabic Code¹ on the conduct of trade, behaviour of public officials and criminal procedure used during the ancient Babylonia indicated an early attempt to curb corruption. These are but just few accounts of the phenomenon which are painted on the walls of human history.

In the early history of the ancient popular kingdoms that flourished in pre-colonial Africa, official efforts to curb corruption ever existed. In West Africa, the

bureaucratization of the Asante government in the eighteenth century by the Asantahene Osei Kwadwo was prompted by the desire to maximize social welfare by improving the quality of the kingdom governance in running its administrative tasks. The "Kwadwoan Reforms" (Aidoo, 1977) as it was later made known, instilled a sense of accountability on the part of public office-holders at the time (Wilks, 1982). Similar were recorded in the constitutional reforms of the Mani Congo (or King of Kongo) of Affonso I in the early sixteenth century, intended to enhance state efficiency and make public officials fully accountable.

While the phenomenon of corruption is global in scope and the fight against it dates back to distant antiquity, in the recent past there has since been a growing concern about the level of corruption in the developing countries in Sub-Saharan Africa. The post-colonial thesis seems to suggest the events which characterized Africa's colonial history – the looting of African properties, confiscation of wealth and the pillage of African minerals and other natural resources – the acts which have never been considered criminal, can at best be described as "outright corruption in the current discourse on corruption and organised crime".

However, the contemporary history of post-colonial Africa does not provide any smiles to the continent either as there is no significant difference between African political elite and their predecessors – the former colonial masters. The post-colonial African political elite's mastery of the use of patronage as a reward for loyalty is worrying. It seems that the political leaders' 'patronage' system is a carry-over of traditional practices which are common among communal societies and reinforced

¹ Details on the Hammurabic Code can be accessible from:
<http://chnm.gmu.edu/worldhistorysources/search/whm.php?function=print&whmid=267/whm/whm.html/267&wwhrecord=> .

through ‘cultural’ gift giving practices. In contemporary Africa, traditional chiefs, kings and elders wield a lot of powers and still enjoy the privileges of being presented with gifts to ‘facilitate’ their work in the community. Although the gift-giving practices may be seen as acceptable and should not be confused with corruption, we need to be cautious about how the excessive powers and authority of the traditional leaders are used and whether cultural norms can potentially be manipulated and ‘corruptive’ for individual personal gains. Here, we note that drawing a clear line between acceptable/ unacceptable cultural practices and corrupt acts may remain a daunting task for both you and me.

The conceptual difficulties of what constitutes corruption make it even more complex to address the problem at political, bureaucratic and local societal levels in Africa. As a result, many countries in SSA still remain at cross-roads due to the complex challenges that corruption poses to its society.

“Corruption has become, in almost all African countries, a common and routine element of the functioning of the administrative and para-administrative apparatus, from top to bottom. This being the case, corruption is neither marginal nor sectoralised or repressed, but is generalized and banalised” (Olivier de Sardan, 1999).

Even in the wake of the New Partnership for Africa’s Development (NEPAD), a pan-African development initiative designed to accelerate economic growth and integrate the continent into the global economy, the challenge of corruption is persistent. The main question regarding the phenomenon relates to why it has persisted in Africa and to what extent has it affected the continent.

Next, I explore the main causes and impact of corruption in SSA.

Causes of Corruption in Africa.

This section attempts examines the main ‘causes’ and impact of political and bureaucratic corruption in Sub-Saharan Africa, taking as its point of departure the contention that both political and bureaucratic corruptions are widespread in the continent with country variations in its nature and magnitude. A major thesis of this section is that while African corruption predates colonialism, its florescence and entrenchment were exacerbated by the colonial restructuring of indigenous African societies. It is argued that the introduction of the capitalist mode of production and, in particular, the compulsory in-cash-only taxation and the technique of divide and rule used to control African population were all associated with the birth of a corrupt administrative culture, especially the “African Chief” model (ACM). The traditional administrative model, ACM, penetrated modern politics and seems to have a profound legacy in state politics and patronage systems in SSA. Moreover, we should not forget that the constitutional structures inherited at independence were weak and encouraged the emergence of systematic or institutionalized corruption. Arguably, efforts invested in combating corruption in Africa fail to produce desired results because of the inability to understand the structures and institutions that have propagated it. Again, if the strategies for curbing the vice that focus mainly on the character of individuals committing the acts of corruption and the institutions that create the incentives for corruption have failed, what other options can be ‘tried’ to curb the vice? While it may sound radical and queer,

the paper proposes that perhaps by 'formalising' corruption, the solution to its problem would be jointly sought and found. Legalising corruption, as the author argues, may provoke a 'new' form of conversations and a "wake-up" call to meaningfully abate the vice.

