

# WOMEN TO THE RESCUE IN THE ACCOUNTABILITY PROCESSES-CASE STUDY NIGERIA

## INRODUCTION AND BACK GROUND

The quest to actualize gender equity and equality has dominated the discourse of development practitioners for decades. There are general agreements that there is need to reduce the gap between men and women in access to resources and participation in societal affairs. It is also agreed that the yawning gap impacts on other development issues such as human rights, poverty, trafficking in human beings and the scourge of HIV\AIDS. Similarly, the need to combat corruption has been no less prominent in the development agenda and has also been linked to the several issues raised above.

More recently, the interface between Gender and Corruption has become topical and several studies have been and are being conducted in that sector. The critical issues in this discourse can be divided into four broad themes as follows:

1. The genderized impact of corruption i.e. whether and how corruption impacts disproportionately on women
2. The genderized manifestations of corruption i.e. Do some expressions of corruption have a Woman's face?
3. The interface between women's' participation in governance and corruption
4. The location of women in the accountability processes as an anti-corruption tool.

### *The Genderized Impact of Corruption*

Studies have shown that majority of the Worlds poor are women<sup>1</sup>. This susceptibility to poverty has been attributed to limited access to opportunities and resources. The effect has been to increase the woman's vulnerability in other interfacing areas such as access to justice,<sup>2</sup> health etc. As a result of her location at the lowest rung of the societal ladder, the resonance of any distortion in the system vibrates primarily on her before radiating to other spheres. Also a definite correlation between poverty and corruption has been identified in various studies<sup>3</sup>. In particular, it has been noted that the worse the per- capita income the more vulnerable groups such as women are affected. It has also been identified that grand corruption distorts public budget in favor of the non-social sectors thereby depriving the vulnerable of the much needed budgetary support and intervention.

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<sup>1</sup> CF Baden 1999 –Feminization of Poverty.

<sup>2</sup> Ekeanyanwu 2001-Impact of Corruption on Access to Justice for Nigerian Women.

<sup>3</sup> CF Wolrld Bank [2001]; Valdivieso [2002]

In the discourse on the genderized impact of corruption, there is a less- often-talked- about expression of corruption which exacerbates the disproportionate impact of corruption on women. It is necessary to contextualize this concept by segregating two types of corruption as follows:

- a. Engaging in passive corruption to access due rights
- b. Engaging in passive corruption to access undue advantage.

In an environment of endemic and pervasive corruption, it is usually problematic to access rights and entitlements without succumbing to corruption as opposed to engaging in corruption to gain undue advantage. There have been arguments that there is less possibility of bribes being demanded from women. There have also been arguments that women are less likely to offer bribes. The latter has been rationalized by arguing that perhaps less demand is made of women due to the perception that they cannot afford the bribes.[Anne Marie Goetz]<sup>4</sup>. Another reason is that women have limited access to the channels through which the demand and supply of bribery flow. The salient factor here is that the woman is the loser in both scenarios as she becomes incapacitated from accessing rights which are otherwise unavailable except through paying graft.

### **The Genderized Manifestations of Corruption.**

The question has been raised about certain resonance and manifestations of corruption which are specifically targeted at women. An example of this is soliciting and demanding for sexual favors, and sexual harassment. Another example is trafficking in human beings the victims of which are mostly women and children. This is what is usually described as the differential in the currency of corruption. While in the other manifestations money or political power may be used at the currency, in the present case the currency is the body of the woman.

### **The Interface between Women's Participation in Governance and Corruption.**

This issue was highlighted by two studies conducted in the area. David Dollar and the team in the world Bank Development Research Group in their study- 'Are Women the Fairer Sex'' measured the interface between the number of women in public office and the level of corruption.<sup>5</sup> The team came to the following conclusion '*There exists a substantial literature in the social sciences which suggests that women may have higher standards of ethical behavior and be more concerned with the common good. Consistent with this micro level evidence, we find that at the country level, higher rates of female participation in government are associated with lower levels of corruption.*'

The second study conducted by a group led by Anand Swamy used micro data to show that women are less involved in bribery and are less likely to condone bribe taking. The study came to the conclusion, using cross country data, that

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<sup>4</sup> Are Women Political Cleaners?

<sup>5</sup> Are Women the Fairer Sex-October 1999.

corruption is less severe where women hold a larger share of parliamentary seats and senior positions in government as well constitute a larger share of the labor force.<sup>6</sup>

In addition to the above studies, experiments are underway to inject more female participation in certain accountability sectors as an anti-corruption measure.

Some examples are set out below.

However, a strong criticism of the above theories and conclusions emerged in the work – Political Cleaners-are Women the New anti-Corruption Force?<sup>7</sup>[Anne Marie Goetz]. The author questioned the “myth” of the ‘Women’s lesser propensity to engage in corrupt activity’ and denigrated the age old concept of the woman’s purity and probity. According to her this perception of the woman has more to do with her restricted access to corrupt opportunity and less with inherent probity and integrity. While the work in some sections questioned the methodology and conclusions of the studies mentioned above, the passion of the argument against the conclusions of the studies, was reserved for the paradox of the studies using “the reverse myth that has kept women out of the public realm for centuries”.

Goetz’s argument and conclusion stems from a reluctance to accept essentialist theories in respect of gender propensities. This is a very common stance among feminist scholars in their desperate quest to efface the boundaries between men and women as proof of gender equality. I submit that this stance is counter productive and does not serve the cause of actualizing gender equity and equality.

Evidence abounds in nature of the intrinsic difference between men and women which go beyond the anatomy and penetrate the essence, manifesting in divergent expressions and desires. This in turn leads to a diversity of strengths which are meant to stand, one beside the other creating a balance and equal value. The quest for gender equity therefore must seek to highlight this balance in the diverse strengths and foster appropriate recognition and respect for each segment. This will naturally lead to a departure from the present lopsidedness where the woman’s particular strengths are viewed with a patronizing air which denotes inferiority. In this context therefore, acknowledgement of the woman’s larger propensity for integrity and probity and appropriating same for development purposes will become normative and not viewed as denigrating.

