The African Union has fully embraced the Universal Declaration of Human Rights of 1948 and re-emphasized in the Preamble of the African Charter on Human and Peoples’ Rights that “freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples.” In the height of colonization, such legitimate aspirations were meant to be African self-determination. However, after the decolonization of 1960, many African nationalists re-defined the aspirations of their peoples to mean “unity” within their respective polities. Such an approach resulted in the establishment of one-party systems that undermined any prospect of the respect of human rights across the continent. Sociopolitical rights as an integral part of human rights are often flouted by many African autocratic leaders in this 21st century. This paper discusses how sociopolitical rights violations have obstructed Africa’s democratization processes and lays out a way forward for a stable Africa.

Keywords
Civil War; Democracy; Power (Political); Civil Society; Civil-Military Relations; Africa; Human Rights; Civic Engagement; African Union (AU)
Defining Human Rights

What are human rights? Human rights are the most fundamental rights of human beings. They define relationships between individuals and power structures, especially the state. Human rights delimit states’ power and, at the same time, require states to take positive measures ensuring an environment that enables all people to enjoy their human rights. History in the last 250 years has been shaped by the struggle to create such an environment. Starting with the French and American revolutions in the late eighteenth century, the idea of human rights has driven many a revolutionary movement for empowerment and for control over the wielders of power, Governments in particular. Rights are claims backed by law. At a very general level rights are classified into economic, social, political and legal. Together, they are circumstances that define a person’s status as human. It is sometimes suggested that human rights (or some of them) are so fundamental that they form part of natural law, but most of them are best regarded as forming part of treaty law (Dictionary of Law, 2009). Thus, a breach of these rights by a state (including the state of which the victim is a national) deprives the individual of his/her humanity.

There are sixteen rights contained in the Human Rights Act all of which can be grouped under the economic, social, legal and political classifications. They include the right to life, the right not to be tortured or treated in an inhuman or degrading way, the right to be free from slavery or forced labor, the right to liberty, fair trial, and the right to not to be punished except in accordance with law. The rest include the right to respect for private and family life, home and correspondence, the right to freedom of thought, conscience and religion, the right to freedom of expression, assembly and association, the right to marry and found a family, the right not to be
discriminated against, peaceful enjoyment of possessions, the right to education, the right to free elections.

African scholars, including Adebiyi (1992), Ake (1987), Ambroise (1995), Mahon and Holland (2001) have not been silent on the debate over the concept of human rights. Ake (1987) argues that Africans are more concerned with poverty and deprivation than they are with the concept human rights. Placing the term "human rights" in the African concept he suggests that even though it is alien to the continent, "we ought to be interested in human rights because it will help us to combat social forces which threaten to send us back to barbarism" (p.7). Mohan and Holland (2001) use human rights-based approach to development and argue that "Only by embedding discussions in the locally meaningful struggles that confront impoverished Africans and by promoting broader and direct participation which, crucially, promotes self-determination can rights agenda more thoroughly promote African development" (p.193). But Ake (1987) also posits that imposing the observance or respect of human rights as a conditionality for foreign aid has made African less receptive to democracy as it was a threat to the bourgeoisie vis-a-vis the proletariat. Indeed, Africa has been lagging behind when it comes to the emergence and survival of democracy. Agbehounou (2014) notes: "The 2012 Freedom House Report reveals that only 12 percent of Sub-Saharan African countries are totally free or democratic compared to 71 percent in the Americas and 85 in Western Europe." Since the release of such a report the continent has undergone a series of political turmoil including the collapse of a democratically elected government and the rise of insurgencies in Mali, the rise of AQMI in Maghreb Islamist elections. Since the release of such a report the continent has undergone a series of political turmoil including the collapse of a democratically elected government and the rise of insurgencies in Mali, the rise of AQMI in Maghreb Islamist elections.
Though these rights are recognized in most democratic constitutions in Africa, they are hardly observed due to the existence of systemic political corruption and the desire to perpetuate power.

**Corruption: Causes and Consequences**

The relationship between corruption and economic performance in African countries is now well researched and documented (Ayittey, 2002). Most existing work examines the causes of corruption, mechanisms and strategies to prevent it, and forms of technical cooperation to assist developing countries and countries in economic transition (Transparency International, 2009) in the Africa. However, the relationship between political corruption and human rights is much less researched and understood. In fact, little work has been done in precise terms what the links are between political corruption and violations of human rights. Yet political corruption or grand corruption, which is a variant of white-color corruption, is perceived to have more negative impact on the people of the sub-region than any other form of corruption. Unfortunately, this perception also presents a myopic view as it focuses only on the economic effects of political corruption without recourse to its effects on human rights.

Yet a critical assessment of the political corruption profile of Africa indicates that it goes beyond economic effects. Therefore, we present an empirical argument in this paper that political corruption in sub-Saharan Africa impacts negatively on the human rights of the people of the region. The major questions we seek to prosecute are: Does political corruption affect human rights? How does political corruption in sub-Saharan Africa manifest itself? What are the linkages between political corruption and violations of human rights? In doing so, we draw on cross-sectional data for political corruption on 54 African countries. We structure the paper as follows: from this introduction, we explore literature on political corruption, human rights and
the relationship between political corruption and human rights. In addition, we do a logistical
analysis of data on political corruption and draw our conclusions from the findings.

In fact, what is corruption? In providing a clear understanding of political corruption we
find it instructive to define and explain the concept ‘corruption’. The term “corruption” comes
from the Latin word corruptio which means “moral decay, wicked behavior, putridity or
rottenness (Milanovic, 2001:12). Despite the endemic and universal nature of corruption, there
exists no single commonly accepted definition of the vice. Societies differ in their views as to
what constitutes corruption and experts too differ on its meaning, causes and effects. However,
defined normatively, corruption refers to the abuse or misuse of public power/position/
office/role of trust or resources for private benefit (Girling, 1997; Alatas, 1990; Thompson 1993,
1995; Rose-Ackerman,1999). According to Osoba (1996:372), corruption may be viewed as

... a form of antisocial behaviour by an individual or social group which confers
unjust or fraudulent benefits on its perpetrators, is inconsistent with the established
legal norms and prevailing moral ethos of the land and is likely to subvert or
diminish the capacity of the legitimate authorities to provide fully for the material
and spiritual well-being of all members of society in a just and equitable manner.

