

## **Nigeria should enlist foreign help to rebuild anti-corruption institutions**

By: Dr Ola Bello\*

### **Policy Recommendations**

Nigeria should prioritise efforts to:

- 1.) Recruit a respected international official to help depersonalise anti-corruption work and inspire new ideas for professionalism and competent prosecution of corruption cases.
- 2.) Revamp and strengthen institutions responsible for policing transparency and good governance oversight, including the National Assembly and the Nigerian Public Complaints Commission (The Nigerian Ombudsman).
- 3.)

### **Introduction**

Despite commendable successes such as Nigeria's surge up the World Bank's *Ease of Doing Business* ranking, its citizen are disillusioned with the President Buhari-led government and its unfulfilled promise of change and a stalling anti-corruption war. The country will emerge as the third most populous country in the world by 2050. Experts predict its youth bulge will yield dividends or become a risk. The quality of Nigeria's governance will determine how well it navigates risks and leverage opportunities. Key to this is a radically new tack on corruption and a reset in leadership.

### **A mixed bag**

Nigerians continue to endure hardship following a deep recession caused by fall in oil prices and government's subsequent missteps. With the 2019 elections looming, the temptation will be for Buhari to defer to political expediency. Time, however, is of the essence and Nigeria cannot prevaricate as the window for reform narrows. The coming 20 years cannot be one characterised by the same inert leadership which prevailed in preceding decades. This urgency needs to be better grasped.

Admittedly, Buhari's administration has shown reflexes for good ideas. It introduced an exporter and investor's window in the foreign exchange market, leading to the rapid convergence of Nigeria's disparate exchange rates. It is prioritising capital spending, promising furtively to boost the paltry infrastructure stock. Its import substitution policy is modestly boosting sectors from agriculture to mining through manufacturing.

In truth though, many who previously supported the government have seen slipped Buhari's toga of political reform. Successive corruption scandals broke close to the president in 2017. These mostly exposed his hesitation to bring to justice people in his inner circle. His anti-corruption fight, once the topmost reform priority, has become dangerously selective. Meanwhile, the calls for national restructuring, which dominated the political debate in 2017, have yet to elicit a coherent response from the administration. A government once defined by self-assurance and popular goodwill is seemingly in drift.

### **Agenda for a reset**

As a corrective, Nigeria urgently needs a reset in its anti-corruption war to create the space for broader governance reform to succeed. Also, de-personalised governance, an unrelenting focus on governance

innovation and a closer embrace of evidence-based policies are all vital to achieving the economic and political restructuring that Nigeria sorely needs.

First and foremost, President Buhari should recruit an international technocrat with an unblemished anti-corruption record to lead the EFCC. This federal anti-corruption agency is unhelpfully hindered by the in-fighting within Buhari's administration. Ibrahim Magu, the EFCC head, is considered *persona non grata* by Nigeria's parliament. In his place should be appointed someone in the mould of Kenya's John Githongo, South Africa's former Public Prosecutor Thuli Madonsela, or a similar figure recruited from the UK. The latter country has given copious helping hand to Nigeria's effort to prosecute corruption over the last decade. Such a step will mirror positively the UK's own meritocratic choice of Canadian Mark Carney to head the Bank of England.

In plumping for someone who is a non-national and able to rise above the fray, Nigeria will send a positive signal and indicate a reset in its anti-corruption. Such tactical daring may yet yield for President Buhari bountiful political gains. For those who have tracked the EFCC's botched prosecution of several winnable cases, the need to try a new tack is self-evident. By activating the foreign option, Buhari can save face, presenting this as part of his de-personalisation push aimed at bolstering accountability.

Moreover, the standoff between the presidency and lawmakers over Magu is beginning to seep into the macro-economic management realm. This is evident in the non-confirmation by the National Assembly of key economic functionaries such as the new nominees to the Monetary Policy Committee of the central bank. Buhari needs a reset on anti-corruption that will hopefully foment debate on realistic reform paths that can convince the electorate to renew his mandate in 2019.

### **Making the case**

Few of the brazenly corrupt in public office will enthusiastically welcome a foreign EFCC head. The suggestion might even grate with well-meaning, proud Nigerian nationalists. Yet, a recruit from outside these shores will be free of the constraining baggage that weighed down EFCC heads from Ribadu to Magu and could therefore dare to act truly independently. The idea is also not informed by a dearth of competence. Nigeria has a surfeit of capable people. It's rather an excited proposition built on the hope of an outsider as a likely more neutral umpire.

The drift in our law enforcement training, especially around professional and rigorous investigation, has grown increasingly evident. Bringing in an established expert, say from the UK's Scotland Yard, could see more competent investigation of corruption cases before charges are brought. We need a well-drilled, proficient and less distracted law-enforcement leadership to inspire and motivate the next generation of Nigerian elite prosecutors.

As keen observers know, the only big corruption cases successfully concluded so far, including Diepriye Alameseigha, James Ibori and perhaps inevitably Deizani Alison-Madueke, have all been led by UK investigators not EFCC operatives. Water-tight prosecution is something we are not getting right. A foreign expert with up-to-date knowledge, cutting-edge training and the right motivation may help inspire the EFCC and the rest of the law enforcement cluster. There's hardly any good reason to hide in the open; Nigeria itself has sometimes demurred when offered the option of taking over foreign anti-corruption cases against politically-exposed Nigerians.

Third, and consistent with this push for greater transparency, Nigeria's anti-corruption and broader governance reform efforts should move squarely to an institution-building and depersonalised phase. Recognising the poor funding and systemic redundancy in the Nigerian Public Complaints Commission

(the Nigerian Ombudsman), the current upper law-making house proposed in 2015 to amend the Ombudsman's enabling act. This is welcome and should be pursued with urgency to help recalibrate the incentives for public office holders and curtail impunity in the exercise of official functions and powers. The recent revelation of off-budget payments of 13.5 million naira monthly to Nigerian senators is one example of mis-governance that a neutral Ombudsman can step in to address given especially the unhelpful animus between lawmakers and the leadership of the EFCC.

## **Conclusion**

Without a focus on institutionalised processes and revamp of good governance oversight bodies, anti-corruption efforts in Nigeria will remain personalised whilst the scourge of corruption and the abuse of power continue to fester. A honest declaration of the remuneration package of Nigerian legislators in 2018 will be welcome by citizens. Discussion needs to start on streamlining the national assembly, making it operate part-time and re-oriented to attract lawmakers with technical expertise. This will help further to streamline the cost of governance whilst freeing up resources for investment in development priorities. These changes should be inscribed in law detailing the modalities of a condensed legislative time-table and the advanced skills required for legislators. Ultimately, the Nigerian electorate must take the lead on using the electoral process to position suitably qualified and well-motivated lawmakers. Their role appears to be increasingly indispensable in reviving Nigeria's fight against corruption and raising the overall quality of governance and the enabling institutions.

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