

ST. AUGUSTINE VERSUS NIGERIA ON CORPORATE CORRUPTION AND IMPUNITY

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Abstract

In this paper, I examine Nigeria's twin-problem of corporate corruption and impunity against the Augustinian background. Although the problem of corporate corruption is a recurrent one, it continues to receive a resurgence of interest in literature. Within this context, this renewal of attention is quickened by the impoverishing impact of corporate corruption on Nigerian society. An even greater problematicity concerns the impunity with which corporate corruption is perpetrated. It will be the task of this paper to contrast between Augustine's "Lord have mercy" approach and Nigeria's standpoint of impunity relative to corporate corruption in order to suggest alternative ways of conceptualizing this twin-problem.

Introduction

Postcolonial Africa has wrestled with the problem of corporate corruption at least since independence. Surely, this state of affairs has huge consequences for the continent. Thus, Kwame Gyekye is correct to note the adverse impact of corruption on postcolonial African society. He writes:

Postcolonial Africa is undeniably among the most victims of political corruption...It probably constitutes the most serious source of the financial hemorrhage

suffered by the developing nations in Africa, constantly gnawing at their development efforts. (Gyeke, 1997: 192) The success of Gyeke's thesis is indicated by the fact that although Africa is a continent comprising roughly 55 countries, none is immune to the problem of corporate corruption, even as its intensity varies from one country to another. If we grant Gyeke's rendering of political corruption as the "illegal, unethical, and unauthorized exploitation of one's political or official position for personal gain or advantage" (Gyeke, 1997: 193), then, it could be shown to encompass practices such as embezzlement of public funds, nepotism, bribery, fraud, favoritism, and so forth.

For present purposes, an even greater problemat�city concerns the impunity with which corruption is perpetrated. Unlike "law and order" societies that have demonstrated the capacity to deal with the problem, Nigeria has firmly entrenched a culture of impunity that may require radical measures to uproot. The unwillingness of Nigeria to attend to this issue is suggested by a certain ambiguity inherent in her approach to the matter. For instance, apart from already existing law anti-graft agencies - Economic and Financial Crimes Commission (EFCC) and Independent Corrupt Practices Commission (ICPC) - have been charged with the investigation and prosecution of financial crimes. But this mandate is obscured by the facility of immunity that is granted political office

holders, which shields them from criminal prosecution while their tenure lasts.

Experts on and friends of Africa are appropriately concerned about this disturbing development, especially at a time other countries, for instance, China and South Korea, are making frantic efforts to curb this trend. It will be the task of this paper to examine the problem of corporate corruption and the associated problem of impunity with respect to the Nigerian state against the Augustinian background. My primary focus will be the Augustine of the *Confessions*, the character we cannot possibly resist. Accordingly, I read the *Confessions* not as an ordinary autobiography, but rather as Augustine's self-portrait that culminates in his moral conversion, the watershed moment of his life. My efforts will be evaluative in scope and, hence represent attempts to distinguish between two attitudes to wrongness: On the one hand, is the "Lord have mercy" approach of Augustine, and, on the other hand, Nigeria's standpoint of impunity in order to suggest a paradigm shift vis-à-vis corporate corruption and impunity.

Augustine and Nigeria are similar and yet strikingly different. If Augustine is one, then, both he and Nigeria are Africans - he was born at Thagaste (Ahras) and died at Hippo (Annaba), modern Algeria. Second, both had a turbulent youth. Nigeria's early struggles grew out of her colonial experience and, following the collapse of the imperial project, attempts to carve an indigenous identity. For his part, Augustine

had to deal with the usual restlessness and “alluring pleasures of youth.” Third, both are deeply religious. After his conversion, Augustine went on to become a bishop, doctor of the Church, and founder of a religious order (Order of St. Augustine). Nigeria observes an undetermined number of religiously inspired holidays, has religious houses adorn corners of most of her streets, and has had her corporate existence challenged by religious fundamentalism since the early 1980s. Despite these similarities Augustine and Nigeria have gone in different directions - Augustine has established himself as an intellectual and religious great, while Nigeria remains a failed state at 54.

