

## CULTURE OF ANTI-CORRUPTION: THE SPIRIT IS KEY, NOT THE LETTER



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The frequent questions of what constitutes corruption and the extent of the occurrence of a corrupt act amongst others, have always been issues that in the writer's opinion bedevils every country or organisation that is not really ready to fight corruption but takes cover under laws, practices and culture to perpetuate and perpetrate corrupt acts. The truth is that with corruption in particular we can say prevention is better than detection. But how is it possible to deal with or prevent something as insidious as corruption?

Society and institutions have over time come to accept that one of the ways to prevent corruption is the crafting of a policy or a code of conduct that will govern or regulate the behaviour of especially those entrusted with leadership positions and who have been appointed or elected to exercise power on behalf of the population.

In 2013, the Nigerian government granted a presidential pardon to the late Bayelsa State Governor Diepreye Alamieyeseigha who had jumped bail on charges of money laundering in the United Kingdom and was the subject of a forfeiture order under the Kleptocracy Asset Recovery Initiative in the USA. The basis of the pardon was that he had shown remorse, according to a British Broadcasting Corporation (BBC) report of 13th March 2013.

This is one example out of many others of similar nature in Africa and on a global level, where political party operatives, government loyalists and favourites are allowed to get away with a slap on the wrist (re-assigned or allowed to resign their positions) for very clear violations. In cases where there is some apparent willingness to prosecute the delays that come with these actions, it is often so clearly indicative of a complete lack of willingness to do the right thing.

Forgive me for asking this question, I consider it pertinent: Why do people rationalise corrupt behaviour by basing arguments on cracks in policies and laws, culture and conventions? A display of corrupt behaviour should always warrant some level of investigation and always provide enough grounds for serious concern whilst offering an opportunity to quickly revisit laws and policies to cure every emerging mischief. This will be the best time to keep people and systems in check. A regular practice of this will in time provide the panacea for creating a culture of awareness and a demonstration of nil tolerance for corruption, even a scintilla of it. We need the willingness to go beyond the letter and embrace the spirit of anti-corruption.

The diverse reasons for this current situation are not farfetched. Weak governmental structures that empha-

size people instead of systems are perpetuated to render accountability impotent. Paying lip service to anti-corruption is the order of the day. The deliberate and difficult assignment of providing proof of corruption is left on the heads of anti-corruption campaigners who often times have neither the resources nor the ability to provide this proof and thus are often accused of merely speculating. Of course speculation cannot be allowed to dictate the course of justice but should there not be a more concerted effort, a more positive attitude to anti-corruption than has been exhibited in many countries?

What then? Should we continue to encourage a culture of gift giving and gift taking in both public and private sectors, bearing in mind gift giving is an important part of our sociological imperative as human beings? Such cultures tend to emphasise a myopic view that dwells on the value of bribery or corruption but not on the cost of it. As Matthew Stephenson, Professor of Law at the Harvard Law School, rightly pointed out, "the amount of bribery and the cost of bribery are not the same". Whereas the amount may often times be judged as immaterial given specific circumstances, the long term effects on organisational and societal culture are worth a good consideration. The development of a zero tolerance for corruption seems to be a difficult concept to accept in some parts of the world.

The Ghana Integrity Initiative, the local chapter of Transparency International, has taken steps and gone to great lengths to create and increase awareness of corruption and its impact. The populace has been encouraged to report incidents of corruption through various social media platforms. However, considering the massive scale of perceived or actual corruption and the cultural acceptance of some practices which tend to corrupt public servants and weaken institutional safeguards, it appears to be quite difficult to make a meaningful impact.

The strengthening and de-politicisation of state agencies charged with investigating allegations of corruption will be an important step in this direction. In Ghana, the Commission for Human Rights and Administrative Justice is the state institution charged with receiving complaints on corruption and abuse of office, investigating and making recommendations on same. But how can such independence be assured and maintained?

The setting up of an office of an independent prosecutor has been suggested in many circles but then again, without the willingness to go beyond the letter and embrace the spirit of anti-corruption, it does appear that the global fight against corruption will continue to be empty noise in some parts of the world especially in some developing countries, at least for some years to come.

It is laudable that the US Foreign Corrupt Practices Act and the UK Bribery Act have provided some form of protection and deterrent particularly in the case of government officials in the developing world. However on a global scale these are just drops in the ocean and in themselves provide very little relief.

People must receive some education that any act or semblance of corruption destroys the fabric of the nation and must be totally discouraged. Politicians must show selflessness and leadership in this light. The fight against corruption requires far more coordination and support beyond law enforcement and prosecutions as well as political, business and public support in an organised and effective campaign across countries, regions and continents. The time to act is now!

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