



# FREEDOM WATCH

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## ...BEFORE CORRUPTION KILLS NIGERIA

### INTRODUCTION

*That corruption is a hydra-headed monster which has eaten deep into the fabrics of Nigeria's socio-economic and political spheres is no longer news! The news however is that corruption is fighting back with more propensity than it had ever been fought. With government of President Yar' Adua, corruption has bounced back with much vigour of impunity and fighting its enemies 'successfully' to the amazement of the entire world. When corruption, like every evil in the history of human existence, fights back the way it is in Nigeria at the moment, impunity erodes integrity and pushes the society on the edge. If corruption is allowed to win the battle, the future of the citizens and generations yet unborn will be eternally mortgaged.*

*At this critical juncture of Nigeria's history, we enjoin you to ponder over two separate thought provoking views expressed by fellow Nigerians who had been at the forefronts of the crusade to rid Nigeria of corruption. The first is an incisive presentation way back in 2007 by Mallam Nuhu Ribadu; former helmsman of the Economic and Financial Crimes Commission (EFCC). The second is a vintage declaration by Chief Gani Fawehinmi, SAN. We are again challenged by these patriotic personalities on ills of corruption in our society and while we should all stand to be counted before corruption kills Nigeria.*



**..Chief Gani Fawehinmi, SAN**



**..Mallam  
Nuhu Ribadu**

### 'Corruption Will Fight Back' says Mallam Nuhu Ribadu

Corruption is the greatest challenge to progress across much of the developing World. In Nigeria, it has poisoned our potentials. Between 1960 and 1999, more than \$440bn was stolen from the Nigerian people. As a foot soldier in the battle against corruption, I have seen that - for all of Africa the ultimate cost of corruption is immeasurable. Apart from providing fertile ground for injustice and violence I believe that corruption is responsible for as many deaths as HIV/AIDS.

The corruption endemic to much of developing world is not just about bribery, but about mismanagement, incompetence, abuse of office and an inability to establish justice and the rule of law. It is time to realize that if we want, in the words of the international campaign by NGOs, to "make poverty history", corruption must be addressed first. No matter how generous donor nations might be, if we in the developing world are not willing to be accountable for how we use our human and natural resources, donor funds will have no lasting effect.

has been the primary focus of Nigeria's anti-corruption campaign.

The Economic and Financial Crimes Commission is the agency on the frontline of these efforts. Since I was appointed to lead the EFCC, I have been determined to address systemic corruption head on. We have gone after top-level politicians and businessmen, and we have brought them to justice. In a country that never saw one conviction for fraud or corruption before the beginning of our reform campaign, we have now recorded 150 convictions, with 400 more cases awaiting decision in the courts. We have recovered \$5 billion dollars in stolen public funds. Nigerian reform efforts have been a success because they are home-grown; supported by the Nigerian people, and by the current Nigerian leadership. Nigerians are sick and tired of being known the world over as scam artists. In credible polling throughout the country, the fight against corruption is measured as among the electorate's top concerns, next to food, healthcare and education for their families.

But corruption fights back. The process for identifying corrupt officials is open and transparent. However; those against whom we have laid charges use the resources they have stolen to fight back. They own radio and television stations and newspapers, and can hire the best lawyers. But they cannot run away from the facts, nor ultimately from the court of public opinion. We have proven that we can tackle corruption on our own- but we are still asking for help and support from abroad to guarantee that these efforts do not falter. Our efforts cannot stop at our borders. Up to 80 percent of the "grand corruption" perpetrated in Africa is dependent on mechanisms that send misappropriated money abroad. Nigeria's Financial Intelligence Unit now talks with its counterparts all over the world, including the Federal Bureau of Investigation in the United States, the British Metropolitan Police, the German BK, Interpol, and others. This network is making it increasingly difficult for those who steal from Africa to find safe havens for their money.

We need more countries to say they will not take blood money from the corrupt leaders of poor countries. Just this simple step - refusing to take money from someone stealing it from a poor country addresses more than half the problem of corruption in Africa. There are financial institutions in the world that are trading with this stolen money. These institutions, by refusing to acknowledge the source of these funds, are de facto standing up against development and against Africa's poor. Excuses made by those who collaborate with corruption, such as "it is not just me" should no longer be tolerated. The same is true for all of Africa. We must get to a point where there is zero tolerance for corruption as the everyday way of life. The \$5 billion that has been returned to Nigeria is money that ought originally to have been spent on education and development. We are now using it to improve our health sector, among other initiatives. Maybe one day those who are stealing in Africa will be treated like pariahs in all decent and civilized gatherings. Maybe then we can bid a permanent farewell to state kleptocracy across the continent.