Nevertheless the import of this paper is not to get into the arguments for or against the above studies, but to present the story of women who have made a mark in the accountability processes and interrogate whether the recorded

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<sup>6</sup> Gender and Corruption Swamy [2000]

<sup>7</sup> Anne –Marie Goetz

successes are as a result of their gender, or an aggregation of several factors in which their gender cannot be excised.

### **The Location of Women in the Accountability Processes as an Anti-Corruption Tool.**

Flowing from the above studies, arguments have been adduced in favor of locating more women in the accountability processes to boost the anti-corruption agenda. There have been assertions such as ‘Women bring enriching values to government’ [Valeri Tishkov]. She further espouses ‘They *rarely succumb to authoritarian styles of behavior and prefer not to maintain the sort of expensive entourage which often accompanies male officials. Finally the presence of women in the higher echelons of the hierarchical structures exercises and extremely positive influence on the behavior of their male colleagues by restraining, disciplining and elevating the latter’s behavior.*’

In various parts of the World’s governments have designed and implemented interventions which locate women within the accountability structures. Some examples are as follows:

- In Uganda, majority of treasurers in the new Local Government System are women. The rationale is the hope that they will apply their prudence in managing domestic accounts to the job. [Akhire 2003]
- In 1998, the then President Fujimoro of Peru announced the transformation of the 2500 traffic police into an all woman force. The appointment was rationalized because “the women are more honest and morally firm than men”
- In June 2003, the Mexican Customs Service announced that the new crack of anti-corruption officers on land and sea borders would be entirely female.<sup>8</sup>

The outcome of these interventions have been mixed recording both successes and disappointments.

### **THE STORY OF WOMEN AND THE ACCOUNTABILITY PROCESSES IN NIGERIA**

The focus of this paper will be to present case studies of a number of women who have played key current roles in the in the accountability processes in Nigeria’s quest for Economic and Governance Reform. The paper will explore the activities of these women in their located portfolios, the changes they have brought into the sector and evaluate and analyze their contribution to the holistic reform process. The paper will also interrogate such issues as

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<sup>8</sup> Mexico is gaining on smugglers –The Herald Tribune June 7 2003.

- The prior profile of these women and the competencies they brought to their given assignments.
- The process of the appointments and specific interests captured in the appointments.
- The strategies they deployed in their assignments especially strategies to engage entrenched interests.
- Peculiarities and Commonalities of their assigned sectors
- Identification of the motivating factors.

The essence of the analyses will be to identify the aggregation of factors responsible for their recorded successes. The paper shall also within this aggregation seek to distil any gender related factors and the percentages that can be justly allotted to such factors in the success stories.

## **COUNTRY OVERVIEW**

Nigeria is located in West Africa and has an estimated population of one hundred and thirty million people and more than 250 ethnic groups. Although reliable statistics are not available, it is estimated that around half of the population are Muslims and just under half are Christians. Traditional religions are practiced by a smaller minority.

As the leading oil producer in Africa and the 10<sup>th</sup> largest global producer, Nigeria exports some 2.4 million barrels of crude oil per day. Revenue from oil exports account for approximately 95 percent of foreign exchange earnings and around one third of GDP.<sup>i</sup> Despite an abundance of natural resources, the United Nations (UN) Development Index ranks Nigeria 158 out of 177 countries and it is estimated that 70 percent of the population live below the UN poverty indicator of US\$1 per day.<sup>9</sup>

Since independence from Britain in 1960, Nigeria has experienced prolonged periods of military rule and numerous military coups. Between 1993 and 1998 General Sani Abacha, one of Nigeria's most brutal dictators, is estimated to have stolen US \$3.6 billion of state funds. An elected civilian government was finally restored under President Olusegun Obasanjo in 1999. The 2003 elections saw Obasanjo win a second term in office and his ruling People's Democratic Party (PDP) holds power in the majority of the states of the federation.

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<sup>9</sup> World Bank, *Nigeria Country Brief*, Washington DC, World Bank. Accessed via [www.web.worldbank.org](http://www.web.worldbank.org)

The country practices a federal system of government with a three tier structure as follows: the Federal Government; the State Governments; and the Local Governments. There is an executive president at the center who is elected through a universal adult suffrage and similarly elected executive governors in the thirty-six states of the federation. There are also elected chairpersons and councilors in the 774 local government areas. The President governs the country and exercises executive powers in accordance with the Constitution. He is assisted in the conduct of government affairs by ministers appointed by him, with the approval of the legislature. The governors and chairpersons exercise similar powers at the state and Local Government levels respectively. The federal legislature, called the National Assembly is bi-cameral and comprises of an upper chamber- the Senate and a lower chamber, the House of Representatives whose members are elected every four years by universal adult suffrage. Each of the thirty-six states have State houses of assembly whose members are also elected by universal adult suffrage. The legislature has the responsibility of law making in accordance with powers granted by the constitution. The legislature also has constitutional powers to carry out oversight functions on the executive arm of government. The country's judiciary has a multi- tier structure with the Supreme Court at the apex and the customary and Islamic courts at the base. The judges of the superior courts have security of tenure guaranteed by the constitution<sup>ii</sup>. The country has a mixed legal system comprising the received English Law and Customary and Islamic laws. The Customary and Islamic legal systems are mainly restricted to issues of personal law such as inheritance, marriages and divorce etc. However, since 2000, twelve states in Northern Nigeria have extended the scope of application of the *Sharia* Legal system to criminal jurisdiction.

