

Towards an enhanced role for civil society in the fight against corruption in Africa.

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Introduction

Let me begin my remarks with a working definition of civil society. Civil society is vast terrain, populated by a bewildering array of organisations, interests and actors that lie between the family/household and the state. It includes, but is not co-extensive with non-governmental organisations (NGOs) and community-based organisations (CBOs). Some are progressive, others are conservative; some are civil, others are uncivil.

However, in the context of fostering fighting corruption and promoting democracy, it is the civic sub-species of civil society (public interest advocacy groups, independent publicly and state-owned media, human rights bodies, environmental groups etc) and the others - in their civic roles (professional bodies, religious organisations, business associations) that we should be focusing on.

Largely repressed and or marginalised, civil society has played only a limited role in the fight against corruption in the post-independence period. Its role has been limited largely to:

1. exhortations against corruption by religious and other society-based moral leaders;
2. episodic focus on corruption scandals, often after they had been exposed by political insiders and other extra-media sources attempting to best their competitors (usually presented as an “affair” within the monolithic political party;) and
3. condemnation of official corruption by middle class professional organisations, student and trade unions often as part of broad protests against authoritarian rule and economic mismanagement.

Such anti-corruption efforts have typically been reactive rather than pro-active, lacked sustainability, easily ignored by the authorities.

Auspicious setting

A number of new political, social and economic developments in Africa present an unprecedented opportunity for civil society to play a major role in the fight against corruption on the continent. Together, they are creating a greater potential for civil society involvement.

1. The growing presence and voice for business associations and representatives of the private sector accompanying the growing emphasis on private sector economic

development.

2. The emergence of a new class of African businessmen who reject or are not keen to partake in the old system of cronyism, nepotism and self-dealing, and who demand openness, fair competition and clean business. A key element of this new business constituency/business associations see low corruption as essential to sustained economic growth (For instance the head of the Ghana's **Private Enterprise Foundation**, an umbrella organisation for private business and industry is a dedicated crusader against both official and private sector corruption. He and his organisation represent a new type of business advocacy).
3. The political openings on the continent, reflected in the promulgation of liberal democratic constitutions (providing for a wide range of human rights and associational freedoms). An important manifestation of this is the surge in civil society in general, with some of them dedicated fighting against corruption either directly or indirectly. (Such as local chapters of **Transparency International** in Nigeria, Benin, Mozambique, South Africa, Mali, Morocco, Zimbabwe, Ghana; human and consumer rights protection groups; environmental protection bodies). And most importantly,
4. The emergence of a vibrant print and electronic media, with enthusiasm for exposing official wrongdoing and corruption. Finally,
5. The emergence of a new strategy of combating corruption - **the national integrity system** - that assigns a crucial and formal role to civil society as a key pillar.

Enhancing the role of civil society in the fight against corruption in Africa

Awareness of the problem of corruption is growing. The desire to curb the canker appears to be high among domestic and transnational actors. And the partial liberalisation of economies and politics in the last decade creates an enabling environment for civic activism. All of this presents an unprecedented opportunity for civil society and other non-state agencies - who really represent the main stakeholders in any scheme of good governance and low corruption environment - to play an enhanced role in the anti-corruption struggles on the continent. The question is what role can civil society play in the fight against corruption in Africa? How may this role be enhanced?

Mobilising opinion against corruption/generating demand for action against corruption

As the main stakeholders in national governance and ultimate victims of corruption, civil society is a key sector in the fight against corruption. Civil society in general and the media in particular as well as moral and religious leaders can help to create awareness, deepen appreciation of

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deleterious consequences, and generate demand for effective measures to reduce corruption. This is important for getting political leaders and policy makers to initiate reforms against corruption. Civil society is also crucial for fostering public support and ownership of reforms and thereby enhancing their legitimacy and sustainability.

Indeed, civil society organisations, NGOs, trade unions and anti-corruption advocacy groups can help to make corruption a major issue in national and local elections and transform the electoral system into a veritable facility for throwing out corrupt public officials and motivating elected officials to keep to an anti-corruption agenda. The energy, dynamism and single-mindedness of civil society deployed in this mobilisation exercise is the only way to counteract the strong tendency for national leaders and the international community to pay only lip service to combating corruption.

Civil society support for public/official oversight and anti-corruption agencies

First of all, civil society can help counteract the well-known tendency for public agencies/officials to connive with each other to undermine existing systems of checks and balances. Civil society can provide oversight agencies and official anti-corruption institutions with the encouragement and support they need for the effective performance of official functions – support often not forthcoming from government.

Civil society, especially the media and society based-anti-corruption bodies, can liaise with and provide official anti corruption agencies with evidence and relevant information and testify at hearings. It can also help to monitor compliance with regulations and sanctions imposed against corrupt officials. This can help to bridge the gap between constitutional and statutory promise on the one hand, and on the other hand the realities of resource starvation and political marginalisation that is often the fate of these public agencies.