Augustine: the Penitent Par Excellence

Augustine is an intellectual great whose philosophical influence could be detected in the views of later figures, including but not limited to Aquinas, Descartes, and Husserl. He made his breakthrough at the age of 19, following his reading of Cicero’s *Hortensius*, a text he read as part of his academic curriculum at Carthage. His discovery aroused his interest in philosophy and re-oriented his values. In a draft of a correspondence of 371 to his mother, Augustine shares his discovery and contemplates course change. He writes:

I am wondering if I really want to pursue law.
More and more the study of words

simply to effect some rhetorical flare seems so empty. What would you say if I changed my course and became a philosopher instead? Ha, I know it wouldn't lead to much, but I have read some great books here and am coming to see that there must be some substance that attracts and move others to truth. (Augustine, 1997: vii-iii)

Augustine proposes to ditch the courses suggested to him by his father while growing up for philosophy. Following his discovery of philosophy he devoted himself to the pursuit of truth, a search that made him embrace skepticism, neo-Platonism, and Aristotelianism, among several others along the way.

Augustine confesses a wide range of sins, however, one catches my attention, the theft of pears, an incident Augustine claims devastated him (*Conf. II: 4: 9*). Although I am conscious of Augustine's power of rhetoric and persuasion, which are unrivaled, a few lessons could be emanated from this incident, especially as they relate to his strength of character. This incident occurred in his adolescence. This implies that even if he were arrested, he would have faced misdemeanor charges and, based on his under aged status, he would have been tried as a juvenile. In light of this, some may not attach serious significance to this incident, and further contend that it is part of the growth process after

all. Nevertheless, Augustine feels bad. This is not unusual for someone like Augustine who has class and character. Augustine confesses even, weirdly, what he describes as the sins of his infancy (*Conf. I: 7: 11*). By denying infants the facility of innocence (*Conf. I: 7: 11*), he paves the way for his defense of infant baptism. A strong proponent of infant baptism, Augustine laments not being baptized in infancy. In this way, he could be read as believing that the facility of the sacrament in his infancy would have made a difference in his life, in terms of his quality of his and choices earlier on.

In a manner that seems to anticipate the Heidegger of *Being and Time*, Augustine regrets the loss of his authenticity by succumbing to peer pressure to engage in behavior that is not worthwhile. For him, blending-in to belong is bad enough; the loss of one's authenticity for mischievous reasons makes it even worse (*Conf. II: 9: 17*). He cannot reconcile himself with the fact that malice was the sole motivation behind this theft – he had plenty of what he stole, and of higher quality at that. He is further dismayed by the fact that he did not eat the pears but threw them to the pigs instead (*Conf. II: 4: 9*). One is curious how Nigeria would relate to the confession of this incident.

Precedence might offer clues. Farida Waziri once recommended psychological evaluation for would-be political office holders. At the time, she was the chairperson of EFCC. Waziri may have been surprised by the magnitude of treasury looting that goes on and

further scandalized by the apparent lack of accountability regarding this issue. Not surprisingly, Waziri's proposal was received with cynicism. Appraised from a certain angle of vision, this cynicism is indicative of the resilience of Nigerians, a quality that may have served them well since independence, in terms of enabling them cope with the poverty of leadership that plagues the country. But this resilience also sends wrong signals that public servants could abuse their office without serious consequences, in the process undermining anti-corruption initiatives.

Paradoxically, Waziri was conspicuously silent on the role of her agency in aiding and abetting a problem her commission was supposed to eliminate. In all seriousness, it is difficult to justify the existence of these anti-graft agencies. Thus far, there is nothing to suggest that these agencies have successfully mitigated the menace of corruption. But the failures of Waziri's commission may not be solely its making. The enormity of her perplexity may be appreciated if one realizes that her designation as chairperson did not necessarily translate to real decision-making powers. Those familiar with the operations within Nigeria will attest to an overbearing executive branch of government that micro-manages things from behind the scene, and usually for selfish reasons. In this way, the case could be made that these anti-graft agencies have been designed to suffer the fate of other or similar agencies

that are used by the executive arm of government to further a problem it should be fighting.

If the response to Waziri's proposal is indicative of how Nigeria might respond to Augustine, the case could be made that she would ridicule Augustine over the pear-theft confession. Perhaps, she might call him a "cry-cry-baby." Like an older used to failing her examination advising a new arrival who is suffering a bad grade for the first time, Nigeria may advise Augustine to take it easy, and contend that he will soon get used to it. Alternatively, she may excuse his loose ways on account of his historical context, and maintain that man is a product of his time and space after all. For instance, Frederick Copleston notes that Carthage, where Augustine was educated and spent the early years of his adult life, was the second largest in North Africa and was largely pagan at the time. He writes:

The licentious ways of the great port and center of government, the sight of the obscene rites connected with cults imported from the East, combined with the fact that Augustine, the southerner, was already a man, with passions alive and vehement, led to his practical break with the moral ideals of Christianity and before long he took a mistress, with whom he lived for over ten years and by whom he had a son in his second year at Carthage. (Copleston, 1993: 41)

Although his upbringing was Christian, it was about the time of his death that the tenets of Christianity were

beginning to take root in that region of the world. Understood in this way, his loose ways could be said to reflect the moral standards of Carthage at the time. But Augustine would not feel exonerated by this rationalization. Nor would he subscribe to such defense in his behalf. And to some extent, the world has come to see him through that prism.