Having initiated the controversial conversation as a point of departure on how contemporary corruption can be addressed, I now turn to explore why corruption is entrenched and persistent in the African society.

In explaining corruption in Africa as alluded to earlier, some commentators believe that it emerged from the clash between traditional values and imported norms that followed modernization and socio-political development. The "modernization" paradigm, first developed by Samuel Huntington (1990) and others, explains corruption in two related ways which are derived from the traditional social system. First, corruption in "modernizing" societies is viewed as a "carry over" of the traditional gift-giving practices (Heijden et al., 1998). Perceptions on people's cultural practices as being 'right' or 'wrong' can be challenged. Therefore, such propositions need to be taken with caution as they risk falling in 'cultural trap' in which certain acts perceived as corrupt in one's culture may not be it in another. In addition, the rubric of corruption may also be considered unlimited because what is considered as corruption today may not be corruption in future.

The second view sees corruption as resulting from the contradictions between the accepted behaviour of the traditional society and the norms of modern society. According to this view, corruption in Africa is a

"complex" which is culturally embedded in the behavioral logics of negotiation, solidarity, the extended family system and redistributive accumulation (Olivier de Sardan, 1999). This, it is pointed out, is partly the reason why nepotism is a major form of corruption in Africa. Whereas nepotism is frowned upon in Western bureaucratic systems, in Africa, it is routine and, in fact, has an aura of respectability. Consequently, top office-holders have no hesitation, whatsoever, in appointing their wives, children and relatives to high positions in government. This view, therefore, sees a "moral economy" in Africa corruption and what Goran Hyden refers to as "the economy of affection", a concept that describes a normative value of kinship characterized by social obligations, exchanges and favours. As Huntington (1968) aptly put it, "corruption in a modernizing society is thus, in part, not so much the result of the deviance of behaviour from accepted norms as it is the deviance of norms from established behaviour."

Neo-Marxist scholars explain African corruption in terms of peripheral capitalist development. To some of these thinkers (Rodney, 1972, Ojukwu and Shopeju, 2010), corruption is a form of "primitive accumulation" and it attributable to the "primacy of politics" which characteristics of peripheral capitalist formations. Arguably, the neo-Marxist explanation does have some merit in that it recognizes the conjunction of socio-economic and political forces as germane to an explanation of corruption. However, the suggestive teleology of their argument that corruption will disappear when African countries become "real" capitalist societies, or better still, when they undergo "socialist transformation", is not borne out by the

evidence. The development of “Mafia-type” corruption in the former Soviet Union (Varrese, 2001), before and since the 1990s, bears testimony to this conclusion.

Some scholars suggest that institutional-weaknesses or the “crisis of the African State” and the “underpayment” of civil servants as major causes of corruption (de Sardan, 1999, Govender-Bateman, 2009a, Anassi, 2004, Ojukwu and Shopeju, 2010). The scholars have, in this connection, coined a catalogue of metaphors to describe post-colonial states in Africa such as ‘hard’, ‘soft’, ‘rhizome’, ‘overdeveloped’, ‘conglomerate’, ‘failed,’ ‘patrimonial’ or ‘clientelist,’ ‘compradorial’ ‘prebendary,’ ‘lootocracy’ “marauding/predatory/vampire-like” or “presidential monarchy”.

Indeed, weak states can potentially generate conducive conditions for corruption to flourish as they “de-link” the general population from their governments. This leads to governments governing themselves. And such governments, too, become neither responsible nor responsive to people’s needs. Whenever weak states organise regular elections, for instance, they are usually embarked upon grudgingly and as mere rituals with the governed/electorates left with limited agency of exacting accountability from governments. It is in similar contexts that bureaucratic and political corruption become pervasive the public domain and become ripe in weak states (de Sardan, 1999).

When post-colonial African states embarked on the path of self-governance shortly after independence, it is argued many of them adopted statism as their development model. This approach to resource allocation emphasizes state control and eventually

turned many African governments into major economic units. Control of enormous public resources by bureaucrats and politicians in the “Leviathan” states has enabled them to manipulate public policies to amass wealth for themselves at the expense of the rest of the society. Several scholars have cited the transformation of the post-independence African state into an instrument for the enrichment of members of the politically dominant groups as a significant contribution to corruption (Agbese, 1992, Ihonvbere and Ekekwe, 1988).

