

Rethinking Civil Society And The Travesty Of Anti-Corruption In Nigeria

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Abstract: In the contemporary political system, civil society has become buzzword to remedy state anomalies across the world. Thus, civil society as a non-state actor is saddle with responsibilities for providing critical support to the citizenry particularly, in the areas of social services, humanitarian aids, economic empowerment, encouragement of political participation, equity and social justice and other productive economic activities. More importantly, civil society has become the popular agent for instituting accountability, transparency and good governance, restraining state abuses, resisting the untamed effects of market forces and strengthening public scrutiny. It is in this context that this study brought to the fore, some of the critical factors that have necessitated the transformation in the role of civil society as part anti corruption forces and panacea to a failing state in Nigeria's Fourth Republic.

Importantly, the central focus of this paper is the examination of the critical areas of importance in which civil society organisations have contributed in the fight against corruption under President Goodluck Jonathan. The paper submits that until the civil society organisations are able to transcend the web of merry-go-round workshops, conferences, summits, press statements, monitoring of government activities and feeble protests into concrete actions with irresistible determination for productive response on the part of the government, hence, civil society in Nigeria will continue to be in danger of repression from government forces. In view of the foregoing, civil society organisations must congregate to develop national action plan for the fight against corruption and eventual enthronement of good governance in Nigeria.

Keywords: *civil society, failed state, anti corruption*

I. INTRODUCTION

As rightly observed by Ikelegbe, (2013), the task of development and good governance in Africa has been so gargantuan and seemingly intractable. The failure of the efforts thus so far is reflected in the fact that sub-Saharan Africa is the basin that holds the largest concentration of the poor people and the poor nations of the world. It is also the seat of the most debilitating, deepened, prolonged and subsisting economic decline and development crisis (Young, 1992).

Consequently, the governance and developmental crises that has pervaded Africa over a long period of time has led to a rethinking of the development discourse by the late 1980s particularly in relation to the continued roles of the state, the need for private sector driven development and the possible

roles of the non-state sector in development efforts (Aiyede, 2003). The interests of international organizations, international civil society groups, development and donor agencies in the support and funding of civil society organizations (CSOs) in the third world, was part of efforts to scale down and divest roles from the failing post-colonial states, to strengthen private sector driven development initiatives, to promote participatory development efforts and particularly, to deconstruct state centralized and top down development policies (Ikelegbe, 2013: 1).

Thus, across the world, civil society has become the non-state emergent agent for providing critical social welfare, social services, humanitarian supports, socio-economic empowerment, leverage on political participation, human capital development and other productive economic activities supports. More importantly, civil society has become part of

the popular agents for instituting accountability, transparency and good governance, restraining state abuses, resisting the untamed effects of market forces and strengthening public scrutiny (Ikelegbe, 2013). In fact, the diversity of efforts of the civil society formation in relation to critical areas of human and national existence, have made it look like it is central to the resolution of societal ills and the promotion of sustainable development particularly at local, national and international governance levels. Therefore, this study considers corruption as major problem to socio-economic and political development which civil society organisations must redirect its efforts to fight if it has to remain relevant in the contemporary political system in Nigeria. Thus, a perspective analysis of the role of civil society in fighting corruption during the administration of the former President Goodluck Ebele Jonathan given the pervasiveness of corruption that characterised that administration.

This paper is divided into six sections as follows: introduction, conceptual discourse, historical antecedence of civil society in Nigeria, the significance of the civil society, perspective analysis of civil society as anti-corruption force during former President Goodluck Jonathan's administration and the conclusion.

II. CONCEPTUAL DISCOURSE

CIVIL SOCIETY

Civil society is seen as a public ethical community of free and equal citizens under a legally defined system of rule. Larry Diamond defines civil society as the realm of organized social life that is open, voluntary self-generating, at least partially self supporting, autonomous from the state, and bounded by a legal order or set of shared rule (Diamond, 1994). Sometimes it is hard to separate civil society from the state, as the state and civil society are often intertwined. However, when we look at civil society that should be autonomous, there is that need to separate it from the state and political parties and make it vibrant without interference or control. It is distinct from "society" in general in that it involves citizens who express their interests, passions, preferences, and ideas, exchange information, achieve collective goals and make demands on the state. All this allows to improve the structure and functioning of the state, and to hold state officials accountable (Akinosho, 2010).