We view corruption as being immoral, perverted, and marked by venality. At the general
level, we draw a correlation between corruption and the duties and expectations of a public
office. This view concurs with Bayley’s (1966) that corruption connotes improper and selfish
exercise of power and influence attached to a public office. This is in consonance with Smith’s
(1964:12) widely/internationally accepted definition of corruption as “the use of public office for
private gain”. The behavior transcends acts such as the use of public authority, office, or official
position with the deliberate intent of extracting personal/private monetary rewards or other privileges at the expense of public good and in violation of established rules and ethical considerations (United Nations, 1990). For this paper we operationalize political corruption to mean the selfish use of political office for personal gains that stifle the enjoyment of human rights by the citizenry.

It also includes theft, embezzlement of public funds or other appropriation of state property and nepotism and/or granting of favors to personal acquaintances. The corrupt comprise both petty and major offenders. Petty offenders include individuals who demand bribes before they render services to clients (such as government file or record clerks and police officers) and account clerks who embezzle funds from accounts they are entrusted with by their employers. Major offenders incorporate individuals, such as senior corporate officials and government officers who cut secret deals involving huge sums of money with local and international organizations, companies and individual businesses or who practice massive embezzlement of public or corporate funds.

The working definition of the World Bank is that corruption is the abuse of public power for private benefit. In Colin Nye’s classical and most widely used definition, corruption is “behavior which deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence” (Nye, 1967:417). A somewhat updated version with the same elements is found in the definition by Mushtaq Khan, who defines it as “behavior that deviates from the formal rules of conduct governing the actions of someone in a position of public authority because of private-regarding motives such as wealth, power, or
status” (Khan 1996:12). In other words, corruption is a particular (and, one could say, perverted) state-society relation.

On the one side is the state that is the civil servants, functionaries, bureaucrats and politicians, anyone who holds a position of authority to allocate rights over (scarce) public resources in the name of the state or the government. Corruption is when these individuals are misusing the public power they are bestowed with for private benefit. The corrupt act is when this responsible person accepts money or some other form of reward, and then proceeds to misuse his official powers by returning undue favors. For instance, it is an act of corruption when a state official takes a bribe to render some public service that is supposed to be free of charge or demands more than the official cost of it.

The involvement of state officials in corruption is also emphasized in an alternative definition, where corruption is seen as “a form of secret social exchange through which those in power (political or administrative) take personal advantage, of one type or another, of the influence they exercise in virtue of their mandate or their function” (Méry cited in de Sardan 1999:49). In sum, almost every definition (or rather conceptualization) of corruption has a principal focus on the state and politics (“the corrupted”), and a “demand-oriented” perspective. On the other side of a corrupt act is nevertheless the “supply side”, and some theories and conceptualizations exist that emphasize the “corrupters”, those who offer the bribes, and the advantages they gain. These suppliers are the general public, or the non-state society. The counterparts to the corrupt officials are any non-governmental and non-public individual, corporate and organizational, domestic and external.

What then is political corruption? In the definition shared by most political scientists, “political corruption is any transaction between private and public sector actors through which
collective goods are illegitimately converted into private-regarding payoffs” (Heidenheimer et. al.1993:6). This definition does not, however, distinguish clearly between political and bureaucratic corruption. It establishes the necessary involvement of the state and state agents in corruption, without any notion as to the level of authority where corruption takes place. In a more strict definition, political corruption involves political decision makers. Political or grand corruption takes place at the high levels of the political system. It is when the politicians and state agents, who are entitled to make and enforce the laws in the name of the people, are themselves corrupt. It also includes political decision-makers using the political power they are armed with, to sustain their power, status and wealth. Thus, political corruption can be distinguished from bureaucratic or petty corruption, which is corruption in public administration, at the implementation end of politics. Even when the distinction between political and bureaucratic corruption is rather ambiguous as it depends on the separation of politics from administration (which is unclear in most political systems), the distinction is important in analytical and in practical terms. Political corruption occurs at the top level of the state, and it has political repercussions. It does not only lead to the misallocation of resources, but it also affects the manner in which decisions are made.

Political corruption can also be viewed as the manipulation of political institutions and the rules of procedure, and therefore it influences the institutions of government and the political system, frequently leading to institutional decay. Political corruption is therefore something more than a deviation from formal and written legal norms, from professional codes of ethics and court rulings. It occurs when laws and regulations are more or less systematically abused by the rulers, side-stepped, ignored, or even tailored to fit their interests. It is a deviation from the rational-legal values and principles of the modern state, and the basic problem is the weak accountability
between the governors and the governed. In particular, in authoritarian countries, the legal bases against which corrupt practices are usually evaluated and judged, are weak and therefore subject to downright encroachment by the rulers.

Under authoritarian regimes, political corruption is one of the mechanisms through which the authoritarian power-holders enrich themselves. Here, corruption is rarely a disease that responsible politicians are eager to avoid, rather, it is a deliberate, wanted and applied practice; it is one of the rulers’ modes of enrichment and economic control. Political corruption is consequently a “normal” condition in authoritarian countries, although showing a great variety according to the various forms of authoritarianism. However, as demonstrated by a large number of corruption scandals in liberal democracies over the years, political corruption is not restricted to authoritarian systems. Nevertheless, by maintaining the link between authoritarianism and political corruption, and a definition of political corruption in terms of state prerogatives manipulated to serve the interests of the rulers, one will see that the essence of the problem of political corruption differs much between authoritarian and liberal democratic regimes. In democratic countries, the problem of political corruption is more of an incidental and occasional nature, and can be dealt with within the existing political system; by reforming, strengthening and vitalizing the existing political institutions of checks and balances. Invariably, whether political corruption occurs in authoritarian or liberal regime, it affects human rights directly or indirectly.

**Political Corruption Cases in Africa**

We lump together politics and political leaders and political parties and structures of government in exploring political corruption in Africa. Throughout the political history of
Africa, successive governments have either been forcibly overthrown or voted out of office for having been guilty of corruption, among other accusations. A wealth of evidence of political corruption in the sub-region includes but is not limited to funding of electioneering campaigns by patrons in return for political appointments or contracts, contract awards that are facilitated by payment of ‘commission’ (kick-back) which is usually a percentage of the total amount of contract cost determined by the awarding individual or agency, and scholarships awarded to members of the party-in-government and their affiliates. In local governance, government officials engage in dubious allocation of lands and contracts to cronies, unauthorized collection and reckless spending of funds, misallocation and misapplication of funds meant for administrative work, and inability to account for proceeds from projects, among others.