The above view is supported by O’Connell (1967) who argues that colonialism influenced the formation of new political class and corruption of the post-independent African political elite. He observation is apt that,

“...in the generation immediately behind the leading nationalists, many of the ablest talents were not available for political posts, and this weakened the ranks of the political class. The consequent loss only deepened the inadequacies of a generation of politicians who would in any case have found the transition from the struggle for power to the employment of power most difficult to make. The trouble was that many of these men were incompetent, corrupt and communal.”

The African political elite have also been using their position for self- aggrandizement through “capturing” state resources generated from within and outside Africa. Most conspicuously, the link between development aid and political corruption is

no secret (Dreher and Fuchs, 2011, McGillivray, 2004, Svensson, 2000, Alessia and Fabbri, 2006). Although there is increased awareness among development community and aid recipients of how aid has facilitated and sustained corrupt and dictatorial regimes, there is no evidence that donors systematically withdraw from giving aid to less corrupt recipients but it is instead tied to some form of “electoral democracy”.

Related to the above, is the view which sees the “underpayment” of public officials as a main cause of corruption. In this argument, public civil servants, in particular the police, custom officials, etc are poorly remunerated, receive little training and are lack motivation, yet they oversee rules that allow too much discretion. This latter view would suggest that poverty is a major cause of corruption. In contrast, evidence suggests that well-paid government ministers, judges, bankers, police commissioners and military generals have been among the most corrupt people in Africa. In almost all cases *high-level* corruption and malpractices are mainly confined to the elite who are well paid. This contradicts the view that poverty and low salaries per se cause corruption. Thus, elite corruption and mismanagement appears to be the result of *greed* rather than *need* (poverty).

Corrupt practices in Sub-Saharan Africa.

Scholars agree that measuring the scale of *bureaucratic* and *political* corruption in Africa is a notoriously difficult task. This is because corrupt practices on the whole involves a clandestine exchange and is done in secrecy. The Corruption Perception Index, by Transparency International (TI) ranks countries as ‘high’ or ‘low’ in the index. The limitations of the index are that

they are a matter of perception or feeling and not mathematical measurements of the level of corruption. For example, a country may be high in the Corruption Perception Index (CPI) simply because corruption is publicized by, for example, a vibrant press or civil society. It is unclear, though in authoritarian regimes where the press is controlled by the government and there is no freedom of expression.

However, the economic implications of the Transparency International’s Corruption Perception Index are far-reaching because in investment and business decisions, perception is crucially important. A negative perception, for example, reduces investor enthusiasm and thereby weighs down the economy by chocking off business that would otherwise, have come to the country. A negative perception provokes a crisis of confidence in the country and reduces its credibility as a reliable investment destination.

From the evidence available, it is clear that for most of Sub-Saharan Africa, corruption is routine rather than episodic (Aidoo, 1977, Anassi, 2004, Begovic, 2005, de Sardan, 1999, Govender-Bateman, 2009b, Lerrick, 2005, Okori, 2010, Olivier de Sardan, 1999, The Sydney Morning Herald, 2010). The main type of corruption in Sub-Saharan Africa concentrates on the acquisition of competitive external goods such as money, especially foreign currency, status symbols such as Mercedes Benz cars, prestige goods and other ingredients of conspicuous consumption. It is estimated that corruption has cost Africa at least US\$148 billion (Okori, 2010, Anassi, 2004), with most of the money stashed away in foreign banks by corrupt political elites and bureaucrats.

The following examples explore how corruption in SSA is spread in all regions. The highlighted few cases are meant to give the reader how political and bureaucratic corruption has been entrenched in the selected countries. The countries which were selected to illustrate the extent of the phenomena do not, in any way, imply that they are the worst affected nations by the vice. The few examples used in this essay are not exhaustive but are aimed at giving the readers that scale of political and bureaucratic corruption from the various regions of SSA.

Starting from West Africa, this paper will examine the nature of political corruption in two countries – Nigeria and Ghana. I chose the two nations from West Africa in order to contrast the levels of corruption in the West African sub-region. In Nigeria, for instance, there is a wild allegation that corruption pervades all levels of the civil service. Indeed, the Nigeria's experiences under both civilian and military regimes associated with large-scale corruption support the allegation. However, the most peculiar thing regarding corruption in Nigerian relates to its complexity, the staggering mind-boggling amount of funds and the people involved in the corruption web.