***'I cannot accept National Honour from this government' declares Gani Fawehinmi***

At the weekend, notably on Friday, December 12, 2008 it was published in most of the newspapers in Nigeria that the Federal Government of Nigeria has honoured me with the officer of the order of the Federal Republic (OFR). I have had time after the publication to think deeply whether to accept or reject the honour.

I thank the President of the Federal Republic of Nigeria, Alhaji Umaru Yar'Adua. I thank the Federal Government of Nigeria and I am very grateful to the Council of state which approved the honour of OFR given to me by the Federal Republic of Nigeria. I wish to express my gratitude to numerous Nigerians who by telephone calls, mobile text messages and some by personal visits congratulated me the award of OFR.

This is the first government in Nigeria to honour me with the national award. Obviously this government must have considered my activities in the last 43 years before deciding to give the national award of OFR. From my own stand point and perception, my struggles and crusade include:

- (1) The abolition of poverty from the face of our country
- (2) The unqualified need to preserve, defend and protect the fundamental human rights;
- (3) The governance of our country through democratic processes
- (4) The subjection of every body and everything to and under the Rule of Law
- (5) The right of the people to free and qualitative education at all levels
- (6) The right of the people to free and qualitative health services and facilities
- (7) The strengthening of our economy through sound development of infrastructure including power generation (electricity), good roads, good rail-system across the length and breath of Nigeria, good water way transportation system:
- (8) The overall duties of all Nigerians and governments (local, states and federal) to make Nigeria a corruption-free country by fighting corruption with all our might and main.

In the course of my struggles over the decades for the above ideals, I have been subjected by various governments to all traumatic travails and persecutions including:

- (a) Series of detentions in several prisons across Nigeria, notably Ikoyi Prisons, Gombe prisons, Gasua Prison, Kuje Prisons (two times), Bauchi Prisons, etc etc
- (b) Twenty three police detentions between 1969 and 1998 at Police Headquarters, Kaduna, Jos Police Station, Ilorin Police Station, Police Headquarters, Lagos, CID, Alagbon, Lagos, 'Inter-Centre Detention Outpost, Lagos, Ikoyi Police Station, Panti Police Station, Lagos, Police Station, Wuse, Abuja, Police Station, Ikeja, Police, Police Headquarters, Abuja etc;
- (c) Arrested 32 times between 1969 and 1998, which led to the series of detentions and trials?
- (d) My chambers (Gani Fawehinmi Chambers at Anthony Village, Lagos was attacked by security men under various governments 16 times culminating in the attack on Friday August 26, 1994 when security men under Gen. Sanni Abacha regime at 4 am turned my chambers into a pool of blood;

(e) Thousands of copies of my books, notably on the murder of Dele Giwa, were forcibly removed and seized by security agents under Gen. Ibrahim Babangida regime and despite court orders to return my books, the military government at that time refused to obey the court orders;

(f) My international passport was seized more than 15 times between 1966 and 1998;

(g) I was charged to court 18 times for politically motivated criminal offences including treason and became prisoner J6 before my imprisonment was terminated by the Court of Appeal.

Today, I am 70 years and eight months old and I am struck down by lung cancer for which I have been receiving medical treatment outside my country because my country Nigeria has one of the poorest medical services in the world. My decision to either accept or reject the national honour of the award of OFR will depend on how far the Nigerian nation through Nigerian governments tried to achieve any of the aforementioned eight goals.

Corruption is one single fundamental factor that has retarded the progress of the nation and its socio-economic development. It is generally agreed nationally and internationally that Mallam Nuhu Ribadu did a lot to retard the inhibitive progress of corruption. 419 crimes were on the decline. Gross misuse of public funds by public officers was on the downward trend. Loting at the top became minimized. As Nigerians were breathing a sigh of relief, the government of Alhaji Umar Yar'Adua threw Mallam Nuhu Ribadu out of the Economic and Financial Crimes Commission. The removal of Nuhu Ribadu as EFCC Chairman happened at a time Nigerians were saying 'the fear of EFCC is the beginning of wisdom' as far as corruption is concerned.

I went to court to challenge Ribadu's illegal removal from the EFCC. I thought Yar'Adua's government would allow the court to do its work. But alas, Ribadu was sent to National Institute for Policy and Strategic Studies, Kuru, for a one-year course. While undergoing the one-year course in Kuru, on August 5 2008, the Federal Government of Nigeria presided ~~over~~ by President Yar'Adua demoted Ribadu from the rank of Assistant Inspector-General of Police to Deputy Commissioner of Police. Mallam Nuhu Ribadu rightly approached a court of law by instituting an action to challenge the obnoxious demotion. Whilst the suit was pending, security agents physically removed him from the ceremony on November 22 2008 where he was to be awarded his certificate for NIPSS, Kuru.

