

Developing Anti-corruption Strategies in a changing world:
Global challenges to civil society

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Corruption is a universal phenomenon but, just like other global crimes against humanity, such as the slave trade and colonialism, corruption bothers our conscience so much because it is a business extraordinary, without mercy or compassion. It thrives because it pays good dividends at whichever level the investment is made. Those involved face no risks in terms of their stolen wealth, personal discomfort or even their reputation. That must change. People should pay for their crimes..

A visit into our recent history may explain why the modern form of corruption in our region thrives. In my opinion things went wrong at the beginning. As we know our countries are relatively superficial states which were created by a stroke of the pen from a colonial history.

Colonialism and corruption were inseparable. When the colonial administration and indeed even the missionaries arrived, they used a form of corruption to get corroborators and converts.

For example, they gave out gifts like blankets, clothing, sugar, salt etc, These were considered good incentives but they were mild forms of bribes and kickbacks to persuade the natives to bend their code of conduct and values, and to agree to a deal which erased any sense of responsibility and accountability, to undermined their community.

The natives agreed to that partly because they were a greedy and selfish people, often not the official representatives of the people. But they also agreed because, with the protection of the newcomers, they knew that there would be no risks from their angry fellow members of their community. Indeed, they knew that they stood to gain, whether their fellow citizens like it or not.

Those who accepted to be corrupted were later promoted to be the chiefs, we all know that from our history books. By agreeing to become agents used to undermine the freedom of their own communities, they may have lost integrity, but they benefited, and that justified the means. In time, they were doing so well, that they started being looked up to as the models. Those who had stuck to their values and integrity looked so much worse off. They looked rather stupid not to have taken advantage of opportunities presented to them in the new world.

Let us give corruption some face. In my own country, those who sacrificed for our freedom suffered a propaganda war which labelled them criminals while those who corroborated with the enemy for kickbacks were glorified as protective home guards. To day it is difficult to have young people sacrifice for the common good. Why should they, the corrupt are the ones who prosper!

At independence, with perhaps few exemptions of men like Kenyatta, it was many of those corroborators who inherited political and economic power from the colonial administration. Not only were they given gifts and favours but they were also handed power and a constitution which made it possible for them to become dictatorial and oppressive so that they could control resources, just like the colonial administration. The tragedy is that they were now doing it to their own people. In many of our countries this authoritarian rule, coupled with the inability of the people to hold those in power accountable to them, has facilitated much corruption. To the leaders, there have been no risks. Indeed, the culprits and their partners continue to benefit immensely.

Comparing that with the fate of the freedom fighters makes a mockery of integrity, commitment, nationalism and a concern for the future generations. The freedom fighters were thrown into jails and concentration camps, they lost their properties, some died in the forest or in detention camps and they were denied the recognition and respect they deserved. To this day, many live in utter poverty, disillusioned, unsure that self-sacrifice for the common good is not utopia. In the meantime, their

compromised fellow citizens became the ruling elite. The message to the next generation is clear.

Modern African states were born out of a colonial system which based on corruption, nurtured by institutions which violated human rights and thrived because of inequalities and injustices. The states were indeed handed down to a ruling elite who had been trained into the same school of thought and who shared the same values. This ruling class did not have the welfare of all their people at heart. They were more committed to their own interests and that of their partners, whether they were from the West or from the East. We even fought bitter wars over which friend to adopt.

To sustain the very consumptive colonial lifestyle, the ruling elite needed a lot of wealth which could not be made without domination and exploitation of the very people they were expected to protect. They therefore, became non-accountable and non-transparent to their citizens. They had to be dictatorial and oppressive. They ignored democratic principles and human rights, especially during the Cold War. Corruption was perceived as an opportunity, a time to accumulate wealth and hide it in some secret accounts in countries which specialise in hiding stolen wealth. Even at the national level, corrupt individuals and their wealth were protected by institutions which should have arrested and prosecuted them.

Indeed many post colonial leaders have not only oppressed and exploited their citizens, but have facilitated the looting of their own states. They have demonstrated no sense of nationalism. Many such leaders graduated into dictators and oppressive autocrats. That way their risks were reduced to the minimum.

And so presidents assume office and operate as if the country is their personal property. His party members, cronies, sycophants and hangers-on are often congratulate such heads of states because the more corrupt and dictatorial the president becomes, the better placed he is to loot and share the loot.