There are a few examples of large scale corruption in Nigeria which will be mentioned here. Over US \$4 billion of oil revenues reportedly disappeared without a trace in 1992 during the military dictatorship of General Babangida. When compared with the grand corruption of the Abacha regime which followed, this amount, however, pales into insignificance. The Nigerian authorities announced in October 1999, the discovery of US\$ 2.2 billion in Abacha's personal Swiss Bank account in addition to US\$ 400

million in another off-shore account and over US\$ 1 billion worth of illegally acquired property. Desperate to recover as much of Abacha's loot as possible, the government took the unusual step of negotiating with the Abacha family on extremely generous terms. The allowed the family to keep part of the loot, said to be US\$ 500 million, on condition that they agreed to return the rest of the money. Secondly, the Abacha family was also offered freedom from further prosecution. Consequently, the state recovered US\$ 750 million in cash from the deal (Transparency International, 1999).

In recent times, Nigeria government has also been keen to curb down large scale corruption that involves international corporations that had business interest its country. One of the most embarrassing cases involves its government charging the US former Vice President, Dick Cheney, together with several other people in court over allegation of corruption scandal of \$US182 million involving the energy firm, Halliburton. Dick Cheney headed of the energy firm prior to becoming the Vice president of the United States in 2000 (The Sydney Morning Herald, 2010).

Whereas in Ghana, the Convention People's Party (CPP) regime of Kwame Nkrumah was accused of wide-spread corruption, embezzlement of state funds, nepotism and bribery. The allegation of vast corrupt practices during post-independence Ghana necessitated the setting up of the Apaloo Commission of inquiry which was tasked to conduct a thorough investigation of the phenomenon. The Commission confirmed that:

“It is no part of the work of this Commission to provide as it were, ex post facto justification for Nkrumah’s dismissal from office. But in view of the findings we have made as to how he acquired the bulk of his property, and how he dealt with public property which he controlled as a Trustee of the people of this country and his proved duplicity in many matters, we find it impossible to resist the observation that Kwame Nkrumah thoroughly unfitted himself for the high office of the president of Ghana”².

The military regimes which succeeded Nkrumah’s including the Armed Forces Revolutionary Council (AFRC) headed by Rawlings tried to rid Ghana of corruption and the so-called *kalabule* system (the “black” or “parallel” market) – a market economy that was thought to have spiraled inflation at the time. Rawlings regime left a brutal legacy in the ‘fight against corruption’, a legacy which is remembered for “public execution of 3 former Heads of State and other senior officers without trial” (O’Connell, 1967) .

Meanwhile in East Africa, the “*Goldenberg Affair*”³ which dominated the Kenyan government criticism of grant corruption occurred during 1991 – 92. This was a classic illustration of state inspired corruption. Although Kenya has little gold deposits and no diamond at all, in the *Goldenberg Affair*, the Kenyan government allegedly paid Golden International, a

mining company, over US\$ 100 million as compensation for imaginary gold and diamond exports. The then Vice-President was implicated in the scandal but the Attorney General declined to prosecute the case. Overall, the *Goldenberg* fraud is estimated to have cost the Kenyan taxpayers at least US \$600 million. Moreover, the same year (1991), when over US\$ 400 million disappeared from the public treasury, since then no one has ever been held accountable for this loss.

Under Mobutu Seseseko’s Zaire (now the Democratic Republic of Congo), corruption and kleptocracy became a norm and structured within the society. During his presidency, Zaire enjoyed the dubious status of being the most corrupt country in Sub-Saharan Africa. This was because corruption was institutionalized and bureaucratized. To illustrate the extent of ‘fomalisation’ of corruption, I refer to the presidential Speech of 20 May 1976 during which Mobutu himself seemed not only to have admitted that bureaucratic corruption was rampant but he also actually encouraged it:

“If you want to steal, steal a little cleverly, in a nice way. Only if you steal so much as to become rich overnight, you will be caught” (Rijckegem and Weder, 1997).

“A fish begins rotting from the head. By the time its body begins smelling awful, the head is long gone”, Acholi proverb – Author.

The fact that the head of state was ‘exemplary’ meant that corruption had been entrenched and ‘decentralised’ to all levels of society in Zaire. Thus, abating it was unimaginable during Mbutu’s regime just like salvaging the proverbial fish. It is

² The Apaloo Commission of Enquiry, page 66, paragraph 494.

³ For more details on the Goldenberg scandal, visit this link: <http://www.assetrecovery.org/kc/node/cf0f3083-c6cc-11dd-b3f1-fd61180437d9.0.jsessionid=F73C7A4B6130384601BFE5AE3B88C238>.

therefore not surprising that in 1991 the former French Secretary of State for Humanitarian Action, Bernard Kouchner referred to Mobutu as “a walking bank account in a leopard skin hat.”⁴ However, Mobutu enjoyed enormous support from some Western governments. For example, at one point, outraged US Congressmen were amazed at Washington’s patience with their way-ward client. They described Mobutu as “the world’s biggest, and his fiefdom, of kleptocracy.”