For instance in Ghana, it was a spate of media allegations of corruption among senior ministers and functionaries in the ruling party that triggered investigations by the independent constitutional body – the **Commission on Human Rights and Administrative Justice (CHRAJ)**. The independent media was instrumental in providing the evidence that made it possible for the Commission to make adverse findings against these officials, leading to some dramatic resignations.

Similarly, the **Center for Democracy and Development (CDD-Ghana)** collaborated closely with CHRAJ to design and hold Ghana's first National Integrity Workshop. The Center has continued to work closely with the Commission to establish a civil society-based national chapter of Transparency International called Ghana Integrity Initiative.

And the **African Leadership Forum (ALF)** in collaboration with Transparency International had

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held a ground breaking international seminar on “Corruption, Democracy and Human Rights in Pretoria, South Africa in 1995 (July 31 - August 2). Indeed, the ALF has continued its pioneering role in initiating continent-wide civil society-based anti-corruption projects. In July 1998, ALF developed and began canvassing the adoption of a **Code of Conduct for African Parliamentarians and Political Parties**.

The resource scarcities faced by these public anti-corruption bodies is much mitigated when the specialised expertise of civil society organisations – professional bodies of engineers, architects, quantity surveyor, valuers, and lawyers, are made available. Similarly, Law societies, independent experts and anti-corruption pressure groups can assist legislative bodies to craft articulate and credible anti-corruption legislation and codes of conduct for public officers.

Civil society to civil society collaboration and support to combat corruption.

Anti-corruption work is often a lonely project. Co-operation among civil society organisation, NGOs and other advocacy groups in their common efforts to promote transparency, accountability, and integrity in public administration as well as the private sector will increase their collective clout and produce positive synergies.

Civil society support can be crucial for transparency-promoting and anti-corruption crusaders and groups who suffer harassment and persecution at the hands of corrupt elements in government and private sector. Such elements will stop at nothing to protect the corrupt status quo and or to cover up their malfeasance. Mutual support among civil society organisations offers an effective antidote against backlash. For instance, Law Societies can provide pro-bono defence for investigative journalists faced with judicial persecution. Moreover, since governments have no great incentive to unshackle the media, civil society agencies may be left with the responsibility to support the often, lonely efforts by journalists to expand their own freedoms.

Networking nationally, sub-regionally, and internationally is also essential for confidence and capacity building and for enhancing clout. Perhaps, it may be useful to explore the possibility of creating at least a “virtual” Network of African Anti-Corruption NGOs.

Business Associations/Chambers of Commerce and combating corruption.

The private sector is important to anti-corruption strategies. As organisations representing the private sector, business associations and chambers can play a vital role in mobilising opinion against corruption among its members. By unilaterally taking an “**integrity pledge,**” or committing themselves to an explicit code of ethics in business transactions, they choke off a main vein of supply of bribes and reduce the transaction costs of business, all at once.

The obligations of an anti-corruption civil society

Playing a leading role in anti corruption initiatives imposes certain obligations on civil society everywhere. But in Africa in particular where civil society is weak and mistrusted by government, CSO/NGO good housekeeping is essential to its credibility and effectiveness. CSOs/NGOs will gain more credibility as champions of transparency, accountability and corruption free public and private sector if they themselves practised similar virtues.

It is absolutely essential that CSOs develop and adhere to credible codes of conduct and basic rules of corporate governance. They must also audit their accounts and discipline rogue elements so that they can have the moral authority to demand the same from public officials. Credible self-regulation is necessary not only for preventing loss of credibility, but also for pre-empting predatory official regulation and loss of credibility.

Enhanced development and enforcement of professional ethics and codes of conduct will enhance the credibility of professional associations as partners in anti-corruption work. More directly, it will help individual members of the professional associations to perform their respective public service duties with integrity.

Pluralism is good for civil society just as it is for political society and private business. But civil society is caught between the extremes of anarchy and a culture of power monopoly. It is important for the sector to learn to co-operate and collaborate with each other on projects in which they have a common interest. There is security in numbers. And that should be a helpful strategy in the often, perilous endeavour of combating corruption. Unnecessary bickering, divisionism and one-upmanship only detract from the serious work of coalescing to fight corruption.

Conclusion

Civil society is the ultimate victim of non-transparency, non-accountability and corruption. It is also a key pillar in any system of national integrity. Fortunately, recent developments in the political and economic landscape of Africa present an unprecedented opportunity for the sector to take a central position in the fight against the corruption. The presentation has attempted to point to some of the ways in which civil society can play an enhanced role in combating corruption in our respective countries.