A profile of some former African Heads of State is replete with their acquisition of wealth through political corruption. In May 1997, a French newspaper published a story of ill-gotten wealth as follows:

General Sani Abacha of Nigeria - $20billion.

President H.Boigny of Ivory Coast - $6 billion.

General Ibrahim Babangida of Nigeria - $5 billion.

President Mobutu of Zaire - $13billion.

President Mouza Traore of Mali - $2billion.

President Henri Bedie of Ivory Coast - $300 million.

President Denis N’gueso of Congo - $200million

President Omar Bongo of Gabon - $80million.

President Paul Biya of Cameroon - $70million.

President Haile Mariam of Ethiopia - $30million.
President Hissene Habre of Chad - $3 million.

Recently, sixteen African states appeared on the list of countries cited in the *Panama Papers*. The report shows that some African heads of state, their associates, ministers, and elected officials have connections with offshore companies in 21 tax heavens. These countries include Algeria, Angola, Botswana, Republic of Congo, Democratic Republic of the Congo, Cote d’Ivoire, Egypt, Ghana, Guinea, Kenya, Morocco, Rwanda, Senegal, South Africa, Sudan, and Zambia (International Consortium of Investigative Journalists 2016). These fortunes together could be used to develop the continent and provide the people with their basic needs. Most African countries lack water, electricity, health facilities, schools and universities, roads, and housing, among others. Thus by using their political office to illegally amass such wealth, the people are denied their right to have and to enjoy these basic human needs – a denial of human rights.

**Linkages between Political Corruption and Human Rights**

Political corruption directly or indirectly affects human rights. It is a violation of human rights by the state. A state is responsible for human rights violation when it can be shown its actions (failure to act) do not conform to the requirements of international or domestic human rights norms. To determine whether a particular corrupt act violates a human right, therefore, it is first necessary to establish the scope and content of the human right’s obligation in question, and whether it derives from domestic law, international treaty, custom, or general principles of law (Amnesty International, 2009). Be that as it may, when political corruption is widespread, it encourages discrimination, deprives vulnerable groups of income, and prevents people from fulfilling their political, civil, social, cultural, legal and economic rights. The implication is that people’s voting rights are violated when politicians buy votes. Also, when the education budget
is looted, resources for education cannot be secured, and teachers cannot be paid. Consequently, children’s right to education is subverted.

Similarly, political corruption leads to cuts in national and sectoral budgets and diversion of resources resulting in governments’ inability to provide basic needs. This deprives the people of their rights to basic necessities of life such as food, water, clothing and housing. Culturally, political corruption creates a social distortion as people look up to their rulers as their models. Therefore corruption becomes a norm rather than the exception and permeates the fabric of society. Within such social milieu, court officials and the police get swayed by bribes rather than the law. The people do not have access to justice as political leaders interfere with court decisions. In other words, people buy justice and the highest bidder is always exonerated as poor citizens’ rights to fair trial crumble under the weight of bribery.

Corruption and failed states

Corruption flourishes in many states, but in failed states it often does so on an unusually destructive scale. There is widespread petty or lubricating corruption as a matter of course, but escalating levels of venal corruption mark failed states: kickbacks on anything that can be put out to fake tender (medical supplies, textbooks, bridges, roads, and tourism concessions); unnecessarily wasteful construction projects arranged so as to maximize the rents that they generate; licenses for existing and nonexistent activities; and persistent and generalized extortion. In such situations, corrupt ruling elites mostly invest their gains overseas, not at home, making the economic failure of their states that much more acute. Or they dip directly into the coffers of the shrinking state to pay for external aggressions, lavish residences and palaces,
extensive overseas travel, and privileges and perquisites that feed their greed. Military officers always benefit from these excessively corrupt regimes and imbibe ravenously from the same illicit troughs as civilian officials.

**Theoretical Framework**

The paper is underpinned by efficient grease theory. The theory, which long prevailed in political science, viewed corruption as the ‘grease’ that got bureaucracy moving, and in so doing, increased the loyalty of the citizens (Merton, 1957, Veloso, 1966, Bayley, 1967, Nye, 1967). Corruption was seen as binding society together. The main premise of the theory is that corruption can strengthen citizen trust since bribe paying and clientilism open the door to otherwise scares and inaccessible services and subsidies, and that this increases institutional trust. Corruption is seen as an informal institution that helps the functioning of functional institutions. In other words, the theory suggests that a citizen faced with ill-functioning institutions will place greater trust in the political institutions if he knows (based on perception or experience) that corruption is a way to get what he or she wants.

Since 1990, the theory has been subjected to a barrage of criticisms. Empirical studies of different world regions confirm the negative impact of corruption on institutional trust. Porta (2000) demonstrates a strong relationship between a high level of corruption and low satisfaction with democracy. Anderson and Tverdova (2003) conclude from their study of sixteen Eastern and Western countries that citizens in highly corrupt countries have less trust for their political systems. Citizens are not sure of how their rights could be guaranteed. Corrupt practices such as the payment of a bribe, for example, puts bribe-paying citizens over and above others and creates two worlds, one for those who enjoy privileges because of their corrupt practices, and another for
those who are denied those privileges because of their non-involvement in corruption. Thus, rights are turned into privileges for some citizens while others are completely denied.

The core assumption of efficient grease theory that corruption can speed up an otherwise sluggish bureaucracy has been overturned. Myrdal (1968) argues that corrupt civil servants can cause delays that would not otherwise occur just to give themselves an opportunity to extract bribe. Under such conditions, citizens are denied their rights to services and opportunities as well as their dignity as humans. We posit therefore, that if African countries are engaged in political corruption it will slow down the pace of development and democracy in the region and consequently choke the people’s rights.

Data and Methods

This study uses secondary quantitative data collected from reliable sources such as the World Bank, Transparency International (TI), and the Cingranelli-Richards (CIRI) Human Rights Data Project. The main variable being investigated in this study is human rights violations and abuses. The variables GDP per capita measuring the income per headcount, and the GiniIDX measuring the level of inequality within a country are collected from the World Bank, while the corruption perception index (CPI) indicating the level of political corruption within a country. The higher the CPI score the cleaner is the country, and the lower the CPI score the more corrupt the country is. According to TI, CPI score ranges from 0 to 100, with 100 indicating a clean country and 0 a corrupt country. We adopted the CIRI physical integrity rights index (PHYSINT) as the measure of human rights. According to Cingranelli and Richards (2008), PHYSINT includes indicators such as torture, extrajudicial killing or killings by government officials without due process of law, political imprisonment of opposition leaders and their
supporters and of religious leaders, and disappearance. The indicator is coded 2 anytime that a
government respects each of the four rights, otherwise it is coded 0.