I want to emphasise that corruption is not restricted to leaders. I work at the so-called grass-root level and if anything has trickled down, it has been corruption. In Kenya the man in the street has baptised it, chai (tea) or kitu kidogo (a small thing). Citizens who benefit from it expect no transparency and accountability from others. Indeed, they in the right place at the right time, would be just as corrupt. Our people are beginning to equate thievery with wisdom and good governance. It is a stupid person who allows a good opportunity to enrich oneself with other people's wealth who lets it sleep away. Indeed members of Parliament know how difficult it is to be elected on the basis of performance, integrity and values. A thief will more likely make it to parliament. And so the cycle goes on: the corrupt people get rewarded with positions and commendations

Many government are making efforts but they must not be for public relations to hoodwink. Let me address my own country. In December 1997, our government constituted an Anti-corruption Authority. Many people were sceptical and believed that there was no political will to eliminate corruption. This was because the first culprits would have to be the very people who instituted the Anti-corruption Authority. Now, corrupt leaders are not in the habit of incriminating themselves. Therefore, when the first Director of the authority instituted the very first legal proceedings against senior Treasury officials for allegedly defrauding the State of millions of dollars, he, rather than they, became the subject of investigation by the state. The very President who appointed him wondered whether he was competent after all. Now, who was fooling who? He lost his job. They kept theirs. The message to the public was that if you are in the right political arena, you have no risks to worry about, even if you are corrupt. We prosecute those we choose to prosecute. With that the public loses confidence and trust.

I will give another example to give corruption a face. Early this year, a group of environmentalists and members of Parliament tried to stop a privatisation of Karura forest in Nairobi by politically well-connected individuals. It was high-level corruption. I was there. We were brutally attacked by a gang which was supported by our police force! When we demanded to know the identity of those who had been allocated the public forest, files disappeared from the registrar's office. The good news is that those allocated the forest are now too ashamed to make themselves known. And therefore, the forest might be saved, especially with the new wave of anti-corruption efforts in the government. In this case of Karura forest, a group of citizens are shouting themselves horse, refusing to allow these corrupt individuals to benefit from a public forest. The biggest obstacle is the government. So who would you guess, the beneficiaries must be?

Clearly then, the Anti-Corruption Authority had been created to hoodwink donors who demanded accountability, transparency and good governance before they could advance more loans and grants to the government.. As we already know, high level corruption is political and requires a national and international political will to eliminate it by making it a risky business. We must break the culture of silence and make corruption a risky business.

At one point our government even suggested that Kenya import a foreign officer to eliminate corruption in Kenya. That was not only an insult to self-respecting citizens, but also an indicator that there is still no political will to eradicate corruption. Without political will and without checks and balances to detect, expose, shame, and seek punishment for the corrupt, this culture, especially of the ruling elite, will remain a hard nut to crash.

I am a member of Jubilee 2000 which is campaigning for the cancellation of the un-payable international debts of poor countries. Even then, without mechanisms which will ensure that corruption is eliminated especially at high level, the cancellation of the debts for the benefit of the poor could be an exercise in futility. The culture of accountability and transparency should be a priority in financial transactions between the states and financial institutions involved. All stakeholders should be involved. Citizens should be represented by their elected representatives, perhaps through an inter-party parliamentary committee.

But surely the days for Secret transactions between foreign stakeholders and the minister of finance should end. The responsibility to end corruption in such deals should be a responsibility of those who borrow as well as those who lend. The lenders cannot pretend that they do not care what the borrower does with the borrowed funds. Not when those who have to re-pay the loans are hostage to a dictatorial system or are unaware of the secret deals. No bank would operate like that in any neighbourhood. Why should it be different in the World Bank and in world capitals?

The civil society can make a contribution in the anti-corruption campaign by so that the following are done:

1. Empower citizens through civic education so that they can demand accountable and transparent governance from their governments and local authorities. To do that effectively they need to overcome a lot of ignorance and fear. Leaders know that it is much easier to govern and exploit people who are poor, ignorant and fearful. Therefore, leaders discourage civic education. That is why we must give in, it is an important tool.
2. Corruption must be made a risky business. Let the corrupt persons return what they have corruptly obtained and let it go back to the real owners. That would make corruption a risky business.
3. Criminalise corruption so that wherever they go, the corrupt can always be apprehended, tried and handed justice. Provide no place to hide.
4. Let the banks and governments which keep and protect stolen wealth open their vaults. This is blood money. It leaves children dying in hospitals which have no medicine, infrastructure which has collapsed, and water unfit for human beings to drink.
5. Expose corrupt persons, especially leaders. Give corruption a face by focusing on specific issues.
6. Let there be an international court to which citizens can resort to for justice on corruption and especially when the stolen wealth is hidden away in countries which protect stolen wealth.
7. Develop strategies which allow for independent bodies to investigate, detect, expose and punish those involved in businesses which are corrupt.
8. Finally, the social anthropologist Margaret Mead once said to a group, and I paraphrase, 'Never doubt what a small group of committed people can do to bring about the desired change'. Indeed it is the only group that ever does! Well, we are not quite a small group.

So perhaps it is time we remember the words of another famous American, President Kennedy, who said, " Ask not what your country can do for you, ask rather, what you can do for your country". Let us ask

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what we can do for this world to make it more fair and just for the present and the future generations.

Thank you.

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