

Who's afraid of information?

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By Okey Ndibe

Last week was an excellent one for Nigeria's tribe of thieves, money launderers and raiders of the public treasury. First, the House of Representatives squelched the Freedom of Information Bill without as much as weighing its merits. Then the Senate, after its accustomed wretched approach to its constitutional mandate, confirmed Mrs. Farida Waziri as the new head of the Economic and Financial Crimes Commission.

Anybody who wishes to understand why corruption thrives in Nigeria need look no further than the consistent misfortune of the Freedom of Information Bill. Access to information—by the press as well as the citizenry—is a bulwark against graft and sundry abuses of public office. Armed with information on the doings of public officials, elected as well as appointed, citizens are empowered to act as auditors. But the members of Nigeria's House of Representatives chose to go to war against this goal.

I spoke to a member of the legislature in Abuja shortly after learning about the not-unexpected outcome. "Why," I asked, "would this important bill be treated with such levity?"

He guffawed, then responded: "My brother, many of the members are looking forward to becoming state governors in three or seven years. Why should they spoil show for themselves?"

It was painfully straightforward—another instance of narrow desire driving public policy. "What a shame!" was all I could muster.

A Freedom of Information Act is a mechanism that enables citizens to ensure that public office holders remain accountable. By invoking such a law, the press, civic groups as well as citizens would be able to obtain facts and figures pertaining to affairs of governance. Other societies that aspire to greatness have long recognized such access as one of the defining attributes of a truly democratic society. The principle is that occupants of high public office are, properly understood, servants of the people, and must discharge their duties in a manner consistent with the public good, not their narrow interests.

Former President Olusegun Obasanjo proclaimed his administration to be engaged in a war against corruption. Umar Yar'Adua, the man Obasanjo selected to take over the job, has told the world that the war goes on, unabated. Obasanjo received an FOI bill, but at first denied ever seeing it, then used a variety of semantic somersaults to justify not signing it into law.

Yar'Adua, it seems, won't even face the awkward trouble of having a similar bill land at his desk. Both at the Senate as well as the House, any effort to resuscitate the bill has so far collapsed.

Nigeria is marching on to a “war” against graft, but refuses to arm itself with a Freedom of Information Act. It is an anomaly, akin to a general taking his troops to a battlefield with no weaponry except for bare hands. Such an army, unless its opponents are a group of kindergarten soldiers with toy guns, is bound for decimation.

The case for greater access to information is well founded. Nigeria does not hold a monopoly on corruption, but the country has been particularly devastated by the quick-fingered impulse of its public officials. The size of its wealth factored in, Nigeria deserves to boast one of the best infrastructures on the continent. Instead, it is now regularly bracketed with the poorest, often war-torn, countries. Its social indices often slip behind those of such countries as Ghana, Senegal, and Uganda.

There is a direct relationship between the deterioration of Nigeria’s public utilities and social development and the rapaciousness of Nigerian politicians, military as well as civilian. Nigerian politicians are fond of stating, as a rationale for seeking public office, that “my people asked me to come and serve.” In actuality, they serve, not their people, but themselves. They become instant dollar millionaires by contriving to pocket “security votes” that have nothing at all to do with security as well raiding the budget for roads, health, education and other sectors.

Part of the reason Nigerian politicians invest everything—money, violence, rigging—in their bid for power is that the personal stakes are so high—and profitable. Once established as president,

governor, local government chairman or legislator, it’s open season on the public treasury. Instead of moving their state or the nation forward, as they all too readily promise when on the campaign trail, they fast-forward public funds into their private accounts as well as those of their proxies. And one of the perverse facts of this arrangement is that public officials hardly pay for their treachery and grasping.

Nigerian jails overflow with men and women convicted of pick pocketing and other petty crimes. By contrast, politicians who acquire assets, in Nigeria and abroad, far in excess of their legitimate earning, end up being festooned with chieftaincy titles that ought to be renamed “thieftaincy” titles. In many instances, they also “bag” national honors as well.

The unfair equation cries out for rectification. To his discredit, former Governor Ahmed Yerima of Zamfara approved the amputation of a man’s hand for the crime of stealing cattle. But the same former governor has been less than willing to step forward to answer an elaborate EFCC rap sheet. To ensure that his own troubles go away, he has taken to attending the campaign rallies of the ruling PDP, even though he holds his senatorial seat on an opposition party’s platform.

Why did the House of Representatives refuse to consider the FOI bill despite its self-evident merits? The simple answer is that the representatives tossed out the bill precisely because of its self-evident merits.

When politicians are driven by greed, they won’t be in a hurry to hand any

watchdogs a tool with which to shine a light on official acts of perfidy. Leeches and parasites masquerading as public officials are apt to be hostile to any statutory guarantee of access to information. Openness is inimical to the grave designs of the men and women whose specialty is to bankrupt the nation, materially as well as spiritually. Such nefarious agents prefer to play in the dark.

And let's be clear: as one of their colleagues confessed, the legislators in Abuja are as much invested in the retention of the current system as the members of the executive arm. Anything that fertilizes corruption is good for many a lawmaker whose sights are fixed on self-enrichment.

My bet is that not a single member of the House who voted against the FOI bill was unaware of its salutary import for enthroning accountability and deepening democracy. But this legislature is a product of a contemptible election, and its members have excelled in legislative indolence. The one exception—the thing that wakes them up—is when they consider their own salaries and perks. Perhaps Nigerians are saddled with the most expensive do-nothing legislature in the annals of lawmaking.

Much as the lawmakers deserve excoriation for hiding behind specious arguments—among them, that the sponsors of the access bill adopted a bellicose posture and came across as poor marketers—it ought to be pointed out, too, that many members of the Nigerian press have lost sight of the sacred nature of their calling. Reporters and editors who place themselves at the service of corrupt politicians and interests becloud

their moral judgment, undermine professional ethics, and weaken public trust. Odds are that such professionally unsound elements, if handed access to information, would make a mess of it. And such people have given ammunition, unfortunately, to the opponents of a law guaranteeing access to information.

By confirming Mrs. Waziri as the leader of the increasingly quiet EFCC, the Senate acceded to Yar'Adua's poor judgment. At her Senate confirmation hearing, the new EFCC head seemed to have impressed her screeners by promising to "step on toes". It is one thing to say it, quite another to do it. There's lingering suspicion that some serving and former public officials who have active files at the anti-corruption agency pushed Mrs. Waziri's nomination. This has fueled the speculation that Mrs. Waziri's real job specification is to act as an undertaker, working to emasculate the EFCC. She and those who championed her must know that Nigerians and the world are watching, and won't be easily fooled.

She faces two challenges. One is to sustain the prosecution of the cases the agency has taken to court. The other is to reinvigorate the anti-corruption crusade by moving against other corrupt suspects, including many who served in Obasanjo's administration. Anything less could spell trouble for her reputation, the agency's mandate, and expose the purpose of those who hired her.

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Okey Ndibe is a novelist, poet, political activist from Yola, Nigeria. He is the author of *Arrows of Rain*, a critically reviewed novel published in 2000. Ndibe relocated to the United States in 1988, where he founded *African Commentary*, a magazine described as "award-winning and widely acclaimed." Ndibe is also a published poet, and a former associate professor of English at Bard College at Simon's Rock. He currently teaches fiction and African literature at Trinity College in Hartford, CT. Okey Ndibe is finishing his second novel titled *Foreign gods, incorporated*.

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