## NIGERIA'S CORRUPTION PROFILE

S\NO	YEAR	CPI RANKING	CPI SCORE
1.	2000	90\90	1.2
2.	2001	90\91	1.0
3.	2002	101\102	1.6
4.	2003	132\133	1.4
5	2004	144\146	1.6
6.	2005	152\158	1.9
7.	2006	143\163	2.0

### 2. The Nigerian Governance and Corruption Survey which was released in 2003

reflects as follows:

- 87.3 % of Nigerian respondents to that survey consider corruption to be “**very serious.**”
- 64.3% of respondents have observed acts of corruption by Government officials
- The business environment is perceived to constitute growth road blocks.
- Small enterprises are more adversely affected by the distortions in the system
- Problematic access to information was identified as one of the impediments to growth.

3. Further, the **Nigerian Deposit Insurance Company -NDIC** annual report for 2002 indicated that fraud is on the increase in Nigeria. According to the report,

- In 2002, 77 out of the 99 banks in operation recorded 796 cases of fraud involving a total sum of N 11.2 billion.

4. [a] Nigeria’s Stolen wealth: An estimated 220bn Pounds has been stolen by past Nigerian rulers since independence [ *This will amount to 300 years of aid from the UK to the African Continent and the equivalent of the aid from all the Western Countries to Africa in the past forty years*]

Source: *www. Odious debts.org [from figures compiled by EFCC IN 2005]*

[b] *An estimated 55bn Pounds of stolen Nigerian money and assets in accounts abroad.*

5. **Doing Business in Nigeria 2006:** The 2006 edition of this document which is published by the World Bank discloses that it takes 43 days and 9 procedures to start a business in Nigeria; it takes 274 days and 21 procedures to register a property in Nigeria; 16 procedures and 465 days to deal with licenses; 41days, 11 documents and 39 signatures to export; 53 days, 13 documents and 71 signatures to import in Nigeria.<sup>10</sup>

## RECENT MEASURES AGAINST CORRUPTION

The main activities in the fight against corruption in Nigeria are contained in the Economic Reform Program of the Country which took on added intensity with the re-election of President Obasanjo government in 2003. Some of the components of the Reform Agenda are as follows:

### *The Campaign for Debt Relief*

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<sup>10</sup> DOING BUSINESS 2006 –PUBLISHED BY THE WORLD BANK [www, doing business.org](http://www.doingbusiness.org).

At inception the Obasanjo government had made the fight against corruption the fulcrum of the administration and shortly after instituted some measures such as setting up an Independent Commission to combat corruption. However, the fight against corruption took on an added intensity with the need to justify the quest for debt relief for the country. With the cynicisms and reluctance within the global community to grant Nigeria debt relief or reduction in the face of endemic and pervasive corruption, the government was constrained to institute several measures to build confidence in the Nigerian Project. The impetus for winning the war for debt relief commenced with the appointment of a Nigerian in diaspora –**Dr Ngozi Okonjo Iweala** as the Minister of Finance. Prior to this appointment Dr Iweala was the Vice President and Board Secretary at the World Bank. On assumption of office, she assisted in setting up the Economic Reform Team which met with the President on weekly basis to brainstorm on key economic issues in the Country. The team which identified corruption as the main issue, managed the Economic Reform Agenda which had various components as follows:

**A. Fiscal Responsibility:** The team instituted measures to ensure fiscal discipline and prudent management of the Nations Resources. The culmination of the Fiscal Responsibility Regimen was the drafting of the Fiscal Responsibility Bill after wide consultations with stakeholders. The crux of the Bill is to codify the disciplinary measures and policies instituted by the government to ensure sustainability<sup>11</sup>

#### ***B. THE BUDGET TRANSPARENCY PROGRAM***

Under this program, the Ministry of Finance publishes the monthly allocation of funds from the Federation Account to the various State and Local Governments in the country. The publication created a demand for accountability in the diverse strata of the country. Some Local Governments are already beginning to engage the State Governments on the issue of withholding of their allocation. NGOS and CBOS are also better equipped to monitor budgets. Increased vibrancy is already being recorded in budget monitoring by NGOS and CBOS even though access to the expenditure profile of government remains a challenge.

**C. THE DEBT MANAGEMENT OFFICE:** This office was set up at the instance of and with the help of Dr Okonjo-Iweala to manage and oversee issues relating to the country's debt. Prior to this time, there was no credible data base on the Country's debt and no blueprint for managing it. The Debt Management Office – DMO rectified this issue and set the tone for quest for debt relief.

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<sup>11</sup> The Fiscal responsibility Bill is still pending before the National Assembly.

Two highly significant initiatives were also introduced by the Obasanjo government and came under the management of the Economic Reform Team. These are the **Budget Monitoring and Price Intelligence Unit [BMPIU]** or the Due Process Office; and the **Extractive Industry Transparency Initiative-the EITI**. These two initiatives were driven and managed by another member of the Economic Reform Team –**Dr Oby Ezekwesili**.

D.The BMPIU (Due Process Office) This initiative was introduced by Obasanjo Government in 2001 to ensure Transparency and Accountability in Government Procurement.

**E. The Extractive Industries Transparency Initiative.** This initiative was launched in Nigeria on the 19<sup>th</sup> of February 2004 to promote Transparency in the extractive industry sector, especially the oil and gas sector which is the main revenue earner for Nigeria. The initiative, was aimed at ensuring that companies operating in the oil and gas and other areas within the extractive sector in Nigeria publish what they pay to the Government as royalty, taxes etc, and the Government in turn publishes what they receive from each company.

#### **F. *THE ECONOMIC AND FINANCIAL CRIMES COMMISSION-EFCC***

This Commission was set up in May 2003, to address the issue of the Advance Fee fraud (419), money laundering, and other financial crimes, which has become a source of national embarrassment. The Commission has been proactive in prosecuting cases of advance fee fraud and other financial crimes.

#### **G.The NEEDS and SEEDS documents**

The National Economic Empowerment Development Strategy-NEEDS the state counterpart –the State Economic Empowerment Development Strategy-SEEDS were designed to ensure poverty alleviation and service delivery to the public. These were initiated and driven by the Economic Reform Team.