Assumptions are widespread, uncritically though, that Augustine is this wayward person. To a large extent, this image is the creation of Augustine himself, the penitent par excellence, whose life is on public display before the world. It is further bolstered by the notion that the man was unable to master his passions, especially his sexual desires. For instance, in Chapter Four of the *Confessions*, he reports cohabitation with an “unnamed girl,” a relationship that lasted over ten years and which produced a baby (Conf. IV: 2: 2). Surely, sex sells as is evidenced by society’s obsession with sex and sex-related scandals. We recall that the whole world was glued to the television for impeachment proceedings against the American president, Bill Clinton (1992-2000), for lying under oath about his love affair with an intern, Monica Lewinsky. Augustine is further hurt by the fact that he prays for the gift of chastity but asks God to delay intervention.

There is definitely some truth to this characterization but it is not the whole truth. Beyond the façade of a wayward Augustine, there is an Augustine that is, perhaps, more decent than most

people that malign him, an Augustine that is seldom noticed. For example, cohabitation was not altogether unusual at the time and was, in many respects, indistinguishable from formal marriage, although the latter was required for advancement in political and/or social sphere(s). Second, while his love affair with this “unnamed girl” lasted, it was the only affair he had and was, moreover, “sexually faithful to her” (*Conf. IV: 2: 2*). Third, the caste system in place at the time may have prevented Augustine from marrying someone he truly loved- his mistress was possibly a former slave or servant girl and, therefore, not of Augustine’s class. Fourth, although abstinence was not required for baptism, he voluntarily embraced it (O’Donnell, 2001: 18).

I am inclined to argue that Augustine is not this wayward person he is often made out to be, or for that matter, the way he portrays himself. For example, he is certainly not an abuser or a rapist, part of the reason why his relationship with the girl his mother wanted him to marry did not get intimate and consequently called off. He could not wait for his fiancée to achieve majority in order to be legally married. As a result, he called off their engagement and became romantically involved with another woman. Moreover, it must be remembered that the sexual struggles Augustine reports as well as other confessed sins plague the entire human race and are, therefore, not unique to Augustine (Meconi, 1997: ix).

Is Augustine then a “drama Queen?” The answer is an emphatic no! Like Plato, he identifies an Archimedean principle (God) that influences his choices. For example, this identification leads him to the conviction that in God alone resides peace and quiet: “You stir us so that praising you may bring us joy, because you have made us and drawn us to yourself, and our heart is unquiet until it rests in you” (*Conf. I: 1: 1*). The strength of the man consists in the fact that he has set high intellectual standards for himself, and would not settle for anything short of perfection, even as it may not be met in practice. Thus, he is not merely content being a Christian/philosopher but rather the “Christian philosopher, separate and distinct from the ordinary run of Christian and excelling the most ascetic and ethereal of non Christian philosophers” (O’Donnell, 2001: 18). Incensed by this ideal, the man is not ashamed to be open to the grace of God: “Let me love you, Lord, and give thanks to you and confess to your name, because you have forgiven my grave sins and wicked deeds” (*Conf. II: 7: 15*). As a result, Augustine is rewarded for his intellectual honesty: it is not just God that forgives him; indeed the whole world forgives him, which is part of the reason why the world still celebrates him.

Nigeria: the Corporate Corruption Challenge

Gyeke tends to make corporate corruption a consequence of weak leadership or lack thereof. This is

certainly the case with respect to Nigeria, arguably the most corrupt state on the face of the earth. In this regard, a few observations may be in order. The strong unitary system of government operational since independence has created a near one-party situation in what is constitutionally a tripartite partnership of three co-equal branches of government comprising the executive, the legislative, and the judiciary. Second, like most African states, Nigeria has operated a nationalized and a planned economy since independence. As a result, the government has been the major participant in the economy and, by virtue of this, the major employer of labor. In the last 15 years, attempts have been made to privatize the economy but they have been neither transparent nor sincere. For instance, in the last two decades, there have been attempts to concentrate the economy in the hands of Aliko Dangote and few others. Whether these individuals are their own “men” or mere surrogates for the “bigger boys” remains to be seen. Third, the leadership has been apt to manipulate ethnic sentiments to polarize the polity, in the process preventing the citizenry from coming together to demand accountability. These and other associated factors have been utilized to blur the distinction between the private and the public, gain unfettered access to the resources of the state, and exacerbate the problem of corruption and impunity.

