



Promoting a Culture of Accountability in Africa: What Can TrustAfrica Do?

Keynote speech by John Githongo

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Honourable Minister, trustees and officials of TrustAfrica, friends at the Ford Foundation, Ladies and Gentlemen...

I would like to take this opportunity to thank TrustAfrica for honouring me with the invitation to make this address here today during the auspicious occasion of their formal launch here in their new home in Dakar, Senegal. The Trust arrives at a critical time with an important mandate to address issues that have always been at the forefront of public consciousness but which in today's environment find increasingly articulate and urgent expression. I am doubly honoured to participate in what is clearly a special moment for TrustAfrica and all who have worked so hard to make this special African initiative possible.

I was asked to make a few remarks about the opportunities that exist for improving governance and accountability in Africa and I shall limit my comments to those broad issues.

In truth serious debate about the manner in which Africa was governed only became mainstream after the end of the Cold war. Prior to this, human rights, democracy, freedom of expression and other basic freedoms of ordinary citizens often took a back seat to the grand geopolitical struggles that were played out on African soil. It was thus somewhat disconcerting for many of our leaders to find themselves being lectured about good governance in the early 1990s by the very same Western patrons who had previously supported some of the most corrupt and oppressive regimes on the continent. By the mid-1990s, on the heels of the macro-economic adjustments of the 1980s, governance — the fight against corruption in particular had become central to the international development agenda as it was expressed in regard to Africa. By the end of the 1990s — 1997 in particular — the multilateral institutions were including governance-related conditionalities in their lending programmes and the bilaterals followed suit. South African independence in 1994 saw the beginning of African attempts to reclaim the governance agenda. I would argue that the NEPAD initiative — its African Peer Review Mechanism in particular — is the most direct and potentially most successful instrument available for African to truly take ownership of this agenda. This is bolstered by the African Union's gentle slide away from the principle of non-interference in the affairs of sovereign nations especially when those sovereign African nations are led by groups intent on murdering

significant numbers of their own populations. In truth we have been interfering quietly in each others affairs for a long time mainly using our intelligence services, the time has come to interfere face-to-face and above the table to bolster the cause of democracy and good governance and, most importantly, to urgently intervene when situations go berserk and fear consumes populations.

Political accountability in practice

One of the most interesting issues to arise as a result of the spate of peaceful transitions across the continent since the mid-1990s has been that of political accountability. There has been a sense historically that a nation's top leadership were somehow not accountable and impunity attended to decision-making especially with regard to the management of public finances. This has changed. Just as we have had an unprecedented number of retired heads of state since the mid 1990s so to we have seen the establishment of commissions of inquiry into past human rights abuses and economic crimes and other transitional justice mechanisms. There are likely to be more of these in the coming few years and this is perhaps an interesting area for an institution like TrustAfrica to focus, at the very least to ensure that every new regime does not immediately embark on a witch hunt of its predecessors. Still, the key question that will continue to reverberate is to whom does the President answer and how? It is not unlikely that leaders will continue to get caught out by the media; find themselves under increased scrutiny of civil society and caught up by processes aimed at stemming newly urgent problems such as money laundering and terrorist finance. This is especially likely to be true of oil exporting countries.

One of the things that have always impressed me about many public figures in Asia when they are found to have abused the public trust is their public demonstrations of regret, contrition, shame and even tears before cameras. This culture does not yet exist for us here. Attitudes are still quite brazen. Partly as a result public confidence in leaders is low and around the world our leaders are often objects of derision, presented as greedy, corrupt and oppressive. The expectations of Africans with regard to their leaders is also broadly not one that suggests they expect altruism to drive decision-making and therefore opt for the second best of hanging around to see what they can gain directly for themselves and their families. This is changing. Partly as a result of demography and a younger population with expectations driven by global imperatives. It also the case that the democratic tradition has truly kicked in across the continent. Despite challenges no one reasonable harks back to the one party state or military rule. Maybe we are yet to see a leader stand up and agree to having looted the public purse and express contrition for it. More importantly, perhaps, we could be moving to a situation where the leader who gets thus caught out does not enjoy the spontaneous and determined support of his or her tribe's people, who rally to their cause because they perceive them to be victims of an ethnic witch hunt.