Notably, it comprises clusters of diverse and overlapping non-governmental institutions through which collective and shared wills and interests are articulated, projected and defended. It is the organized socio-political and economic life of citizens and communities, for the mobilization of actions and engagements in relation to their needs, interests, existence and survival. The civil society organization (CSO) is the major non-state structure by which people relate to themselves and through which they relate to the state and socio-political purposes (Ikelegbe, 2013:6). As Hyden (1996:92 in Ikelegbe, 2013) notes, civil society connects individual citizens with the state and public realm. Civil society's essential characteristic are:

- ✓ Associational life and activities of diverse set of voluntary organizations which are fairly autonomous of the state but relate to it and the political sphere; that are;
- ✓ Engaged in more social-political purposes as opposed to private and economic interests and ;
- ✓ Advance the interests and needs of members, communities, supporters and address existential conditions and social realities;
- ✓ through voluntary actions, cooperative activities (community, intra and inter-group) and collective action, and
- ✓ utilizing information linkages and networks of public communication.
- ✓ Within the normative framework of citizen rights, rule of law, democratic participation, civility and pluralism.

Civil society then is defined by autonomy, plurality, participation, social-economic and political engagements and civility. Civility or "civic virtue" is crucial to the character of civil society. It means that civil society engagements embrace the values of diversity, plurality, compromise, tolerance and cooperation; adherence to rules; respect for rights, the freedom of action of the citizenry and the diffusion of power vested in CS groups and coalitions; and accept the values of exchanges, competition and consensus (Hall 1995:26, 6-7 cited in Ikelegbe, 2013). Civil society is therefore, seen as the unarmed organized civilian populace, which includes peasants, commercial farmers, artisans, labourers, as well as professionals such as medical doctors, lawyers and journalists, and businessmen.

It is often argued that the survival of democracy is linked to a vibrant civil society, which leads to democratic empowerment. The democratic empowerment of people must be achieved through the building of a civil society that embraces in its institutions and practices a wide range of human rights, especially economic, civil and political rights. For workers, it would involve the right to better pay, organize a union and protest, and for the citizens in general, it might be the right to form political parties and demand for their rights as citizens. "When civil society functions well, it can champion government reforms, confront corruption, advocate respect for human rights, and promote and defend democratic processes and institutions". In the foregoing lies the phenomenon of Occupy Nigeria, a wide spectrum of civil society organisations in 2012 demanding the cancellation of the policy of oil subsidy removal by the government and accountability in governance.

III. HISTORICAL ANTECEDENCE OF CIVIL SOCIETY IN NIGERIA

According to Ikelegbe, (2003:32) the growth of civil society and the challenges that the formation has faced are crucial issues in the capacity, roles and contributions as well as the potential for partnerships with the state and business. Similarly, civil society existed in pre-colonial traditional states in Nigeria as associational forms that enabled participation, communication, information flow and influence between the citizens and the state, as well as

means of social economic assistance, control of social existence and survival to citizens (Chazan 1996). Meanwhile, with colonialism, new social exchanges, modernism and attendant social dislocations provided a new platform of consciousness and agitation which catalyzed the formation of communal, traditional, cultural and other groups. The nationalist movement and decolonization also provided the stimulants for associational flowering. Thus the decolonization period is regarded as the initial golden age of civil society (Young 1992:37).

In the same vein, Ikelegbe, (2013) stressed that the associational effervescence was carried into the post independence era. CSOs particularly, the trade unions, students groups, professional associations and media associations played active roles in governance while farmers associations, self help community associations, cooperative movements and women groups began to play some roles in socio-economic engagements (Lee 2009).