Other critically intervening variables of human rights including, freedom of religion
(NEW_RELFREE), freedom of assembly and association (ASSN), women’s economic rights
(WECO), women’s political rights (WOPOL), independence of the judiciary (INJUD) are also
gathered from CIRI database. The variables ASSN, INJUD and NEW_RELFREE are coded the
same way the four indicators of PHYSINT are. WECO is measured by indicators such as
whether women have equal pay for equal work; women are discriminated against by employers,
women can freely choose their profession without their husbands’ permission, etc. WECO is
coded 0 if women have no economic rights, 1 if there is some economic rights for women but
these rights are not enforced, 2 if there some economic rights and these rights are moderately
enforced, and a score of 3 indicates that women have all their economic rights that are
effectively enforced by their government. WOPOL includes the right to vote, to run for political
office, to hold political positions, to form and/or join political parties, and to petition government
officials. Similarly to WECO, a score of 0 indicates that women have no political rights that are
legally guaranteed; 1 indicates that women have some political rights that are guaranteed by law
but not enforced by the government; 2 indicates that women’s political rights are moderately
enforced; and 3 indicates women’s political rights are both guaranteed by law and enforced by
authorities.

Procedure

The variables CPISCORE, GDP per capita, GiniIDX, ASSN, and WECO are not normally
distributed and we take the natural log to improve the normality. We conduct a multicolinealirity test
among all the dependent variables to see whether they are highly correlated at .08 (Field 2009). This
procedure helps us to limit our controlled variables to lnGDPcapit, lnGiniIDX, lnWECO, WOPOL,
NEW_RELFREE, and INJUD. We conduct a non-linearity test by running a scatter plot between PHYSINT and lnCPISCORE (Figure 1). The problem of non-linearity was corrected with quadratic fit (Figure 2). We then run a multivariate Ordinary Least Squares (OLS) between the dependent variable PHYSINT

### Regression Analysis

<table>
<thead>
<tr>
<th>DV=PHYSINT</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>IV</th>
<th>V</th>
<th>VI</th>
<th>VII</th>
<th>VIII</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>-4.621</td>
<td>-6.541***</td>
<td>-9.365**</td>
<td>-5.535</td>
<td>-5.188</td>
<td>-2.657</td>
<td>-1.154</td>
<td>0.112</td>
</tr>
<tr>
<td></td>
<td>(1.579)***</td>
<td>(1.873)***</td>
<td>(4.143)**</td>
<td>(4.273)</td>
<td>(4.212)</td>
<td>(4.131)</td>
<td>(4.141)</td>
<td>(5.122)</td>
</tr>
<tr>
<td>CPISORE (ln)</td>
<td>2.615(0.456)***</td>
<td>3.104(0.550)***</td>
<td>2.677(0.670)***</td>
<td>1.764(0.748)**</td>
<td>1.536(0.751)**</td>
<td>1.172(0.728)</td>
<td>1.105(0.713)</td>
<td>0.964(0.792)</td>
</tr>
<tr>
<td>GDPcapit (ln)</td>
<td>0.030(0.166)</td>
<td>0.084(0.225)</td>
<td>0.138(0.216)</td>
<td>0.0003(0.230)</td>
<td>0.163(0.229)</td>
<td>0.224(0.227)</td>
<td>0.194(0.240)</td>
<td></td>
</tr>
<tr>
<td>GiniIDX (ln)</td>
<td>1.051(1.153)</td>
<td>0.688(1.108)</td>
<td>1.047(1.116)</td>
<td>0.113(1.128)</td>
<td>0.091(1.104)</td>
<td>-0.119(1.218)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ASSN (ln)</td>
<td></td>
<td></td>
<td>0.684(0.293)**</td>
<td>0.639(0.290)**</td>
<td>0.472(0.28304)</td>
<td>0.442(0.278)</td>
<td>0.443(0.281)</td>
<td></td>
</tr>
<tr>
<td>WECON (ln)</td>
<td></td>
<td></td>
<td>1.070(0.723)</td>
<td>0.984(0.687)</td>
<td>1.269(0.693)*</td>
<td>1.326(0.713)*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEW_RELFREE</td>
<td></td>
<td></td>
<td></td>
<td>0.974(0.409)**</td>
<td>1.203(0.423)**</td>
<td>1.186(0.430)**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WOPOL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-1.051(0.630)</td>
<td>-1.033(0.638)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>INJUD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.227(0.531)</td>
</tr>
<tr>
<td>Adj. R-Squared</td>
<td>38%</td>
<td>40.06%</td>
<td>34.08%</td>
<td>40.26%</td>
<td>42.11%</td>
<td>48.01%</td>
<td>50.24%</td>
<td>49.17%</td>
</tr>
<tr>
<td>F-Stat</td>
<td>32.91</td>
<td>18.04</td>
<td>8.93</td>
<td>8.74</td>
<td>7.69</td>
<td>8.08</td>
<td>7.63</td>
<td>6.56</td>
</tr>
<tr>
<td>N</td>
<td>53</td>
<td>52</td>
<td>47</td>
<td>47</td>
<td>47</td>
<td>47</td>
<td>47</td>
<td>47</td>
</tr>
</tbody>
</table>

Coefficient (Standard Errors), *** significant at 1%, ** significant at 5%; * significant at 10%
An analysis of the above table reveals that a one percent increase of the IV (CPISCORE) increases the DV (PHYSINT) by 2.615 units. The adjusted R-squared of 0.38 indicates that 38% of the DV is explained by the IV (lnCPISCORE). From Model I-III, the result is statistically significant at 1% even when we controlled for GDP per capita, and Gini index, respectively.

In addition to political corruption which is pervasive and entrenched in many African countries, leaders “have used the coercive organs of the state to deny both political and civil rights to their subjects” (Ambroise 1995). Such rights have been protected by the Preamble of 1948 Universal Declaration of Human Rights, which stipulates:

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people, Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law...