Today, the architect of the unprecedented anti-corruption war, unprecedented in the annals of Nigeria since 1914 is now literally roaming the streets of Nigeria without official status, without any form of security, and yet he is still being subjected to hounding, haunting and all forms of dehumanizing vilification by the Federal Government. His only 'offence' is that he used the instrumentality of a public institution, the EFCC to investigate, arrest, charge, and in some cases, to convict through the law courts some public officers in various corridors of power through the length and breadth of Nigeria People who were otherwise called untouchables.

By the performance of his duties, Nigeria and Nigerians gained in integrity, honour and recovery of their looted

waged a war against corruption, graft, stealing, money laundering, etc, etc in the corridors of power. In return, the regime of President Yar'Adua decided to wage unrelenting war against anti-graft war" Instead of the Federal Government to publicly acknowledge the unprecedented good Ribadu has done to the psyche of Nigerians by awarding him the greatest national honour, the government has decided to continuously persecute this young man. It was therefore the greatest embarrassment for me, when at the weekend, it was announced that I was one of those 275 Nigerian honored with national honors and in my case the OFR.

Yes I have done my best for this country in various fields and I still want to continue to do my best, but we live in a situation where the 1999 Constitution provides in Section 15(5) that: "The State shall abolish all corrupt practices and abuse of power" and a young man emerged to do what the Constitution enjoins and he is being persecuted for carrying out the provisions of the Constitution. Yet the President swore to observe, preserve and defend the same Constitution. I find it extremely difficult to accept that President Yar'Adua's government has the honour to dispense honour.

In the light of the above, I cannot accept the 'honour' of OFR, whether now or in the life beyond. How can I wake up in the morning and look at the insignia of honour bestowed on me under a government that persecutes anti-corruption effort, particularly those of Nuhu Ribadu? At a time the Nigerian Bar Association wrote the letter to my office that my name would be forwarded for national honour while I was in London receiving medical treatment for lung cancer, the government of President Yar'Adua had not begun in earnest the war against anti-corruption war and the harrowing persecution of Nuhu Ribadu had not reached its crescendo. I do not blame the NBA for sending my name at the time it did for national honour.

However, events from August 2008 to this day are so bizarre, unbelievably barbaric in their intensity, in terms of persecuting those fighting against corruption and the singling out of Ribadu for persecution, all for giving honour and dignity to this country and for recovering for our treasury, billions of naira and other forms of wealth looted by public officers. A government that covertly and overtly encourages corruption has no honour in its arsenal of power to dispense honour. Consequently, I reject the dishonour of OFR termed 'honour' given to me by the Federal Government.

### **The plight of the masses of our people**

Nobody can dispute the fact since this regime came to power the plights of the masses has worsened as I have shown in items 1-7 above. But I wish to reiterate that in all the ramifications of human existence, the masses have found themselves in the doldrums of pain occasioned by gross mis-governance of the country. Furthermore, since the President came to power on May 29, 2007, the masses of our country have been groaning unprecedented poverty as a result of lack of direction. The directionless ness of the Federal Government has been characterized by the following, amongst others: Collapse infrastructure, total paralysis of the health sector at all levels, constant nationwide power failure and the attendant negative effects on all sectors of the

increased armed robbery cutting across all ages of our people; debilitating homelessness, retrogressive educational programmes and policies, which have made no Nigerian university to be ranked within the first 500 universities in the world, and no effort is being made by then regime to improve on the humiliating situation.

Put simply, the Federal Government is a total failure, worsened by lack of direction and leadership. Is this the atmosphere for the award of national honours? Certainly not! In addition to my rejection of the honour of the OFR on the grounds of Federal Government's conscious war against anti-corruption war, the decadent socio-economic situation does not engender the well being of ordinary people and there is no hope in sight.

In view of the foregoing, I reject the award of OFR

#### CONCLUSION

As Ribadu predicted, corruption is already fighting back. Corruption is still fighting long after Ribadu's unlawful dismissal from the Nigerian Police. The corruption epidemic was what led to the first journey into militarism

shortly after independence. This has however being the order of the day even after ten years of restoration of civil rule. Nigeria was already dismantling corruption before Ribadu was unceremoniously removed as EFCC boss and dismissed from the Police. Before Ribadu, only small fries in the society were target of scrutiny, but Ribadu challenged the big fishes in government and brought them to book. The fear of EFCC under Ribadu was the beginning of wisdom as noted by the irrepressible Chief Gani Fawehinmi. EFCC after Ribadu's exit is now a caricature, a mere toothless bulldog. Corrupt ex-Governors and other members of the thieving ruling class are displaying their ill-gotten wealth with so much impunity.

What must be done before Corruption kills Nigeria?

- ? Demand the prosecution of indicted political office holders past or present.
- ? Demand that anti-corruption agencies must be independent of government influence.
- ? Support genuine anti-corruption platforms and initiatives.
- ? Develop zero-tolerance for corruption in your private or public capacities.
- ? See something, say something and do something

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