An aggregation of these and other initiatives formed the platform for the confidence building within the system which was a necessity for negotiating for debt relief. Despite the fact that Nigeria was not qualified under the Highly Indebted Poor Country-HIPC initiative, other windows and concessions were granted and Nigeria won a debt reduction of **\$18billion**. Under Dr Okonjo Iweala's watch, the Country,s Foreign Reserve rose to **\$34 billion**.

#### **H. National Agency for Food and Drug Administration-NAFDAC**

Another initiative of the government which won both National and Global accolade was the reenergising of the National Agency for Food and Drug Administration-NAFDAC. This agency was created in 1993 as an agency within the Ministry of Health. However the activities of the Agency came to the

limelight after the appointment of a pharmacologist, **Professor Dora Akunyili** as the Director General of the agency in 2001.

## **THE DRIVERS OF CHANGE**

### **1. NGOZI OKNJO -IWEALA.[Former Minister of Finance, Former Minister of Foreign Affairs]**

**Dr Okonjo-Iweala** was the Nigerian Minister of Finance from July 2003 to 21<sup>st</sup> June 2006.

The former World Bank Vice President was persuaded to come home and head the Ministry of Finance after President Obasanjo was elected for his second term in office in 2003. She is a graduate of the Harvard Business School and also has a Phd from MIT. She joined the World Bank and rose to be a Vice-President and Board Secretary. She assumed office as the Minister of Finance and facilitated the formation of the Economic Reform Team and the Economic Reform Agenda which was aimed at instituting a regimen for transparency and prudent economic management. The Economic Reform Team also formed the platform for negotiating for debt reduction for Nigeria's staggering foreign debt which stood at ----- . The first step she took was to consolidate the various departments and agencies whose works are connected with the Reform Agenda under the Ministry of Finance, where she can have oversight. Some of the major achievements of the Ministry of Finance and Economic Reform Team are as follows:

- i. Instituting a Budget Transparency Regimen by engaging in wide consultations with stakeholders at both the formulation and implementation of the budgets.
- ii. Ensuring public access to budgetary allocations to States and Local Governments in newspapers by publishing the allocations in newspapers.
- iii. Establishing an audit data of the Country's debt profile by facilitating the creation of the Debt Management Office-DMO.
- iv. Commencing the process of establishing a Fiscal Responsibility Regimen and drafting a Fiscal Responsibility Bill and presenting to the National Assembly.
- v. Negotiating debt reduction of \$18 billion for Nigeria.
- vi. Building up the Country's Foreign Reserve to \$35 billion.
- vii. Achieving the repatriation of some of the Country's looted assets
- viii. Superintending the Economic Reform Team and its diverse programs such as :

- a. The Procurement Reform Regimen.
- b. The Extractive Industry Transparency Initiative-EITI
- c. The NEEDS and SEEDS initiative
- d. The Tax Reform Initiative.
- e. The Economic and Financial Crimes Commission –EFCC.

### **The Challenges of the Job**

**Dr Okonjo Iweala** was constrained to confront the entrenched interests within the system who were resistant to change either because it interfered with their means of making unjust gains, or their power and influence. This commenced with an attempt to excise the Budget Office from the Ministry of Finance. With her experience in the financial sector she was able to discern that the Reform Agenda within the sector will be negatively impacted by this excision and she resisted the move. She allegedly resigned her new post in protest and only resumed duty when the move was cancelled. This put her on collision course with the “anti reformers” within the system. Despite this she forged ahead with several ground breaking initiatives some of which are outlined above. Her work in the Nigerian Financial Sector led to her being featured as a Times Europe Hero.

When she was transferred to the Ministry of Foreign Affairs in June 2006 as a result of a cabinet reshuffle, speculations were rife that she was moved to create room for unauthorized access to public funds to finance the 2007 elections. This was however refuted by the Federal Government who justified the reassignment by explaining that her goodwill was needed to build up the Country’s image. To buttress this explanation she was retained as the head of the Economic Team. However, the circumstances of her abrupt removal as head of the team, while she was in London attending a meeting in that capacity, renewed the speculation that her removal was orchestrated by entrenched interests whose financial fortunes had been hurt by her reform measures.

#### **1. MRS OBIAGELI EZEKWESILI [Former Senior Special Assitant to the President on BMPIU, Former Minister Solid Minerals and current Minister of Education.**

Mrs. Oby Ezekwesili was one the early entrants into the Obasanjo administration having joined the government in 2000 as the director of the Harvard –Nigeria Economic Strategy Program. She is a chartered accountant with experience in governance and development initiatives. She has a masters degree from the John .F. Kennedy School of Government at Harvard University. She was also one of the foundation members of Transparency International and had served on the board of that foremost global coalition against corruption. She later became the Special Assistant to the President on Budget Monitoring and Price Intelligence Unit [BMPIU] and the Chair of the Extractive Industries Transparency

Initiative-EITI. She subsequently became the Minister of Solid Minerals and is at present the Minister of Education.

When she joined the government in 2000, she and a small team started the conversation about debt reduction for Nigeria in the midst of overwhelming skepticism. The program metamorphosed into the BMPIU and a procurement regimen for the Country. This came out of diagnostic analysis that the contracting process was one of the primary corruption drains of the Country's resources. The unit, which was created to develop a price intelligence system and a procurement regimen, became an autonomous unit within the Presidency in 2003. This led to the concretization of a Due Process Policy in Public procurement. Some of the key achievements of the unit are as follows:

- i. Development of guidelines for implementation of Due Process Certification of contracts and issuance of Treasury Circular to that effect with the following components:
  - Applications of the principles of transparency and accountability in public contracting.
  - Applications of the principles of competition in pricing and contract awards.
  - Public advertising and transparent bid and evaluation process.
- ii. Engagement of sector experts to review procurements by different government departments to establish compliance with the procurement rules.
- iii. Development and publication of a checklist of processes and documents required for reviews and certification.
- iv. Estimated savings of about \$3billiom from public contracting in three years.
- v. Presentation of a Public Procurement Bill to the National Assembly, to codify the policies and reforms within the sector.
- vi. Formation of Procurement Reform Stakeholders' Committee consisting of stakeholders from government, CSOS and the private sector to monitor the implementation of the process.
- vii. Facilitating the adoption of the Procurement Reforms by several State governments within the Federation.