However, because many African Heads of State have been concerned with how to perpetuate their power, they deliberately refuse to ensure the protection of these undeniable rights by either silencing their political opponents and/or not allowing full political participation in their countries. Adedeji (1992) concurs and notes:

The ideals contained in the international and regional bills of human and peoples’ rights remain ideals precisely out of the reach of the overwhelming majority of the people in the Third World countries, particularly in Sub-Saharan countries. In most of these countries, pervasive lack of democracy, over-centralization of power and impediments to effective participation of the majority of the people in political life of their countries have been the order of the day (see for example, Ambroise 1995, p. 41).
Excessive use of force and the refusal to limit president’s term in office have been the common practices in many African states. Recently, countries that resort to the use of force to prevent democratic alternations include, but not limited to, Angola, Burundi, Central African Republic, Chad, Egypt, Kenya (before 2008), DRC, Gambia, Guinea (from 1960 to 2009), Madagascar, Togo, Tunisia (before Arab Spring), and Zimbabwe. While countries such as Burundi and Rwanda have manipulated presidential terms to consolidate their hold on power, countries such as Gambia, Chad, Congo, Togo and Uganda have adopted unlimited presidential terms.

The lack of respect of human rights has been one of the root causes of political instability in many African countries. To restore the stability and peace some countries have created truth and reconciliation commissions (see the case of Togo below) and others have engaged in the politics of decentralization (see the case of Mali).

**Togo: Response to Human Rights Violations**

A brief summary of the main recommendations of the Truth, Justice, and Reconciliation Commission (TJRC) is worth highlighting for the purpose of this paper. After conducting a series of hearings from 523 witnesses and examining 22,415 depositions, among others, the commission recommended that all internal parties to the conflict (political parties, institutions, and the people of Togo) and particularly the government:

\[1\]

1. The detailed data registered by the TJRC shows that the majority of the depositions originated from all the eight regional antennas/centers including Lomé Commune (2,243), Aného (719), Tsévié (818), Kpalimé (1,098), Atakpamé (4,677), Sokodé (2,766), Kara (3,786), Dapaong (3,167); depositions by internet (28); collective depositions (2,748); complaints (298); grand witnesses (52); and few depositions from the Diaspora (17). For information about the depositions, see République Togolaise. (3 April 2012). *Commission, Vérité, Justice et Réconciliation: Final Report, Volume 1*. Available at http://cvjr-togo.org/document/Rapport-Final-CVJR-TOGO.pdf

• To ensure the respect of human rights, which includes the respect of the rights to live and abolish death penalty, respect of security and freedom rights, prohibition of absolute torture by criminalization of all acts of torture, punishment all presumed perpetrators of acts of torture and cruel treatments and establishment of torture prevention mechanism

• That the use of force follows both the domestic laws and international standards and principles;

• To proceed with constitutional and institutional reforms in order to guarantee the independence of the three branches of government (executive, legislative and the judiciary) via the republican principle of the separation of powers. The commission has emphasized the importance of these reforms and how they must be done to bring about democratic alternations and guarantee the respect of individual liberties and fundamental rights of all Togolese.

• Revision of electoral code, redistricting of electoral boundaries based on geography, demography and history to ensure equal representation

• To reform the army and the security forces (police, the gendarmerie)

• De-politicization of security forces and the army.

• Fight against impunity and corruption

• Respect of freedom of expression and protection of social groups

• Promote equal treatment to all citizens

• Use referenda as a means to gather citizens’ view on big/crucial questions

• Retain August 20, a date of the Comprehensive Political Agreement (Accord Politique Global) as the National Reconciliation Day.
• Take appropriate measures to guarantee the return and security of all refugees and sociopolitical expatriates.

• Creation of an independent commission to pursue the ongoing reconciliation process, oversee and evaluate the implementation of the TJRC’s recommendations.

A survey conducted by Afrobagermer in 2013 on whether the Togolese government will implement the recommendations provided by the TJRC shows that about 50 percent of respondents did not believe that it will (Freedom House, 2014). Since the publication of the TJRC final report, the government has difficulties proving these Togolese and the world wrong. Although the Togolese government has accepted all the sixty-eight recommendations included in the final report, it has been reluctant to embrace and enact many of them. For instance, in the realm of institutional reforms, the TJRC underscored the need to facilitate democratic alternations in the country. To that end, the Commission believed that there must be a term limit on the presidential mandate.

The TJRC never left the debate opened to create more conflict on the subject than it actually is. It quickly referred the Togolese to the Article 59 of the 1992 Constitution, which was overwhelmingly approved by 99.18 percent of registered voters on October 14, 1992 (African Elections Database 4 December 2010). As a recommendation that can help bring about long overdue democratic alternations, the TJRC called for the return of the Article 59, which stipulates that “The President of the Republic is elected by universal suffrage for five (05)-year term, renewable once.” Such a recommendation was confirmed by both the Round 5 (2011/2013) and Round 6 (2014/2015) of the Afrobagermer surveys in which 83.5 and 84.7

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percent of respondents respectively believed that the Constitution should limit the president to serving a maximum of two terms in office as compared to only nearly 13 percent of respondents in both surveys who opposed a constitutional term limit for the president in office. Despite such an overwhelmingly support for the constitutional term limit of the president and despite the fact that the Constitution also requires that a referendum be used to gather citizens’ view on big/important questions such as the presidential term limit, the government refuses to proceed with the institutional reforms as a part of the national reconciliation process without providing a reason for its anti-reforms position. But critics such Togoata Apédo-Amah, Professor of Literature at University of Lomé and civil society activist, opines that the government unwillingness to tackle these reforms is indicative of its desire to perpetuate political power. He also blames current opposition leaders of their inability to bring about democratic alternations and calls for the emergence of new political parties and new leaders to lead the fight (IciLome, 17 May 2016).