However, the governments became suspicious, intolerant and began to infiltrate, politicize, compromise, circumscribe and harass civil society. The socio-political environment of military dictatorship between 1966 and 1979 and December 1983 and May 1999, which was rapacious, authoritarian, repressive, intolerant of dissent, and characterized with the dominance of the public realm, limited citizen participation and engagement, constricted civil and human rights and did not allow the blossoming and activism of CS and their engagements with the state. CS therefore was constrained and were either forced to withdraw or compelled to resist (Ikelegbe, 2013: 33; Ukase and Audu, 2015). During these periods, the CS and professional organizations such as the National Democratic Coalition (NADECO), Campaign for Democracy (CD), Nigerian Bar Association (NBA), Nigerian Labour Congress (NLC), and National Association of Nigerian Students (NANS) were at the forefront in the fight against military rule and for the restoration of democracy and democratic governance in Nigeria (Orji, 2004a). Despite the different military governments that governed the nation, and the difficulties experienced by civilian governments, Nigerians believe that democratic governance based on election of political leaders is preferable to unelected military governments. This preference is based on the fact that a multiparty system, free press and CSOs are supported and better accommodated within the sphere of governance under a democratic civilian rule than in a military administration (McCormick, 2004; Ajayi, 2006:49-62 in Gberevbie, 2013: 95).

The 1980s witnessed the proliferation of NGOs and the emergence of greater activism by the civil society organisation sector. The late 1980s was actually the beginning point of the current golden era or flowering of CSOs. This was actually a result of and reaction to the accentuation of the state, governance and development crises, which deepened poverty, unemployment, misery, economic decline, social ferment, job losses, corruption, human rights abuses, repression and deterioration of social services. Civil society emerged from the public disenchantment, frustration and discontent and became a new societal force of popular striving for change (Ikelegbe, 2013:33). The emergent civil society formation has been characterized with civic activism, vibrancy, mobilization,

contestation, criticism and opposition in the civic engagements in the public realm. The CSOs made huge progress as vanguards in the struggle for democratization, revisions of certain economic policies, government concessions of some subsidies and cost reductions of some social services.

However, the CSO suffered from banning, repressions, arrests and detentions. But the experience under the military dictatorships left the CSOs battle hardened, mobilized, vibrant and confident (Lee 2007:6). Civil society has continued to flower since the inception of democratic rule. Apart from the rights, advocacy and environmentalist groups, civil and primary groups that articulate and express primordial and particularistic interests have blossomed. Further, nongovernmental organizations that address diverse issues ranging from human capital development, economic empowerment, natural resource governance and conflict and peace building have proliferated. As at 2009, it was estimated that there were about 46,000 registered non state actors, particularly NGOs in Nigeria. The relevance and in fact vibrancy of the sector necessitated the appointment of a Special Adviser to the President on Civil Society during the Obasanjo presidency.

In view of the above, in as much as the civil society has not lived up to expectations, their effort and contributions as non-state actors cannot be undermined, as they have initiated programmes and policies that are geared towards fighting corruption in Nigeria since May 29, 1999. In fact, investigations of many allegations of corrupt practices by government officials were as a result of pressure mounted by civil society groups that demanded the accountability in the face of scandal. Through investigative and incisive reportage, the media have provided an important counter-point to the abuse of an entrusted power for private gains, shedding light on the wrong doings of the public office holders and even in the private sector. The media, alongside other groups, have provided the basic knowledge with which citizens can hold public and private institutions accountable. They have also collaborated with anti-graft and other law enforcement agencies to expose corruption in low and high places (Ukase and Audu, 2015). At least, we are witnesses to the removal of former Inspector General of Police Tafa Balogun, former first female Speaker of the House of Representatives Patricia Etteh, former Senate Presidents, former Minister of Education Fabian Osuji and his Health counterpart, Grange and former Governor of Bayelsa State, Dimipreye Alameiyeghsea, just to mention but a few.

We have witnessed the useful contributions of the civil society, especially the Save Nigeria Group, Occupy Nigeria Group, NLC, Trade Union Congress (TUC), and others such groups to the inquiry into the oil subsidy removal and subsequent probe into the corruption in the oil sector by the National Assembly. Also, a legal rights advocacy group, Legal Defence and Assistance Project (LEDAP) took the National Assembly to court, suing the Freedom of Information Act, 2011, to compel the NASS to state their actual salaries (Ukase and Audu, 2015), yet the National Assembly is still foot-dragging. In the face of the inability of the state to fight corruption, the people who are the greatest victims of official corruption, must mobilize as victims to ensure transparency

and accountability in government. And this is where the civil society has continued to be incapacitated.