In her book, *A Fate Worse Than Debt*, Susan George claims that Mobutu owned not less than seven chateaux in Belgium, Spain, Italy, Switzerland, many buildings in Ivory Coast, a presidential mansion in each of the country’s eight provinces; a palace in Gbadolite, his home town. Mobutu also exclusively owned and used numerous ships and jet planes, including a Boeing 747. In addition he prided himself with at least fifty one Mercedes Benz cars. Although he is long gone, Mobutu’s legacy that condones cheating, lying and stealing “a little” greatly impacted the DRC.

Southern Africa provides a perfect example of environments where corruption is marked by gross economic inequalities i.e. the juxtaposition of extreme wealth of the elite that exists side by side with a sea of mass extreme poverty. Commentators argue that some elements of corrupt societies in the region is characterized by ruthless suppression of the opposition, pseudo-democracy, state controlled media and general voter apathy. These attributes exist

⁴ More details are available in *The Registered Guard International* of Monday September 8, 1997. Available from: <http://news.google.com/newspapers?nid=1310&dat=19970908&id=TgBRAAAAIIBAJ&sjid=h-sDAAAIBAJ&pg=6999,1957059>

in countries such as Zambia, Zimbabwe and South Africa.

In Zimbabwe, the credibility of Robert Mugabe’s regime came under attack in 1990 when his Unity government became referred to as the “Willowvale Motor Scandal” illustrate a clear example of how prominent senior public officials were implicated in an elaborate scheme to buy and resell motor vehicles which resulted in loss of public funds (Makumbe, 1994). The previous year (1989) President Mugabe admitted in Parliament that:

“We must now admit that we are reaping the bitter fruits of our unwholesome and negative behaviour. Our image as leaders of the Party and Government has never been badly tarnished. Our people are crying for our blood and they certainly are entitled to so after watching our actions and conduct over the nine years of our government”⁵

The example illustrates how some senior public officials in SSA perceive themselves to be above the law.

South Africa provides yet another example where high and low level rampant corruption is exhibited. A case in point is that of the former Minister of Environment for Mpumalanga Province who had no qualms in appointing his wife, daughter, sister-in-law and cousin to high positions in the Provincial Administration. Another high profile case involved the former Vice-President, Jacob Zuma (now Head of State) who allegedly solicited a US\$ 60,000 bribe

⁵ Robert Mugabe quoted in *Hansard*, July 11, 1989.

from a French company for supplying military hardware to the South African Armed Forces. Despite a strong recommendation by a panel of investigators that charges be brought against Zuma, the head of public prosecutions argued that while there was a *prima facie* case of corruption against him, the case was “not winnable” in court. Therefore, he did not prefer to call for any prosecution.

Angola presents a terrible shocking paradox. Like other countries in Sub-Saharan Africa, Angola presents a stark contrast between the country’s economic potential and the condition of their populace. A major oil exporter, the Angolan oil industry has been described as part of a “Bermuda Triangle” where accountability, oversight and money just disappear. Carlos Leite, the IMF country representative to Angola in 2002 which has been in the forefront of the fight to ensure transparency in the Angolan oil industry, contend that “at least US\$1billion in oil revenues had gone missing in each of the previous six years”. To IMF, the unprecedented level of corruption did not only demonstrate a leak but a dyke that had burst in that country. Estimates of the revenues from petrodollars which remained unaccounted vary between US \$3-5 billion.

From the foregoing examples of political and bureaucratic corruption from all regions of SSA, we can make the following conclusions. First, there is no clear dividing line between corrupt activities and criminal related acts of bribery, theft, fraud and graft, or when they can be categorised and classified as corruption. This is because criminal acts involving finances result in corruption and vice versa.

Second, basing conceptualisation and analysis on public centred definition of corruption risk restricting its understanding to a particular class in society. Moreover, it also reinforces the assumption that only political and bureaucratic leaders are corrupt – a notion which is operationally erroneous.

Although the few examples illustrated the extent to which some senior public officers in SSA are entangled in the helm of large scale corruption, assuming that all or most senior public offices in SSA are corrupt is erroneous. In addition, suggesting that the vice can be fully eradicated when public services are abolished altogether is equally unrealistic.

Nevertheless, the examples illustrated how the power and agency of public officials can be abused with impunity. Public officials usually have access to state resources and some of the public officials use their positions and influence to take advantage of the public goods to facilitate their selfish and corrupt interests. In addition, the same observation can be used to explain how some private individuals use their connections with the bureaucratic systems to obtain favours at the expense of others.