Other controversial issues that continue to polarize the political class in Togo include, but are not limited to, the distribution of electoral seats among electoral districts and the composition of the Commission Electorale Nationale Indépendante (CENI) or independent national electoral commission and how it handles election results. The current electoral boundaries were not drawn with respect to equal representation principle as recommended by the TJRC. They were drawn to favor the ruling party, Union pour la République (UNIR) or Union for the Republic (Freedom House, 2014). Additionally, the combination of the closed list proportional representation ballot structure and the First-Past-The-Post (FPTP) electoral rule used to translate votes into electoral

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4 The 91 seats are distributed in the 30 multi-member constituencies as follows: The Grand Lomé elects 10 members, 3 constituencies elect 4 members each, 17 constituencies elect 3 members each, and 9 constituencies elect 2 members each. For more detail available at: http://www.electionguide.org/election.php?ID=1643
seats in 30 multi-member districts in the 2013 legislative election discriminated against the two coalitions of the political opposition parties, namely Coalition Sauvé le Togo (CST) or Save Togo Coalition and Coalition Arc-en-Ciel or Rainbow Coalition. In that election, with only 41.28 percent of the votes, UNIR won 62 seats while CST won only 19 seats with 34.45 percent and Rainbow Coalition, 6 seats with 11.20 percent of the votes. Union of Force of Change (UFC) who still claims being part of the Togolese political opposition after clinching a political deal with the ruling party (previously known as the Rally of the Togolese People [RPT] now UNIR) in 2010 also won 3 seats with 7.03 percent of the votes (International Foundation of Electoral System 2016).

As far as the proclamation of election results are concerned, even after the publication of the TJRC’s final report, no progress has been made in that sense. Opposition parties cried foul after the 2013 legislative and 2015 presidential elections despite quick reactions from the international community, which often judges elections in Togo as ‘largely acceptable.’ In a letter submitted to a local website, Letogolais.com, the Groupe de Réflexion et d’Action pour le Dialogue, la Démocratie et le Développement (GRAD) notes: “Aspects associated with vote counting and the proclamation of election results have never had significant progress compared to previous situations, especially the operations of compilation have always been tainted of frauds” (GRAD, 21 July 2015).

Concerns over the repetition of electoral improprieties in Togo are supported by the two consecutive Afrobarometer surveys (Round 5 and Round 6) in which nearly 40 percent of respondents said that they do not trust the national electoral commission which is in charge of the organization of elections, compilation and the proclamation of the provisional election results. Additionally, about another 40 percent said that they do not trust completely (“just a little” or
“somewhat”) the electoral commission. The TJRC has recommended that the national electoral commission play a role in facilitating peaceful and democratic elections in the country. But it is troubling to see that less than 20 percent (on average) of the Afrobarometer surveys trust the institution (see Table 2 below).

Table 2: Trust national electoral commission

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Not at all</td>
<td>417</td>
<td>34.8%</td>
<td>441</td>
<td>36.8%</td>
</tr>
<tr>
<td>Just a little</td>
<td>214</td>
<td>17.8%</td>
<td>246</td>
<td>20.5%</td>
</tr>
<tr>
<td>Somewhat</td>
<td>203</td>
<td>16.9%</td>
<td>201</td>
<td>16.7%</td>
</tr>
<tr>
<td>A lot</td>
<td>200</td>
<td>16.7%</td>
<td>240</td>
<td>20.0%</td>
</tr>
<tr>
<td>Don’t know; haven´t heard enough</td>
<td>166</td>
<td>13.8%</td>
<td>72</td>
<td>6.0%</td>
</tr>
<tr>
<td>(N)</td>
<td>(1,200)</td>
<td>100%</td>
<td>(1,200)</td>
<td>100%</td>
</tr>
</tbody>
</table>

Selected Samples: Togo (1200)
Source: Afrobarometer Survey data. Available at: http://www.afrobarometer.org/online-data-analysis/analyse-online

Three years after the TJRC has submitted its final report to the President of the Republic of Togo, Faure Gnassingbé, a report that called for the investigation, prosecution and punishment of anyone involved in acts of torture and cruel and inhuman treatments, progress in the implementation of this critical recommendation is yet to be seen. Impunity remains at a record high. An annual report of Amnesty International a month after the official publication of the final report of the results of the TJRC reveals that the security forces continue to use excessive force against peaceful demonstrations of students and supporters of the political opposition parties. Palpable examples of continuous use of force by the government’s security apparatus according to Amnesty international (2012: 3) include:

- In March, demonstrations protesting against the draft law limiting freedom of assembly were dispersed by security forces using tear gas. Jena-Pierre Fabre,

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President of the ANC, was put under house arrest on several occasions to prevent him from joining protest marches.  

- In June, the security forces used force against the student organization Mouvement pour l’Epanouissement des Etudiants Togolais (Movement for the development of Togolese students, MEET), who were demanding improvements to the university system. The clashes occurred after seven students, including MEET leader Abou Seydou, were arrested and ill-treated. Several students were wounded by rubber bullets, some severely.

Other vivid instance when the security forces had not refrained from excessive use of force were in the city of Gléi located at 160 kilometers north from Lomé on March 25, 2015 and in the northern Togo, precisely Mango in November 2015 (Amnesty International, 2014/2015). Within less than a month in Mango, more than 117 people were wounded and eight people including one policeman were killed by bullets during peaceful demonstrations against the government’s decision to create a nature reserve in there. In addition to these casualties, the security forces looted many houses in the areas and severely beat pregnant women and children (Patuel, 2015). In Gléi, gendarmes and the military wounded more than 30 unarmed civilians, including women and children. In another separate occasion, students’ demonstrations to prevent their final exam from taking place in the midst of political instability were severely met with a violent military repression (Amnesty International, 2014/2015). The suspected perpetrators have never been held accountable for such criminal acts.

Yet another flagrant violation of human rights occurred after nearly four years of the publication of TJRC final report. It was the kidnapping of Doctor Antoine Randolph on February 17, 2016 at Sanvee-Kondji, Togo by elements of Service de Recherche et d’Investigation (SRI) or Research and Investigation Center. Doctor Randolph was held for more than two weeks without an attorney. According to the Togolese law, the duration of custody for a crime suspect should not exceed 72 hours. Many civil society organizations and opposition political parties are
now calling for his immediate liberation (Letogolais.com, 3 March 2016). The worst of all is that up to date, none of the perpetrators of the 2005 mayhem that brought the current Head of State to power after the passing of his father has been brought to justice, which according to Lederach (1997), “represents the search for individual and group rights, for social restructuring, and for restitution, but it is linked with peace, which underscores the need for interdependence, well-being, and security” (p. 29). The victims of such a horror that claimed more than 400 lives according to the United Nations report of August 29, 2005 deserve to know the truth and be healed.