### **The Challenges of the Job.**

Public contracting has long been known as the major corruption drain of public resources in the Country. There have been earlier measures to sanitize the system and bring transparency into the sector. However these initiatives have always been abysmal failures due to the activities of the entrenched interests and networks. Award of contracts were used for political patronage and inflation of contracts were used to raise money for politics. As a result there have been insurmountable opposition to any attempt to sanitize the sector. In 2004, two Nigerian Ministers and other high ranking government officials were dismissed

and arraigned for inflating contracts and receiving kickbacks to award a contract for a government project.<sup>12</sup> As a result of the fact that major contracts are influenced by the top politicians, attempts to interfere with the system meets with stiff opposition. This is the political environment in which the “Due Process Office” was constrained to work under. The Chair of the unit Mrs Ezekwesili was exposed to a lot of name calling and attempts to whittle down the powers of the department. A lot of propaganda and orchestrated attacks in the media were disseminated. There were allegations of government departments failing or refusing to comply with the processes only to turn round and blame due process for delay or tardiness in execution of projects.

As a result of this, the unit initiated training for government offices on how to comply with the due process requirements. Due to incessant pressure, the work of the unit was decentralized, with government ministries and departments granted some autonomy to establish internal due process units in relation to contracts within a certain threshold. This measure was perceived by stakeholders as a whittling down of the powers and principles of due process because it provided a certain window for sharp practice within the autonomous units.

The unit however gained added momentum and strength as an integral part of the Economic Reform Team and was thus able to withstand attack and pressure from the entrenched networks. Despite this, on the first attempt to present the Procurement Bill before the National Assembly, it was thrown out. This was perceived as an attack from the entrenched networks and anti-reformers. Subsequently, the Bill was represented after a massive mobilization of CSOS and the Private Sector.

When Mrs Ezekwesili was “elevated” to the position of the Minister of Solid Minerals, not a few cynics felt it was a ruse to get her out the sector where she was seen as a troublesome obstacle to the entrenched interest.

### **Mrs Ezekwesili and the Extractive Industry Transparency Initiative [EITI]**

Nigeria launched the EITI on the 19<sup>th</sup> of February 2004 and inaugurated a twenty-eight man stakeholders committee to oversee and monitor the implementation of the initiative. The basic focus of the initiative is to increase transparency within the extractive industry by the simple doctrine of ‘Publish what you pay and publish what you receive’. Mrs Ezekwesili was appointed the Chair of EITI at the inception of the program. At this time she was also the Chair of the BMPIU.

Nigeria is the 5<sup>th</sup> largest producer of oil globally and revenue from oil constitutes about 90% of the government revenue. In addition, Nigeria has an impressive array of Solid Minerals which are either not extracted or extracted by private interests who make no returns to the government. Despite the importance of oil revenue, the sector was cloaked in secrecy and fraught with corruption. Information was withheld from the public domain under the

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<sup>12</sup> The ID Card project scam of

pretense of confidentiality provisions in the agreements signed between the major oil companies and the Nigerian Government. There were no effective mechanisms for independent verification of data, assessment, analysis, review and reconciliation. In this environment, corruption flourished without restraint and the Country lost critical revenue to organized networks.

It is therefore understandable that any attempt to implement reforms within the sector will be problematic as it will diminish rent from corruption.

Some of the key achievements of the EITI are as follows;

- i. Formation of a multi-stakeholder committee to supervise and monitor the process and establishing of the Nigerian Extractive Industry Transparency Initiative Secretariat-NEITI.
- ii. Enhancing transparency of information about revenue and fiscal accounting standards within the sector.
- iii. Disclosure of payments and revenues disbursed to government.
- iv. Instituting a policy for disaggregated disclosures by companies.
- v. Opening up and transparency of the bid process within the sector
- vi. Collaboration with CSOS in the Publish What You Pay Campaign.
- vii. Conducting an audit carried out by the Hart group, which comprised of a financial physical and process audit. The result of the audit threw up the following issue:
  - Two percent discrepancies which was attributed to classification error and weak institutions.
- viii. Presentation of NEITI BILL before the National Assembly.<sup>13</sup>
- ix. Regional road shows to create awareness and provide an opportunity for interaction and dialogue with the people at the local level.

### **Challenges**

In addition to the resistance of the entrenched networks, the initial challenge faced by the initiative was the resistance of the oil majors to disaggregated disclosures by the various companies. It was perceived that an aggregated disclosure will defeat the essence of publish what you pay principle and preclude an entry point for effective monitoring. However due to pressure and campaign from both the local global level, most of the companies have conceded to disaggregate disclosure.

The second challenge is the confidentiality clauses in the joint venture agreements which the oil majors claim prevent them from making certain disclosures. This factor has been addressed by the draft Bill which when passed will empower NEITI to demand relevant information from Companies.

With the activity of the NEITI, there is increased confidence in the oil sector.

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<sup>13</sup> The Bill has been passed by the House of Representatives and is awaiting passage by the Senate.