It is however noteworthy at this juncture to state that with the exception of the press and spontaneous movements, previous struggles against corruption waged by successive governments in Nigeria had gone on without the active participation of non-state actors and institutions, otherwise known as civil society. However, the Obasanjo years (1999-2007) were marked by a heightened participation of civil society – local and international NGOs, labour unions, professional, cultural, and religious associations, and even groups emanating from the organized private sector, all of which now participated in the war against corruption in Nigeria (Enweremadu, 2012). Against this backdrop, it is pertinent to ask, how can this rapid transformation be explained in a country where the war against corruption had traditionally been conducted and imposed from above?

The answer to this question of the transformation in the role of civil society in the fight against corruption in Nigeria was facilitated by at least three factors. The first factor was the logic of democratic transition. That is to say, the passage from an authoritarian regime to democracy offered more possibility for the population to organize and participate more actively in the making and implementation of public policies (Chowdhury 2004; Lewis 2004 in Enweremadu, 2012). Although some groups, out of experience with past military transition programmes, took a hard-line position against any engagement or participation in the transition programme. Others, while accepting the imperfections of the programme, felt that sufficient goodwill had been demonstrated by the General Abdulsalami government in its short transition programme to warrant an engagement with. The first group was organised under the Joint Action of Nigeria (JACON) led by Chief Gani Fawehinmi, while the second group formed the Transition Monitoring Group (TMG) led at the time by Clement Nwankwo (Ukase and Audu, 2015).

The second factor concerned the impact of globalisation, in terms of the work of international actors and institutions that aggressively pushed for the formation, promotion, and consolidation of CSOs, henceforth regarded as indispensable partners in the promotion of good governance. With what Huntington describes as the “third wave” of democratisation, civil society has enjoyed enormous intellectual attention. Indeed, it has emerged as a very important concept in the democratic transition literature. Civil society has been defined not only as the engine of the transition to democracy in Africa and elsewhere, but also as equally crucial to the vitality of democracy. According to Chazan (1996) the nurturing of civil society is widely perceived as the most effective means of controlling repeated abuses of state power, holding rulers accountable to their citizens and establishing the foundations for durable democratic government.

The third and perhaps more important factor was the Obasanjo’s anti-corruption strategy itself. Contrary to what happened in the past, the anti-corruption strategy initiated by the Obasanjo administration had indirectly encouraged a more active role for civil society in the fight against corruption. A good example was the provisions in the EFCC and ICPC Acts which required the two main anti-corruption agencies to mobilise members of the civil society behind the war against

corruption and receive petitions on alleged corrupt practices from them (Enweremadu, 2012).

IV. RELEVANCE OF THE CIVIL SOCIETY IN NIGERIA’S FOURTH REPUBLIC

In contemporary democratic societies, the process of democratisation is considered as synonymous with the coming to life of civil society. The strength of civil society can have a positive influence on the state’s politics, economy and its overall development. Civil society is therefore, seen as an increasingly important mediator for promoting all the attributes of good governance such as; transparency, effectiveness, openness, responsiveness and accountability (Aiyede, 2009; Lafenwa, 2016). Furthermore, civil society can further help to improve good governance through its policy analysis and advocacy. As observed by Idumange, (2006) cited in Lafenwa, (2016), civil society is fundamental in promoting good governance by performing the following functions:

- ✓ by regulating and monitoring of state’s performance and the actions and behaviours of public officials;
- ✓ by building social capital and enabling citizens to identify and articulate their values, beliefs, civic norms and democratic practices;
- ✓ by mobilizing particular constituencies, particularly the vulnerable and marginalized sections of masses, to participate more fully in politics and public affairs;
- ✓ by development work to improve the wellbeing of their own and other communities.

As a formation, the CS has been able to construct concerts, broad platforms and fora for the coordination, cooperation, mobilization and action on public issues of interest. These platforms have tended to be led by few associations like; trade unions particularly, Nigeria Labour Congress, Trade Union Congress; professional associations such as; Nigeria Medical Association, student organizations, the Academic Staff Union of Universities and human rights advocacy groups (Lee 2007). The CSO formation has periodically and successfully constructed national platforms for popular actions and mobilized citizen protests around such issues as fuel subsidy and minimum wage. In view of the foregoing, Gyimah-Boadi using Larry Diamond’s checklist gave details on the various contributions of civil society. These include helping to pry open authoritarian systems, limiting the power of the state and challenging abuses of authority, monitoring elections and enhancing the credibility of the democratic process, and educating citizens and building a culture of tolerance and civic engagement. Others are; incorporating marginal groups and enhancing responsiveness, providing alternative means for material development, opening and pluralizing the flow of information, and building a constituency for economic and political reforms (Gyimah-Boadi, 2006; Ikelegbe, 2013: 36).