Moreover, we have also learnt that corruption by public officers involves a complex equation involving a web of complicit high ranking individuals. It also involves a breach of trust which is not only limited to politicians and bureaucrats but also those who benefit from the corruption networks. The networks exist as the state and society are comprised of an array of interlocking interdependencies which are heavily reliant on the existence and operationalisation of responsibility and personal trust of individuals.

In the next section, I explore yet another daunting task of the implication of ingrained corruption in society. It is important to understand this dimension as it seems the relationships between the corrupt public officers and the society in SSA tend to reinforce some kind of exploitation of public resources and trust.

Economic significance of institutionalized and bureaucratized corruption.

At this point, it is necessary to point out that while corruption is a global phenomenon its net results are more damaging in developing countries and Sub-Saharan Africa in particular. This is because corruption leads to gross inefficiency, injustice and inequality at any level in society.

The argument that corruption and underdevelopment are dialectically related in SSA has some credence and cannot be easily disputed as each determines how the other develops. The corruption process, on the one hand, is part of the larger process of underdevelopment. Bureaucratic corruption, on the other hand, is an essential factor in the reproduction of the links of dependency and exploitation which constitute a crime against development (Govender-Bateman, 2009a).

Next, I briefly explore some of the perceived benefits of corrupt practices from the available literature.

Perceived benefits of corruption.

Why is corruption perpetuated in society? Does it have any potential or perceived benefits at all? In the early 1980s there was a view propounded by some development scholars that corruption has a positive

developmental effect. It contends that corruption is a lubricant which greases the wheels of development (Leff, 1964, Aidt, 2009). In addition, corruption is seen as a way through which resources can be spread to the wider society as corrupt officials often have elaborate patron-client relationship with their kinsmen.

Still related to the above, corruption may involve self-complacency of top political and bureaucratic government officials whose corrupt earnings may sometimes be channeled to ‘help others to earn’ when properly invested. If corrupt incomes are invested and results in creating legitimate subsidiary earnings, then corruption may be argued that it potentially has a social function. However, the danger with institutionalised corruption lies in it allowing institutional players to feel secure in the closed vicious circle of corrupt systems making the fight against it unmanageable – as everyone including those involved in the fight to be corruption ‘suspects’.

In addition, perpetrators of corrupt practices may see the practice as a “normal” way of solving a problem, especially where the issues involves a highly bureaucratic system. This school of thought believes that “fast monies”, used as incentives, can play a role in reducing bureaucratic jams and speeding implementation of administrative practices. Moreover, another rather widespread perception in the literature is that the corruption income of corrupted bureaucratic officials provides compensation for their lower wages (Begovi, 2005). Contrary to Begovi’s assertion, the examples cited in this paper from SSA illustrated that cases of grant corruption does not necessarily

involve the poorly remunerated public servants but rather the well paid elite.

Another controversial argument stems from the conceptual difficulty regarding the origin of the term 'corruption'. Critics have often associated the origin of the concept to the West and its values, to which, they argue, may not carry the same negative implication to non-Western traditional societies where their social structure and political traditions may be based on the beneficial exchange of rewards for services rendered and without which things do not work. This line of argument may make the reader wonder what "corruption" constitutes in non-Western context.

Moreover, in countries where corruption is perceived to have "produced positive results", it is considered one of the ways through which response to natural shortages can be effected. Perhaps in a country where the demand for a service or services far outstrips the ability of public officials to cope, corruption provides an alternative to rationing and gaining access to such services. Besides, corruption may also help to prevent a system from grinding to a complete halt. Relatedly, the most striking unintended side-effect of corruption in such situations would help officials in position of decision-making to identify, prioritise and address the evolving public demand for services within their means rather than through slow bureaucratic process.

Corruption may also be viewed as an indication of and as a solution to bad public policies, whatever the sources of these bad public policies may be. Nonetheless, the costs of corruption as a method for circumventing bad public policies need to be taken into consideration. Thus, corruption is

not a problem in its own right, but rather a symptom of wider problems of governance in some states. For instance, misguided global policies have left many developing countries (and some developed ones) with complex and burdensome tangles of rules and regulations administered by huge state machines that may be blamed for creating conditions that allow corruption to thrive.