The second arm of the mandate of the NEITI is the Solid Mineral Sector. This sector has been fraught with problems because in spite of the impressive array of Solid Minerals present in Nigeria, such as coal gold silver bitumen etc, revenue from that sector account for a paltry one percent of the government revenue. This has been attributed to reasons ranging from draining of revenue through illegal mining to poor regulation and dearth of data base of minerals and prospectors in the sector. Other reasons include the lack of enforcement of the regulations which determine the rights of the Federal and State governments in the sector. When Mrs. Ezekwesili was appointed the Minister of Solid Minerals in June 2006, she immediately instituted the following measures:

- Building a data base of products and operators within the sector.
- Revalidation of Mining and Quarrying Leases and Titles issued by the Ministry.
- Opening up of the bid processes for licenses and titles and making provisions for CSO oversight.
- Taking measures to enforce the provisions of the Mining laws in relation to the rights of the Federal and State governments.
- Regional road shows to create awareness and provide an opportunity for interaction and dialogue with the people at the local level.

These measures, which came shortly after her appointment, began to increase confidence in the sector, and improve projections of local and foreign investments.

However before she could consolidate these reforms and initiatives, she was reassigned to the Ministry of Education on the 21<sup>st</sup> of June 2006.

### **Mrs. Ezekwesili and the Ministry of Education**

Her posting to the Ministry of education is perceived as a salvage mission for that highly troubled Ministry. There has always been the belief that the primary problem of that sector is insufficiency of budgetary allocation. This belief was so pervasive that a former Minister of Education in 2004 bribed the National Assembly to influence them to increase the allocation to the Education Ministry, a scandal that led to the removal and arraignment of the Senate President, the Minister and other top government officials.<sup>14</sup> Upon resuming at the education Ministry, the first major activity Mrs Ezekwesili carried out was to release statistics which disclosed a staggering level of budget inefficiency within the sector. According to her, sixty percent of the Education budget for secondary schools was used to service schools of a certain category whose student population accounted for less than 10 percent of the entire secondary student population in the Country. This category of schools –‘Unity Schools’ were originally designed to cater for a mix of brilliant students from different parts of the Country in order to promote cultural understanding in an environment of academic excellence. The data released from the Ministry also disclosed a drastic decline in academic performance for these Unity Schools.

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<sup>14</sup> The Bribe for Budget Scandal 2004

She therefore recommended a “privatization” of the management of Unity Schools under a public \private sector partnership, as a solution to the diagnosed problem. The suggested solution has raised a lot of controversy in the system with the teachers in Unity Schools embarking on a strike to halt the implementation of the recommendation. The thrust of the argument is that the planned ‘privatization” will take the school out of the reach of the ordinary citizen. This is despite the fact that it is common knowledge that the admission process to those schools are corrupt and the children of the poor have very little chance of being admitted.

However, while the public is awaiting the details of the recommended public\private sector partnership, it is agreed that the data constitute a strategic diagnoses of the problems within the sector which cannot be ignored. While Nigeria is still far from reaching the UNICEF, development target for allocation to education, the added problem of budget inefficiency also compounds the issue.

### **3. PROFESSOR DORA NKEM AKUNYILI -OFR [Director =General National Agency for Food and Drug Administration-NAFDAC]**

Professor Dora Akunyili, Pharmacist and Pharmacologist was a gifted student with an impressive record of academic excellence. She rose to become a consultant pharmacologist at the College of Medicine, University of Nigeria. She has held several positions including being the zonal secretary of the Petroleum Development Fund.*[It was in this capacity that it was reported that she exhibited admiral integrity by returning monies which was approved for her medical treatment abroad when a hospital in London diagnosed a less serious ailment. It was reported that her supervisors were so impressed by this gesture and recommended her when there was a desperate search for a strong person to head the troubled drug sector.]*

She has been very active in the Pharmaceutical Society of Nigeria where she held several posts.

Professor Akunyili commenced work as the Director-General NAFDAC in April 2001 and promptly embarked on an overhaul of the system introducing new measures as follows:

- i. Regular publication of identified fake products.
- ii. Creation of an enforcement unit comprising of law enforcement and security agencies to police the country for fake drugs and food products.
- iii. Lobbying for the return of NAFDAC officials to the Ports to check the inflow of substandard products.
- iv. Regular raid of markets and manufacturing and health facilities and massive destruction of fake and substandard goods.*[ From April 2001 to September 2005, the Agency carried out over ninety (90) destruction exercises of counterfeit and substandard products valued at over N10.51 billion (US\$75.07 million).*
- v. Pre-approval inspection of overseas plants and factories to ensure compliance with WHO Good Manufacturing Practice -GMP.
- vi. Review of NAFDAC guidelines to streamline regulations, abridge time and ensure ease of compliance.

- vii. Public enlightenment to create awareness about the existence of and danger of fake and substandard products.

Some of the key achievements flowing from these measures include:

- i. Reducing the incidence of fake drugs in Nigeria by about 90%
- ii. Drastically reducing the dumping of fake and substandard products from abroad.
- iii. Building the capacity of small scale manufacturers of food products such as packaged water and fruit juices to comply with due process.
- iv. Sanitizing the Country's image globally.
- v. Recorded growth and increase in profit margin of companies in the Pharmaceutical sector
  - [ The Executive Secretary of PMG-MAN attributed improved performance of the sector to 100% import inspection policy and the new impetus from NAFDAC, which has seriously curtailed dumping.
  - GlaxoSmithKline recorded a 77% growth in sales during the same period. The company's General Manager for West Africa attributed this tremendous increase to "NAFDAC living up to its responsibilities of enforcing strict compliance to product regulation."
  - MAY & BAKER's profit growth rose by 88% for the first half of 2003. The company was also optimistic of a better performance in the second half of 2003.
  - Pharma Deko Plc witnessed an increased demand for its products resulting in a 78.5% increase in turnover in 2002.48 It is noteworthy that the company had not paid dividends since 1999 due to losses but the company declared dividends in 2003.
  - NEIMETH International Pharmaceuticals Plc recorded 105% increase in its profit before tax at the end of its financial year in March 31, 2003.
  - The Nigerian Association of the Chambers of Commerce, Industry, Mines and Agriculture in its review of the economic performance of the 2003 fiscal year, said that the government target of achieving 65% capacity utilization in the economy was not realized. The only exception was the pharmaceutical manufacturing sector where the vigorous onslaught of NAFDAC on fake and substandard products pushed capacity utilization to nearly 60%

The resonance of Professor Akunyili work at NAFDAC has earned both her and the Country local and International accolades. At present she is the proud recipient of over two hundred and sixty awards for her industry and commitment to the values of honesty and transparency.