Knowing that it has been violating major provisions of The Universal Declaration of Human Rights of 1948 since the independence of Togo, the government consistently refuses to ratify the Rome Statute of the International Criminal Court for fear that its leaders be tried for crimes against humanity (Amnesty International 2012). How can a national reconciliation succeed in the face continuous violations of human rights by those who are called to protect such rights? One can agree with Lederach (1997) when he argues that “Reconciliation must be proactive in seeking to create an encounter where people can focus on their relationship and share their perceptions, feelings, and experiences and a new shared experience” (p. 30). The reconciliation process in Togo is lagging behind given that the Togolese authorities are reluctant in grabbing all opportunities provided in the TJRC final to proactively prevent future socio-political conflicts.

Mali and Tuareg Rebellions

Since the independence of Mali in 1960, the Tuareg have been engaged in a series of rebellions as a pressure tactic to bring the Malian government to the negotiation table that would allow them to discuss their agenda of a separate Tuareg nation. Given that the Tuareg community
is highly segregated by a caste system, which distinguishes light-skinned Tuareg from *Bellah* or dark-skinned Tuareg (Randall 2005), they had difficulties mobilizing the whole community for their nationalistic struggle. In addition to the lack of mobilization, the caste system has created a suspicion and a lack of trust among various groups in the Tuareg community. As a result, they continue to find it very difficult to rally behind a single leadership who can coordinate their struggle for self-determination. Cline (2013) argues that “There was a little evidence of either a particularly strong strategic vision among the Tuareg or a unified leadership” (p. 619). Because of such a lack of unity within the Tuareg community, Lieutenant Colonel Kalifa Keita from the Malian Army states that “Tuaregs as a group have never demonstrated a unified political (or military) agenda” (Keita 1998: 9). During the first Tuareg rebellion of 1962, with as little as 1500 combatants, the Tuareg have engaged in guerrilla warfare against a well-equipped and well-trained Malian Army, which suppressed and repressed the rebel forces (Boas and Torheim 2013, Keita 1998).

To make the matter worse for the Tuareg, the Malian government headed by President Modibo Keita decided to place the Tuareg-populated regions under military rule (Douglas-Bowers 2013, Boas and Torheim 2013). It also ordered the destruction of Tuareg’s livestock in the northern region and the poisoning of their sources of water such as wells (Alesbury 2013, Lode 2012, Lecocq 2010). Such a repressive tactic not only ended the rebellion in 1964, but it also provoked the displacement and alienation of many moderate Tuareg who had not pledged their support for the rebellion (Alesbury 2013, Keita 1998). The failure of this first post-independence rebellion marked the beginning of both the undesirability of Tuareg in Mali and the Malian protracted conflict.
The nature has never been on the side of Tuareg given that Sahel in general and Mali in particular has frequently experienced harsh climate and unpleasant dry seasons that are detrimental to the survival of people, vegetation/plants, and the herds. As Whitehouse (2013) points out, “In terms of climate and geography, its people face daunting handicaps: malaria, regular droughts threaten agricultural production in southern Mali, while in its arid northern regions farming is only possible in few irrigated zones along the Niger River” (p. 36). The Tuareg-populated northern regions, deeply rooted in the Sahara desert, were at the mercy of or hit by the droughts of the 1970s and early 1980s that destroyed the sources of their fragile economy and disrupted their social structures. The livestock of the herders was devastated and water sources such as wells and rivers around which they live were dried out. But the Malian government did little to assist these northern regions that were desperately in need. Consequently, many Tuareg had no choice but to seek refuge or migrate to neighboring states such as Algeria and Libya. While in Libya, thousands of these Tuareg received military trainings and were recruited to serve in Colonel Muammar Gaddafi’s private militia group. According to Boas and Torheim (2013) and Keita (1998), these expatriated Tuareg fought in Gaddafi’s Islamic Legion in Chad and Lebanon and later returned to Mali after they were laid off from Libyan workforce as a result of the collapse of global oil prices of 1985 to lead the 1990 uprising in Mali.

It is equally important to note that timing was neither on the side of Tuareg nor on the side of the Malian state in the 1960s. It was at the height of Cold War. The two antagonistic

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\(^6\) Within the Tuareg community, there are five interdependent social classes: the ruling nobles (the *Imajeghen*), the vassals (the *Imghad or Imrad*), the Islamic Marabouts (the *Ineslemen*), the slaves (the *Iklan*), and artisans (the *Inaden*). For more discussion on Tuareg social structure, see for example Alesbury 2013: 109, Bernus 1975: 234, Murdock 1959: 407.
blocks, the communist and the capitalist, respectively led by the Soviet Union and the United States, were locked in proxy wars in Angola, Zaire (the present day Democratic Republic of Congo), and elsewhere in the world. Therefore, Mali’s problem occupied no place on the agenda of international community. This lack of international community’s attention and assistance exacerbated the Tuareg’s situation and contributed to the loss of the first Tuareg rebellion but not their nationalistic struggle. However, things changed drastically in the aftermath of severe droughts of the 1970s and 1980s. Mali began to receive some traction at least on the humanitarian front as “Mali received massive relief aid” (Keita 1998: 12). But such a humanitarian relief program did little to satisfy the need of many unemployed Tuareg who returned to Mali as result of disbandment of the Islamic Legion of Gaddafi and internally displaced Tuareg who migrated to the southern regions in quest for fertile land near the Niger River.

One can argue that the droughts had created fertile conditions for intrastate conflict as resources became more and more scarce. At the same time, the Malian government led by General Moussa Traore, who seized power on November 19, 1968 via a military coup, was weak and unable to address the issue of scarcity of resources created by a forced southwards migration of the Tuareg (Boas and Torheim 2013). Not only was there a general dissatisfaction with Traore’s leadership in Mali, but also more importantly the Malian Tuareg felt marginalized and feared for cultural destruction because of the way his government handled the relief program (Keita 1998). The Tuareg, with the help of their brothers (ex-combatants of the Islamic Legion) who brought in some military experiences, then profited of the climate of frustration of the Malian population and their dissatisfaction of the government and launched with some success the second Tuareg rebellion in June 1990 (Lode 2012). At the same time, the Malians responded
to the international call for the democratization of the African continent with the organization of a political opposition that took the fight to the Traore’s government from the country’s capital, Bamako while the Tuareg, with their Popular Movement for the Liberation of Azawad [Mouvement Populaire pour la Liberation de l’Azawad (MPLA)], successfully crashed the Malian army from the north. Squeezed by the two fronts, the government sought and obtained a cease-fire accord with the MPLA and the Arabic Islamic Front (Le Front Islamique Arabe) in a series of mediations of good offices by the Algerian government. The agreement is known as the Tamanrasset Accords. It contains the main provisions as follows:7

- A cessation of military operations and all armed action in the entire territory of Mali and principally in the 6th and 7th regions.
- A commitment by all parties to ban all acts of violence, including armed elements coming from outside.
- Progressive reduction of the Malian Armed Forces in the 6th and the 7th regions.
- Freedom of movement of the unarmed forces of the MPLA and the Arabic Islamic Front in the northern regions.
- Disengagement of the Malian Armed Forces from civil administration and suppression of certain military posts in the northern regions.
- Avoidance of zones of pasture land and densely populated zones in the 6th and the 7th regions.
- Confinement of the Malian Armed Forces to the role of defense of the integrity of the territory at the frontiers.