There have been series of debates on the importance or otherwise of civil society in the literature. Some scholars have argued that civil society is important in creating what is increasingly referred to as 'social capital': social capital has been defined as the web of associations, networks and norms

including trust and tolerance that enable people to cooperate with one another for the common good. Thus, most of the institutional arrangements and values which make up social capital had been observed as what constitute the foundation for good governance, economic prosperity and healthy societies (Idumange, 2006 cited in Lafenwa, 2016).

Besides the above direct development contributions of the civil society, it has also played and still playing important advocacy role in promoting effective governance. Potentially, it could contribute to local economic development and respond to the growing challenges of poverty in a number of ways. In overall, they contribute to the improvement of the local business investment climate; encourage new enterprises and livelihood programmes. Meanwhile, some committed and well-funded civil society organizations are involved in social services provision; they are also helpful in providing training and capacity building programmes; and sometimes contribute to relief and rehabilitation in times of disaster and emergencies.

V. CIVIL SOCIETY AND ANTI-CORRUPTION CRUSADE UNDER JONATHAN'S ADMINISTRATION

Corruption is a global phenomenon. It is not an exclusive problem of any State or Society; neither has it just reared its head in Nigeria. However, it has become worrisome, because of the alarming rate it has assumed and the threat it poses to good governance and nation-building (Oladiran, 2014). The Global Competitiveness Index (GCI) report's competitiveness ranking developed for the World Economic Forum, rated Nigeria poor in terms of development. The ranking was based on 12 pillars of competitiveness landscape in countries around the world at all stages of development. The pillars are institutions, infrastructure, macroeconomic environment, health and primary education, higher education and training, good market efficiency, labour market efficiency, financial market development, technology readiness, market size, business sophistication, and innovation (World Economic Forum, 2011). In the same manner, Nigeria was ranked the least among six (6) major economies in Africa, with a Global Competitiveness Index of just 3.38 behind Uganda (3.51), Ghana (3.56), Botswana (3.69), Egypt (4.00) and South Africa (4.32) due to corruption According (GCI Report 2011).

Indeed, a year after President Jonathan was elected, the Transparency International in its Global Corruption Perception Index (CPI) ranks Nigeria as the 36th most corrupt country globally. Nigeria was placed in 139th position out of the 176 countries assessed with a score of 27% (Lafenwa, 2016). Corruption was so pervasive that it was considered the biggest of all the challenges that confronted democratic governance under President Goodluck Jonathan. Given the recent inclusion and ascendancy of civil society in the fight against corruption, this section focused on the examination of the critical areas of engagement by civil society organizations in the fight against corruption under the administration of Goodluck Jonathan.

VI. CIVIL SOCIETY AND RESISTANCE TO POLICY REFORMS

The most prevalent and visible engagement of civil society organizations with the public policy making system was their resistance to policy reform. Highly publicized cases of protest and demonstration against deregulation and privatization policy in Nigeria underscore this point. The protests led by Save Nigeria Group (SNG) that greeted Jonathan's removal of fuel subsidy (as a result of which the pump price of a litre of petrol was increased from ₦65 to ₦140) which was unprecedented and devastating. The protests apart from combining peaceful with violence dimension, it also enjoyed a massive support by Nigerian citizens. Direct field action through popular mobilization and innovative means of protests on the street were the dominant forms of engagement with the Nigerian government. The government later reduced the pump price of petrol to ₦97 per litre. However, the civil society was unable to sustain the protest and pressurize the government to further decrease the price as demanded by Nigerian citizens.