Prominent among these are: – *Recognition as an Icon of Hope for Nigerians (2002) by President Olusegun Obasanjo. Conferment with the National Order of the Federal Republic - OFR (2002), Integrity Award (2003) by Transparency International in South Korea, International Euro Market Award (2003 & 2005) by European Marketing Research Centre (EMRC)-Belgium, Total Quality Leadership Award (2003) by the African Institute for Democracy and Good Governance, Special Award for Combating Economic Crime (2004) by International Chamber of Commerce-Commercial Crime Services (ICC-CCS) - London, African Civic Responsibility Award (2004–2005) by African Times–USA, Quintessence Award (2004) by African Writers Endowment Inc. USA,*

***SACAIDS Humanitarian “Hero of our Time Award” (2005) by Save Africa Congress for AIDS (SACAIDS), New York, Industrial Pharmacy Medal Award (2005) by International Pharmaceutical Federation (FIP).*** More recently there have been loud calls by women groups and other interests asking her to contest for the Presidency of Nigeria in 2007.

### The Challenges of the Job

Paradoxically the dangers and challenges of the job has been as prominent as the accolades. NAFDAC was created by Decree No 15 OF 1993 to regulate food and drug products and ensure compliance with the guidelines. Prior to 2001, the agency operated in a wishy-washy manner while fake and sub-standard products flooded the country posing a danger to the health of the Nation and the lives of individuals. Corruption thrived within the sector, entrenched networks amassed wealth and big companies cut corners to increase their profits at the expense of the people. The new NAFDAC had conducted raids and destroyed products from big and “reputable’ companies who had imbibed the habit of cutting corners in an environment of weak enforcement institutions.

In particular, the old NAFDAC had failed to implement the regulation for pre-approval inspection of overseas factories. This omission led to deliberate reduction of standards for products shipped to Nigeria.

The first challenge the new NAFDAC had to cope with was turf wars with other related agencies who alleged that NAFDAC was exceeding their mandate and encroaching into their territory. The perception within the polity was that these allegations stem from the fact that NAFDAC’s pro-activity was showing up their inactivity.

However the more serious challenge was the vicious response of the entrenched networks who were amassing wealth from the old order. In at least two occasions, NAFDAC laboratories were attacked by arsonists who set the buildings on fire. Also there were reported instances of hood looms raiding Professor Akunyili’s home to look for her and issue threats when they did not meet her.

The most dramatic attack however came in December 2003. She was traveling in a convoy in the Eastern part of Nigeria when gun men attacked her convoy and shot at her. The bullet grazed her skull and embedded in her head gear. The tension and danger of the job has led to attempts to resign from the job on several occasions as a result of pressure from her family. Happily for Nigeria, she is still at her duty post as the gate keeper for the health of the Nation.

## COMMONALITIES IN THE STORIES

Apart from the giant strides and successes recorded by these women in the Reform and Accountability processes there are several commonalities which can be categorized into the prior profile of the reformers; methods of appointment; the strategies deployed; motivation; and other peculiarities.

### **Prior profile of the Reformers.**

Each of the three women came to the assignments loaded with relevant, contextualized prior experience and a profile of integrity in the sector of assignment.

Professor Akunyili was a gifted scholar and a consultant pharmacologist from one the Nations foremost college of medicine.[University of Nigeria College of Medicine.] In addition she had a prior history of shunning personal gains where it would have compromised honesty and integrity.<sup>15</sup> Dr Okonjo Iweala already had formidable experience in the finance sector and had risen to the post of a Vice President at the World Bank. She was singled out to reform the Nigerian financial sector due to her familiarity with the terrain and issues, and ability to proffer solutions. It is due to her conversance with the issues that she passionately resisted the excision of the budget office from the Finance Ministry being that the excision will significantly impact on the reform agenda.

Mrs. Ezekwesili was already engaged in work relating to building accountability processes at the Kennedy institute and had a prior profile of activism and concern for transparency and accountability. She was a foundation member of Transparency International and had served on the Board of TI as well as other similar organizations.

Highlighting these issues is important to the discourse because of the current controversies about the inherent propensity for integrity and probity in women. Critiques of the essentialist theory have in rebuttal to some research findings<sup>16</sup> cited instances of where women have performed dismally in the accountability processes. Women's Rights groups have persistently criticized the profile of women appointed into positions of responsibility, the performance of which had been used as a general benchmark of women's ability in diverse sectors.

*The criticisms have been hinged on the fact that some of these women have been appointed not on proven ability but as tools for the pacification of patriarchal Interests and image laundering for the Country.[i.e. whose daughter or whos e wife]. They have therefore argued that it is unfair to justify the continued marginalization of women based on the performance of these groups.*

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<sup>15</sup> Page -----ibid.

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## Methods of Appointment

The three women were singled out and appointed based on personal recognizance and on their merit and only subsequently located within the Country's federal character quota. This is a flip side of the usual method of appointment where sectional interests and quotas are highlighted first.

Dr Akunyili was appointed based on her qualifications, experience and reputation for integrity.

*But an anecdote about her filtered up to Obasanjo from her home in the eastern hinterlands. A government-run development fund she served sent her to London in 1999 to undergo an expensive operation. There, she learned the surgery wasn't needed, and asked the hospital to return a Nigerian government check for \$20,000. "Aren't you a Nigerian?" a hospital staffer asked her—and proposed to keep a percentage and give her the rest in cash. Instead, she took all the money back to Nigeria and returned it. Not long afterward, Obasanjo personally phoned to summon her to the capital.*

Dr Okonjo Iweala was singled out based on her familiarity with the issues and ability to proffer solutions.