Next, corruption is a tool that can be used by senior public servants to enforce compliance by the lower cadres or as a hostage mechanism aimed at minimising the probability of defection or insurrection by lower level insiders of corrupted civil servants. This is because the lower level corrupt officers become embroiled in complicity and, therefore, effectively constrained from turning to the public to denounce the corrupt system. Political corrupt leaders and dictators can, when and if necessary, find a scapegoat to 'punish' an uncooperative bureaucratic official if found guilty of corruption, hence applying both the carrot and the stick to strengthen loyalty. It is not uncommon in SSA to find most senior public servants who were censored by Parliaments on allegations of corruption are reappointed by the Executive to serve in the same governments or 'uncooperative' senior public servants may be politically reprimanded, demoted, relieved of responsibilities or sidelined by a network of corrupt decision makers.

Danger of corruption.

Whatever some commentators may say about the alleged 'beneficial' effects of corruption, it is patently clear that its dysfunctions far outweigh its imagined benefits.

Corruption entrenches poverty, retards development, and scares away much needed domestic and foreign investment in countries where the vice is rampant. Where corruption is a menace, economic development suffers, economic poverty and human suffering are evident and its burden rests disproportionately on the poor. This is because corruption increases the “tax burden”; its transaction costs is huge and so is the cost of abating it.

As a system of management and governance, corruption violates the rule of law and instead it propagates “rule by law”. It consists of some elements, ways, methods and means of managing a system. Besides, it has the potential of paralysing all positive, creative activities making good governance and development unthinkable. This happens when everything hinges on the agency of corrupt bureaucratic and political leadership.

Although corruption may be perceived as a response to the forces of demand and supply, it is still not beneficial. Corrupt practices will always benefit the rich and those in position of authority. It is a wedge that creates more income inequality in society. And, where the vice is widespread, the poor always lose out and society becomes ever more divided.

Moreover, whenever corrupt practices override a system and are used as tools for providing incentives for productivity, the society faces more danger. Unproductive public officials will always use it as a means getting financial rewards from “rent-seekers”. Like in the public sector, the cost of corruption negatively impact on the levels of entrepreneurship and economic growth productivity of the private sector.

Corruption is not good for democracy as well. It has the potential of leading to the capture of the state or state resources by the special interest groups. Corrupt societies are undemocratic and whenever general elections are held, they are hardly free or fair. Oftentimes, politics are not driven by ideologies but by economic needs and politicians fall prey to those in power for financial rewards. It is not surprising that undemocratic corrupt regimes once in power embark on the project of enriching themselves and manipulating ways of perpetuating their regimes through corrupting the constitution.

Not only is this unjust, it also creates contempt for democracy and makes military coups and other forms of dictatorship more attractive to many people. Finally, it is economically disastrous as it gives those in power the incentive and ability to continually create new laws and regulations which they can then exploit in order to extract.

Abating Corruption.

Although corruption may be viewed by its promoters as having significant *functions* as discussed earlier in this paper, the fact that its negative economic significance outweighs the perceived benefits suggest that it needs to be abated.

*“The road to corruption battlefield is usually infested with several ‘landmines’. Tackling corruption, therefore, involves high risks and requires technical expertise”
– Author.*

There are too many anti-corruption institutions in SSA. Apparently, they are not making any break-through in the fight

against corruption. This is because of the existence of several ‘landmines’ on the road to corruption battlefields. Matsheza and Kunaka (1999) aptly identify some of the *landmines* to include the following:

- Underfunding and resourcing of anti-corruption agencies.
- Lack of adequate skills to investigate and prosecute corruption cases
- Conflict of interest leading to delays of prosecution of cases
- Inadequate legislations against corruption at the national and regional levels.
- Lack of political will to fight corruption.
- Lack of coordinated public education programmes on corruption.
- Lack of involvement of other relevant stakeholders.
- Absence of the regional network to provide a platform for anti-corruption institutions to share information, experiences, and knowledge on corruption to enhance region efforts to fight the vice.

“Can demining the roads infested with landmines inculcate trust in the road users?”

The question regarding how the society can inculcate trust in the anti-corruption institutions in SSA is a very difficult one. Nevertheless, windows of opportunities still exist in abating corruption which include, but not limited to, the following:

Reduce the powers of politicians and bureaucrats.

If the powers of bureaucrats and politicians are drastically reduced, it may possibly help to reduce the extent of corruption in SSA. This can be done by increasing the independence and prestige of the judiciary; developing and supporting an accountable and responsible civil society; de-incentivizing corruption practices and increase public consciousness and political will to reduce corruption.

Integrate cultural perspectives.

Since corruption involves socio-economic, political and cultural dimensions, policy measures in the fight against the vice should as well integrate societal cultural elements which are capable of dealing with those values (philosophical, cultural, economic or political) in both the public and private domains that make corruption a rational choice. This is because cultural factors and norms are offer useful justification to be corrupt.