Importantly, the justification for the policy of deregulation of the petroleum sector was that government subsidized petroleum to the tune of NGN1.5 trillion or USD9.68 billion in 2009, and NGN1.7 trillion or USD10.96 billion in 2011, which was more than the NGN1.319 trillion or USD8.5 billion allocated to capital expenditure in the national budget of 2012 (Ameh & Josiah, 2011; Soyinka, 2012:46-57 in Gberevbie, 2013). In view of the foregoing, the argument of the CSOs was that while it is on record that huge sums of government revenue went into subsidy payment to oil marketers, they observed that substantial amount of these claims were based on fraud by the oil marketers in collaboration with government officials in NNPC and PPPRA (Gberevbie, 2013:109), and called on the government to investigate corruption charges against affected bodies. Furthermore, CSOs pointed out that because of the low minimum wage paid to workers in Nigeria NGN7,500 or USD48.39 per month at the time the policy was introduced, any increase in pump price of petrol is easily felt by the people and automatically translates into price increase in other areas of the economy such as high cost of transportation, food, shelter and other basic household needs; hence swift resistance from the people each time the price of petrol goes up. The USD48.39 per month as salary was below the poverty line, according to the United Nations minimum living wage standard (Soyinka, 2012:46-57 in Gberevbie, 2013).

One disturbing issue about the whole saga of the fraudulent petroleum subsidy claim is the fact that some of the oil firms implicated are owned by the families of prominent members of the ruling political party – PDP. For instance, the oil companies of the sons of Dr Ahmadu Ali, one time National Chairman of the PDP, that of Alhaji Arisekola-Alao, a prominent PDP chieftain from the South-West zone of Nigeria and that of the former National Chairman of the PDP – Alhaji Bamanga Tukur are involved in the corruption scandal (Ajaero, 2012; Onanuga, 2012). The implication of the above is that corruption in the oil sector of the Nigerian economy is not likely to fizzle out

easily considering the calibre of people involved in it. One can however conclude that the roles of the CSOs are very crucial to the sustenance of democratic norms, democratic governance and development in Nigeria but where the challenge lays is the strength and longstanding political will to resisting the government policies of domination and impoverishment of the masses. This resistance seems fluid most times after a certain period. Therefore, improving the tenacity of these groups remains pivotal to good governance in Nigeria.

VII. CIVIL SOCIETY'S ENGAGEMENT IN POLICY MAKING AND IMPLEMENTATION

Assertively, this form of engagement is less frequent and less visible. It entails the inclusion of certain civil society groups or coalitions or constituencies and perspectives in the processes leading to policy making. It is notable that a number of civil society groups were nominated by the Federal government in the National Political Conference convoked by President Jonathan in 2014 to discuss national issues. Notable among the civil society groups from which conference members were drawn are Nigerian Bar Association (NBA), Nigerian Union of Journalists (NUJ), Nigerian Labour Congress (NLC), Women and Youth associations among others. However, this policy of inclusion as a mode of engagement by civil society produced little gains for the marginalised groups in Nigeria.

The involvement of these groups in national political conference is yet to produce the desired effects since the recommendations are yet to be implemented. It is arguable that majority of Nigerians did not expect much from the conference as the number of representatives from the civil society was negligible compared to government representatives. It is obvious that Jonathan administration did not provide adequate opportunity for this group as stipulated in the UNCAC document and thus incapacitating the civil society in anti-corruption crusade (Lafenwa, 2016). Even in most anti-corruption agencies established by government, the role of civil society was less visible and marginal.

Consequently, the least visible and rarely participated is the third form of civil society engagement: which implies civil society's involvement in implementation of existing public policies. This is not unrelated to the fact that many government officials and political leaders are part of the problem in the implementation of such policies especially, those that are favourable to the interests of the marginalized groups. Under the present civilian administration, there are cases of collaboration of federal and state governments to implement certain policies related to health of women and children, education of the marginalized and provision of relief materials to victims of environmental disasters and insurgencies.

VIII. CIVIL SOCIETY AND OPINION EXPRESSION ON CRITICAL ISSUES

Regardless of the weakness of civil society organizations during the President Jonathan's administration, majority of them were proactive. To a great extent, the administration of President Jonathan witnessed various instances of civil society engagement in opinion expressions especially, with regards to the fight against corruption. Some notable instances are identified below:

- ✓ On 12 March 2013, some civil society organizations under the aegis of Civil Society Groups working on Anti-Corruption and Good Governance in Nigeria issued a press statement to condemn and express their shock over the presidential pardon granted to the impeached and convicted former Governor of Bayelsa State, Mr. DSP Alamiyeseigha along with other persons. Worried that the action raises doubt about the Jonathan administration's acclaimed commitments and fight against corruption, the groups described the development as "a naked dance in the public" given that the president has told Nigerians in an arrogant and contemptuous manner that he has no apology for the State pardon. According to the statement,