Mrs Ezekwesili also had a track record of work and experience in the reform sector and was appointed to implement a pilot project from where she moved on to other sectors.

From the beginning the method of appointment precluded loyalty and allegiance to specific interests over and above service to the people and the Nation. Another commonality and possible influence in the interpretation and execution of their mandate is the International profile of the three women. Dr Okonjo Iweala came from a background of relationship with international institutions i.e The World Bank; Dr Akunyili early in her job began to win international awards and acquired an international reputation; Mrs Ezekwesili had linkages with TI, the Kennedy School and other institutions. It is submitted that this fact most likely influenced their determination to resist compromise by local entrenched interests.

## Deployment of Strategies and Engaging the Entrenched Interests

The three women interpreted their jobs as service to the generality of the Nigerian people as opposed to serving the government. As a result their communication strategy was

impressive. There is a structured effort to inform the people and facilitate empathy and buy in for their programs. They therefore enjoyed a broad support base among the populace which also served to reduce attacks from entrenched networks and interests. All the three used the media generously and cultivated relationships with CSOS.

Further, to a large extent they enjoyed the confidence of their boss President Olusegun Obasanjo and this served as a restraint for the entrenched interests and anti-reformers. However, this did not completely preclude attacks as documented in this paper.

### **Motivation**

Of particular significance, is the motivation and driving passion for these women which translated into the successes recorded by these women. They did not shun danger to lives and reputation while keeping their goals in focus. Akunyili survived three assassination attempts; Dr Okonjo Iweala and Mrs Ezekwesili suffered name calling and orchestrated attacks. An insight into the driving passion and motivation can be gleaned from their speeches and comments.

In reference to her unrelenting battle against fake drugs, Dr Akunyili had this to say: *"Eradication of counterfeit drugs should be treated as an international health emergency programme,"; "Fake drugs are murder"*<sup>17</sup>

For the Director-General of NAFDAC who is reported to have lost a sister to fake insulin, the battle against fake drugs is a passion. Also she was quoted as follows when the agency discovered that a staggering 147 out of 149 samples of water for injection tested were contaminated, leading to unexpected fevers after surgery; *"I was in shock. I needed pills to sleep, it was so frightening,*

On her own part Mrs. Ezekwesili was quoted as follows in relation to her work at the BMPIU

*"In recruiting these consultants, we set our most important parameter after competence be a professional who is deeply angry at the state of affairs in the use of public funds. Anger at the status quo was important to us, since an angry person would have no interest in what the system they seek to change has to offer"*<sup>18</sup>

In commenting on her motivation, Dr Okonjo Iweala was quoted as follows, *' My motivation is to take whatever knowledge I have and put it to use for my Country.'* She further commented *'It is a sense of anger that drives me. Anger that this country and the Nigerians that I know are being maligned by a small percentage' "You have do something to clean this up. You can't always look up to other people to do it. The fight begins with you"*<sup>19</sup>

<sup>17</sup> Documentary titled 'Bad Medicine' produced by BBC and aired on BBC 2, 12<sup>TH</sup> July 2005.

<sup>18</sup> Excerpt from her Hand Over note upon leaving the BMPIU

<sup>19</sup> Times Europe Heroes 2004, Oct 11 2004 issue of Time Europe Magazine.

The commonality in the motivating factor is anger at the status quo which in its expression drives the passion for reform.

### **LOCATING GENDER**

It is my humble view that the successes recorded by these women, their strategies and motivations cannot be divorced from their gender. Essentialist theories make a strong point of the propensity of women to nurture and preserve. As preservers they are also less likely to wreak the destruction inherent in looting and misuse of public resources. It is also a trite fact that there is a disproportionate impact of various manifestations of corruption on women.<sup>20</sup> The culmination of these facts generates the anger and passion for reform which the three women have expressed.

Secondly, it has been argued that the seeming probity of women can be explained by limited access to corruption networks. With the increasing number of women in the public space, why is there still a reluctance to co-opt them into these networks and compromise them? What is the reason for the moral shyness in offering or demanding graft from women? Is there perhaps a linkage between this moral shyness and recognition of an inherent propensity for probity?

Finally the strategies adopted by these women in the interpretation of their mandate which leaned towards allegiance to the public good as opposed to pacification of strategic interests reflect the lower predilection for ambition and place hunting of women in relation to men. The entrenched interests possess the capacity of securing appointments and positions while allegiance to the public good at best earns a place in heaven which is a remote reward. This is a manifestation of the enriching values which women are reputed to bring to governance.<sup>21</sup>

### **RECOMMENDATIONS AND CONCLUSION**

In conclusion I submit that there is merit in further interrogating the interface between gender and corruption with a view to determine if women constitute a mass of resource for the battle against corruption and bad governance. There is also merit in locating women in the accountability processes as an anti-corruption measure. However, certain parameters to ensure sifting and quality control must be instituted. Anti-Corruption and gender activists should commence work in developing and constructing profiles for reformers generally and in particular women reformers. This will serve the dual purpose of increasing women participation in governance and as well as improving accountability.

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<sup>21</sup> Valerie Tishkov

In addition, researchers and scholars must pay attention to essentialist theories in constructing gender. Effacing the boundaries between men and women will not only pose a contradiction for gender equity but may also mutate into a different expression of gender blindness.

Finally researchers should, in accessing women for research purposes, extend the scope of their samples beyond the artificially constructed environments such as politics and business. Samples should extend to women in communities where there is limited distortion occasioned by competition and place hunting.

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<sup>i</sup> World Bank, *Nigeria Country Brief*, Washington DC, World Bank. Accessed via [www.web.worldbank.org](http://www.web.worldbank.org)

<sup>ii</sup> S. 292[1]1999 Constitution