Similarly, we need overlook the agency of surviving pre-colonial institutions and practices in SSA if we are to eliminate or curb down instances of low level and high profile corruption. The pre-colonial gift-giving practices that persisted to-date was has had a social function in harmonising social and political relations within and between communities. Today, gift-giving has been corrupted as bribes and moreover monetised.

Related to the above argument are the unending chains of obligations that the society imposes on African bureaucrats and public officials. It is argued, this relationship reflects the African cultural organisational system, levies unprecedented burden to

successful and well-to-do members of the African society, who in turn behave as if they owe their kinsmen the duty to support them. The financial pressure may drive the public officials into corruption. As a remedy, such cultural pressure needs to be checked and reduced.

Strengthen state and public institutions.

As discussed earlier, corruption thrives in states which have weak economic structures and where public institutions are incapable of managing the state. Poor or weak management provides room for privatization and mismanagement of state goods resources. As cited from the examples for all regions of SSA, most grand corruption go unpunished. This happens either because the individual perpetrators are able to stand up against the state or they form part of the executives who are “immune” to prosecution. Encouraging the independence of state institutions and strengthening the oversight role of the civil society might go a long way to strengthen public institutions in the fight against corruption. This can be possible when the state, the civil society and the economy are strong and well resourced.

Conclusion

From the review of related literature, we noted that corruption is widespread in conditions where public institutions are weak, where the rules are vague and not clearly stated and therefore, where there is unchecked use of discretionary power by, public officials.

In addition, we also observed that corruption has social *functions* which include, among others, defining and simplifying bureaucratic administrative relations; acting as an accelerant in decision making process;

consolidating and restructuring social relations between the different strata in society; supporting economic developments through eliminating government regulations and acting as an alternative way of optimizing the economy when there is deficit resources.

Nevertheless, the negative economic implication of corruption means that the vice ought to be abated. The fight against the vice requires concerted efforts of every institution and individuals. If the institutions which create the incentives for corruption remain unchanged, for example, the next occupants of these positions will likely be as corrupt as their predecessors. Thus a major step would be institutional reform, that is, the strengthening of democratic institutions such as Parliaments, the press, civil society and an emphasis on good governance. By good governance is meant the existence of political accountability, bureaucratic transparency, freedom of information and expression, sound fiscal management and public financial accountability, respect for the rule of law and enhanced opportunities for the development of pluralistic forces including civil society (Hope 1997a).

Public accountability means holding officials responsible for their actions. This is opposed to the prevailing culture of impunity whereby office holders have become “gods” and do whatever they like. To control corruption, it is necessary to make it a high-risk activity. It should be made clear that Kleptocrats and other perpetrators will be caught and given punishments of exemplary severity. Parliaments and the press can expose corruption and create anti-corruption public attitudes. The principle of parliamentary

scrutiny and executive accountability needs to be firmly entrenched.

Other mechanisms for combating corruption include mass awareness campaigns such as mass mobilization for reliance, social justice and economic recovery and Web Accessibility Initiative (WAI) as in Nigeria or the creation of anti-corruption agencies such as the Botswana Directorate on Corruption and Economic Crime (DCEC). The latter agency waged an effective fight against corruption in Botswana. The result is that among all African countries, Botswana has the best rating on the TI index.

A vibrant civil society is a vital ingredient in the fight against corruption. However in Africa as a whole, civil society is weak and constrained. Another dimension of the problem is that civil society in Africa is often animated by primordial loyalties and often does not embrace the peaceful coexistence of associational pluralism. This is the reason why Fatton (1995:73) concluded that:

“Civil society in Africa is conflict – ridden and prone to Hobbesian wars of all against all. It is the prime repository of “invented” ethnic hierarchies, conflicting class visions, patriarchal domination and irredentist identities fuelling deadly conflicts in many areas of the continent”.

If all concerted good intentions (anti-corruption institutions) have failed to curb down corruption in SSA, what options have not yet been explored? Perhaps we need to consider legalizing the practice so that all systems that benefit from corruption can experience “a hurting stalemate”. The author

argues that it is at this point that the vicious circle of corruption can be broken as the perpetrators (bribe-takers, the bribers and mediators) and victims will experience a loss in its utility. The paper argues that this will evoke all possible ‘genuine’ conversations and actions that might eventually reduce opportunities for economic rent on which corruption thrives. Post-corruption reforms should then take into account institutional safeguards which reduce incentives for corruption and mainstream corruption policy in all public and private sectors.



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