Regional integration as a tool for political accountability

I should like to argue that regional integration may potentially hold out the most important opportunity for improving political accountability across the continent. There is a sense in which some of the internal political contradictions — especially within some of the smaller landlocked countries within Africa — will only be resolved when these nations become integral parts of larger entities. And so one would hope that one day very soon, for example, Rwanda and Burundi will be part of a wider East African political entity. This would also put paid to the backward theories that are sometimes bandied about to the effect that tribalism in some African countries is so acute that we may need to create tribally homogenous states. Similarly, with regard to the dispensation of justice one would hope to see regional higher and supreme courts and other regional judicial instruments and processes coming into being that are perhaps less subject to the vagaries of internal national political challenges that can sometimes be vexatious in the extreme. On the other hand it can also be argued pragmatically that regional institutions will provide us with an opportunity to promote politicians who are sometimes reluctant to let go of national positions and institutions; we can promote retired Presidents to play useful roles at the regional level when they reach the point of diminishing returns nationally.

Development with Equity

But the most interesting and I should like to argue critical issue that TrustAfrica and similar institutions can assist many nations in Africa address is 'development with equity'. There is a sense in which development with equity especially in our highly heterogeneous societies become a discredited concept in mid-1980s when we were all structurally adjusted; it was dismissed as an outmoded socialist concept whose time had ended with the failure of some of the ambitious political and economic experiments of the Cold War years. The political and economic programmers implemented at independence to promote the redistribution of wealth in light of the structural and institutionalized inequalities of the colonial era had stagnated by the early 1980s and lost credibility as a result of the inefficiency, incompetence and corruption that came with them — state owned enterprises in particular. The ostensible donor designed replacement programmers have been implemented half-heartedly and therefore perhaps less successfully. Indeed, macroeconomic stability has finally come to Africa at the beginning of the 21st century but the pressing issues of political economy — equity in particular — remain unresolved. More than a two decades since adjustment we have democratised but seem to have lost the intellectual will and machinery to grapple with the major equity issues facing the continent — the fact that even where economic growth has been rapid especially as a result of mineral wealth — the distribution of this wealth has been extremely unequal. People are afraid of being called socialists at a time when even in Europe the distinctions between Left and Right in terms of economic policy have become blurred. This is doubly problematic for us in Africa because inequality quickly finds regional, ethnic, tribal and religious expressions that complicate the politics in an extreme way. Most importantly it leads to the perception that closeness to the state creates and sustains elites on the base of kinship ties

and therefore governance is all about my tribe or my group or my family assuming the levers of power so that they can eat.

For a long time the prevailing philosophy said that the tribe had been overtaken by the nation; Gikuyus were overtaken by Kenyans; Yorubas by Nigerians; Hutus by Rwandese etc. In fact this philosophy was taken a step further when single party states were created to save us from the dangers of too many political parties that quickly assumed tribal characters. The detribalisation political experiment seemed to have failed in many places. Despite the national language; national anthem; national schools and of course the national single leaders; the tribe and its baggage refused to go away. In fact it started to become clear that within the single detribalising party those from this or that family or this or that tribe or region seemed to wield a disproportionate amount of power and similarly the economic benefits of development seemed to go to one group more than all the others.

The principle of disadvantaged groups; of affirmative action; of the better off providing for those who don't have so much was never one to be discussed seriously. Instead boils of resentment were allowed to fester and explode into calls for sovereign conferences and rebel groups claiming their rightful share of wealth they consider to be more theirs than anyone else's. And this is happening at a time when there is an increasing acknowledgment of the stark inequalities of globalisation at least in the short term. The problem for our states that have been independent for around half a century is that globalisation's short term is our long term, and besides that we have watched as the Asians seem to have reduced poverty dramatically within the same time we have managed to deepen it here. So African impatience is not going to go away.

It just so happens that some tribes are richer than others — by mistake of history, access to markets, education, climate or sometimes because they happen to sit on huge deposits of some precious commodity that can be dug up and sold; or because they wield the levers of power and can control that precious commodity that's dug up and sold. The sharing of resources seems to be discussed with greatest clarity as a result of a crisis — when one group has expressed its dissatisfaction with the status quo in a manner that undermines central authority. Be it oil, gold, diamonds or water — the shape of states will be moulded by these resource issues. One would hope that the principle of equity will inform the outcomes of the debates that are underway and those that are yet to happen upon us. TrustAfrica from its vantage point here in Senegal is uniquely placed to inform and help to shape this debate. To frankly address the equity issues that we have tried to sometimes sweep under the political carpet.