"while the civil society appreciates the constitutionality of prerogative of mercy as provided for in Section 175 of the 1999 Constitution (As Amended), the decision by the Jonathan administration is immoral, as much as it puts a question mark on the sincerity of the administration in battling corruption. This is more so because Mr. Alamiyeseigha's case about corrupt enrichment and money laundering on which he skipped bail in the United Kingdom is still pending" (Press Statement, 2013 in Lafenwa, 2016)

The concern of the civil society according to the statement, are that besides the national embarrassment that President Jonathan's action depicts, it also shakes the moral foundation of the presidency as well as portends grave implications for the myriads of corruption cases in the country. The groups reiterated that the action is capable of allowing perpetrators of such crimes to get away free and further re-entrench corruption that can totally stunt national development and improvement on the lives of citizens. The question is: besides expression of displeasure, what has the civil society done to correct the anomaly? Ideally, it is expected that litigation should have been instituted against the Nigerian government demanding explanation on the issue. This again raises a pertinent concern about the reactionary posture and lack of overbearing influence on the government and its officials.

- ✓ In June 2014, labour and civil society delegates at the national conference expressed their displeasure to the recommendation by the Committee on Public Finance, calling for the total removal of fuel subsidy. Those that sponsored the bill included the President of the Nigeria Labour Congress, Mr. Omar Abdul waheed; President of the Trade Union Congress, Mr. Boboi Kaigama; Civil Society Delegation Leader, Mr. Femi Falana (SAN); NLC Acting General Secretary, Chris Ufot; TUC Gen. Sec.

Musa Lawal; and a civil society delegation, Jaye Gaskia. According to the group, “more than 70 per cent of productive activity in the economy relies almost exclusively on PMS power generators for their electricity generation.”(Fabiya, 2014). This implies that total removal of fuel subsidy would be devastating for most Nigerians. It is expected of the civil society to have started lobbying the National Assembly members to initiate a bill that will hinder the present or future government from removing the subsidy. It is obvious that civil society did not put pressure on the present government to probe and probably prosecute those involved in the fuel subsidy scandal perhaps, because they are big wigs in the polity. This, to some extent demonstrates the weakness of this group in the fight against corruption. They should be more proactive in addressing issues of public concerns.

In 2014, before the former Chief Justice of Nigeria, Aloma Mukhtar retired, a revelation was made by El Rufai in his published memoir, *The Accidental Public Servant* that his administration decided to budget an annual grant to help the FCT judicial system to make some procurement. Following that revelation, a coalition of over a hundred and fifty anti-corruption organisations, under the aegis of the Civil Society Network Against Corruption, CSNAC, demanded that the Chief Justice to probe the use of the said budget and its legality (Lafenwa, 2016:124). However, as at present there is no record that the probe has been initiated and that any public official has been brought to justice for mismanagement of public funds.

IX. CONCLUSION

Given the discussion above, civil society groups in Nigeria have only achieved modest changes in government policies and practices. The performance is not all that impressive; given the significance of civil society in a democracy and the established domestic and international legal frameworks and supports for its participation in anti-corruption crusade. They are more reactive than being proactive in their operations. The bribery scandal that rocked the House of Representatives especially Farouk Lawan and Mr. Femi Otedola provided opportunity for civil society’ active involvement in the probe and prosecutions of offenders. Most civil society groups operate as resistant initiatives and movements seeking justice without adequately utilizing the strategy of mass mobilization and mass support from across the country.

More often than none, the diverse coalitions that develop within civil society to address a burning issue disintegrate once a government makes minor concessions as in the case of fuel subsidy earlier mentioned. It is therefore not surprising that the Transformation Index of 2014 confirms that the traditions of civil society are still weak. It can therefore be posited that until the civil society organisations are able to transcend the web of merry-go-round workshops, conferences, summits, monitoring of government activities and feeble protests unto concrete actions with irresistible and determined organisation for productive response on the part of the

government, it will continue to be in danger of repression from government forces. It must be able to integrate proactiveness with its reactive nature. Civil society organisations must therefore congregate to develop national action plan for the fight against corruption and eventual enthronement of good governance in Nigeria.

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