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7 For the full text of the Tamanrasset Accords, refer the Uppsala Conflict Data Program (UCDP), available at http://www.ucdp.uu.se/gpdbdatabase/peace/mal19910106.pdf
• Integration of ex-combatants or rebel forces into the Malian Armed Forces.
• Exchanges of all prisoners and hostages within 30 days from the agreement.
• Equal representation of members of the Commission in charge of the enforcement of the cease-fire.
• Agreement on Gao as the Commission’s headquarter.

An analysis of the above provisions reveals that the Tamanrasset Accords of January 6, 1991 granted autonomy for the Tuareg-populated northern regions without addressing the concerns of the democratic opposition movement of the south. It rather jeopardized the integrity of Mali. Therefore, the agreement was far from bringing about domestic tranquility in Mali. Civil disobedience continued until President Traore was deposited in a coup d’état on March 26, 1991 by General Alpha Toumani Toure (Lecocq and Klute 2013). One cannot say with certitude that it was only the second Tuareg rebellion that precipitated the fall of Traoré’s regime. It was the accumulation of many factors, including, but are not limited to, the lack of resources to enforce the Tamanrasset Accords, and a strong desire of the Malian people to abort the military dictatorship in Mali and try something new, a democracy. The Tuareg failed to capitalize on their momentum and achieve their overdue dream of the establishment of Azawad, a Tuareg state. Internal distrusts and conflict of interests among the Tuareg prevented them from rallying behind a single group that would speak with one voice. Lecocq and Klute (2013: 426) note that:

The successful fight against Mali unleashed social and political dynamics within Tuareg society. From January 1991 onwards the rebel movement splintered under violent internal conflicts that were to persist until October 1994. The movements divided along tribal lines, reflecting power dynamics internal to Tuareg society which can be traced back to alliances and hostilities formed with the context of colonial penetration. But they also reflected internal political conflicts concerning the aims of the rebellion and the future structure of Tuareg society itself.
Conclusion: Dealing with political corruption

Corruption exists in all societies and some would argue that you can minimize it, but never eliminate it anywhere. Despite this, a democratic system of government has some built-in mechanisms that keep corruption in check. Democracy is defined by USIP as “a state or community in which all members of society partake in a free and fair electoral process that determines government leadership, have access to power through their representatives, and enjoy universally recognized freedoms and liberties.” It is generally accepted that strong democracies have lower levels of corruption, largely because those who are ruled give the government the legitimacy to govern and therefore the citizens can hold the government to greater transparency in its operations.

Institutional reforms are thus indispensable ingredients of any sustainable anticorruption strategy (Johnston, 1998). The reforms should be designed to enhance accountability and transparency in the operations of the state and major economic institutions. That is, they should facilitate the creation of more transparent procedures; the strengthening of internal and external accountability systems; improvement in recruitment, compensation and training for public and private sector officials; and the creation of channels of appeal for clients (Johnston, 1998). Although corrupt interests with a stake in the status quo may initially strongly oppose reform, reform advocates must sustain pressure on the political establishment to implement meaningful reforms.

In the developing countries, the salience assumed by the problem of corruption in recent years has occurred hand in hand with the increasing push for democratization and economic liberalization. These processes entail the reform of major institutions of our society that have a bearing on corruption. Primary emphasis should be placed on the total separation of powers of
the three arms of government. This can only occur through the total emancipation of the civil service, legislature and judiciary from the stifling grip of the executive.

With respect to the civil service, appointments to senior positions should be vetted by parliament. This will guarantee merit appointments and curtail corrupt practices during the term of such appointments. It will also put to an end the patronage that has shielded corrupt officials from prosecution. Empowering parliament, on the other hand, will make it possible for it to deal with those named in corruption reports by watchdog committees. The formal legal framework of the state is therefore insufficient as terms of reference to assess and judge the problem of political corruption. Moral, normative, ethical, and indeed political benchmarks will have to be brought in, not at least because it will be necessary to discern legality from legitimacy when it comes to political corruption. Besides, whereas bureaucratic corruption normally can be dealt with through auditing, legislation, and institutional arrangements, the degenerative effects of political corruption cannot be counteracted by an administrative approach alone.

Serious judicial reforms are imperative in most African countries for the effective combating of corruption. Having exemplary anti-corruption statutes is not adequate in the fight against corruption. These are irrelevant (Singh, 1997) unless an honest judicial system exists to support them by acting as a watchdog on constitutional values, monitoring the honesty of other branches of government, ensuring the rule of law and successfully investigating and prosecuting offenders (Muganda, 1999; Rose-Ackerman, 1999). According to Muganda, successful investigation and prosecution will encourage the public to report corrupt practices and also serve as a deterrent for members of the public. In this regard, it may be imperative to review African constitutions that allow the executive to appoint those who should prosecute political functionaries such as Attorney-General, Chief Justice, and Auditor-General, among others. This
is because more often than not the personalities appointed to occupy these positions are from the ruling parties. Consequently, political corruption is not prosecuted and offenders continue their nefarious activities with impunity. This applies to most sub-Saharan African countries since they are still struggling to establish democracy and the rule of law. Thus, reforms should nevertheless go beyond the creation of independent judiciaries to incorporate the appointment of judicial officers after they have gone through vetting by parliamentary committees. Vetting the candidates is likely to restore confidence among the public. It will ensure that people of questionable integrity (or tainted records) are not appointed judges, as has previously been the case. Vetting would also ensure that the process of appointing judicial personnel is itself free of corruption.
References