The Durability of Embedded Corruption Networks

Finally, a word about corruption. Too often discussions about governance are overtaken by the corruption debate. In part this is because it is such a vexatious issue in Africa — vexatious because even though it may not be worse than in other parts of the world the starkness of the inequalities in yields in Africa and the fact that those inequalities find

ethnic, tribal and regional expression makes it a particularly compelling political reality. It is also the case that a few African leaders have been spectacularly colourful and excessive in their stealing. Embedded corruption networks on the continent consisting of civil servants, politicians, businessmen/brokers and security/defence sector officials have remained influential since the Cold War when most of them were engineered. In my experience with the new increased focus in Africa on the oil sector there is an urgency for accountability with regard to these resources more than ever before.

TrustAfrica will find that in the holding of public officials to account on the continent, especially with regard to the management of resources, the media will be at the cutting edge. Indeed, the media remains the first and most incisive tool of public accountability. The importance of media and information generally in this age of information technology that has democratised access to information between the First and Third Worlds and which has considerably enhanced the capacity of media and civil society cannot be underplayed.

I should like to conclude by pointing to a number of lessons from my experience where corruption is concerned:

1. National security and the procurement processes it derives is the last refuge of the corrupt. Extractive industries and communications are also open to spectacular abuse.
2. Political financing will become an increasingly troubling issue. Who pays for democracy in Africa?
3. Presidential accountability is key and only constitutional reform can make this happen.
4. Failure of the prosecutorial authorities led to the creation of anti-graft agencies across Africa at the behest of development partners
5. It sometimes appears as if in the Third World that the multilaterals are engineered to deal with authoritarian regimes. They are also faced with a glaring contradiction vis-à-vis governance: for them success is measured by the amount of money they lend or donate, the size of the programme they develop for a country. This imperative can sometimes contradict some of the executive measures they would need to encourage with regard to governance issues generally and anti-corruption matters specifically.
6. Restitution is more important than prosecution in the fight against corruption.

Despite the some setbacks and bizarre developments across the continent, in Africa we are learning that public service means we serve the people and not an individual; that the public no longer accept that weary excuse of the past that one received orders from above to break the law or abuse public trust in any way. So a culture of political accountability may be beginning to take root. It will lead I believe, in the coming years to increasing calls



for greater Presidential accountability in particular which might be expressed in the constitutional reform processes. This will be a positive development with wider implications where despite generally positive developments on the democratisation front ultimate presidential accountability is something we only starting to learn.

Finally, the setbacks on the democratic front in Africa are not causing a generalised feeling of decline, despondency and failure – the maturing democracy thus far seems able to absorb the shocks. TrustAfrica launch is yet another demonstration of this maturing. It is an honour to share this special occasion with all of you...

Thank you.

John Githongo, currently a senior associate member of St. Antony's College Oxford, is one of the most respected anti-corruption campaigners in the world. Until July 2005, Mr. Githongo, 41, was permanent secretary in the Office of the President of the Republic of Kenya in charge of Governance and Ethics. Previously he worked as a director on Transparency International's global board and as executive director of Transparency International–Kenya.

Mr. Githongo has extensive experience as a consultant and journalist. He has written for the *Financial Times*, *The Economist*, and *The EastAfrican*, among other publications. He served as editor for the *Safari Rally Programme*, *The Citizen* (a monthly publication produced by the Centre for Law and Research International), *Executive* magazine, and *East African Alternatives*, a bimonthly magazine. He was also the host of *The Professional View*, a weekly talk show aired on Kenyan national television.

Awards Mr. Githongo has received include Third Prize CNN African Journalist of the Year (1995), the German-Afrika Prize for Leadership (2004), and Chief of the Burning Spear (Kenya, 2004). He was also nominated as a Young Global Leader of the World Economic Forum (2004). He earned an honours degree in economics and philosophy at the University of Wales (Swansea) in 1987.

For the past eight years, Mr. Githongo has served as a trustee of the Mathare Youth Sports Association (MYSA), Africa's largest amateur youth soccer league, and treasurer of Mathare United, one of Kenya's leading Premier League football teams. He is also a trustee of the Constant Gardener Trust, which engages in charitable activities in Nairobi and Turkana District. (The trust was established by the producer, crew, and actors of the recently released film, "The Constant Gardener," which was shot on location in Kenya.) Mr. Githongo sits on the board of Kabissa, an NGO that promotes technology as a force for change in Africa. He also authored *Shaka Zulu's Coming to Dinner*, a play staged last year by Kenya's leading theatrical group, Phoenix Players of Nairobi.