For some, Nigeria conjures images of embezzlement of public funds, rigged polls, tokenism,

coup d'états, kickbacks, delayed/slashed salaries and so forth. Understandably, every regime has, upon inception, vowed to fight corruption. The results of this war have been mixed. In my view, the best effort yet remains that of Buhari (1984 – 1985), even as critics decried its excesses. Armed with integrity and love of country, Buhari took the fight to corruption. Yohanna John notes:

Fired by an unrelenting passion to shatter the shackles of corruption and indiscipline that had held Nigeria's promising destiny as bay, Buhari, as head of state and his de jure deputy, Tunde Idiagbon, launched War Against Indiscipline and far reaching initiatives. It was a time that witnessed great transformation and true change in the conduct and livelihood of Nigerians and consequently, the trajectory of their collective destiny. (*Daily Trust*, April 15th, 2015)

These remarks were made in the wake of Buhari's victory at the presidential polls of March 28, 2015. Notably, the victory in question has raised people's expectations and already ushered in a new mindset vis-à-vis corruption ahead of his inauguration. For instance, unconfirmed reports have it that some past leaders and public servants have started refunding stolen monies to the government. Real or imagined, this changed point of view, are based on precedence. Under Buhari, there was serious penalty for bounced checks; people queued up in public places, public servants lost jobs for bribery, and so forth.

But Buhari's successes were not without controversy though. For example, critics considered the death penalty for drugs and drug-related offenses too harsh a punishment. I should stress that the tyranny charge was blown out of proportion by Babangida (1985 – 1993) to manipulate public sentiments to justify his sacking of Buhari whom he toppled in a military coup d'état. Babangida knew he needed a good public relations campaign to justify his coup against Buhari, due to the fact that a significant segment of the population deemed it unnecessary. What is more, Babangida used this charge to distract attention from the massive corruption that was going on under his watch. If Andrew Apter is right, corporate corruption was propelled to institutional status under Babangida: "Using the military regime to make deals and issue decrees, IBB constituted a labyrinthine business empire that he controlled directly, through the NNPC and the Central Bank of Nigeria" (Apter, 1999: 279). Apter delineates that Babangida relocated the Central Bank from the Ministry of Finance to the presidency, where he could micro-manage things and further corruption (279).

Under Jonathan Goodluck, corruption has gone through the roof and the level of impunity heightened. In the *National Geographic* of November 2013, James Verini cites some source in stating that 31 billion dollars had been unaccounted for between 2010 and November 2013 (Verini, 2013: 130-31). Verini's claims about Nigeria's corruption status have been corroborated by

the likes of former US Secretary of State, Hillary Clinton, and Olu Falae, among others. Sadly, president Jonathan Goodluck has a flawed conception of corruption and what it takes to fight it. He distinguishes between stealing and corruption, and claims that they are not one and the same. Nor does he consider jail-time a necessary component of the war on corruption. But his constitution of corruption is self-serving. Jonathan Goodluck lacks the moral courage to fight corruption if the same is his reward for those he paid to “look the other way” when he subverted the zoning arrangements of his Peoples Democratic Party (PDP) to vie for the presidency when it was still zoned to the north (*Daily Sun*, April 15th, 2015). Furthermore, he is weakened by his intention to retain the presidency at all cost in 2015. In this way, President Goodluck has proven that character makes for quality leadership not one’s faith, level of education, or ethnicity.

Evidently, in stark contrast to Augustine, Nigeria lacks the integrity to own up to her corporate corruption situation; instead, she continues to dig defensive trenches around her, while assigning the responsibility to someone else. Her culture of denial receives a boost within scholarship. There are tendencies in the literature that are apt to rationalize Nigeria’s corruption/impunity problem. These accuse efforts such as mine of unfairly targeting Nigeria for a problem that is universal in scope. Specifically, these tendencies argue that whatever form of corruption that exists in

Nigeria exists elsewhere too. They further indict the developed society of complicity vis-à-vis this problem, noting that without the collaborative role of the West, African leaders may not be able to deposit stolen monies overseas. An extreme variant of this argument dismisses comparisons between developed society and Africa, claiming that it took America, for example, at least 200 years to get to her current position.

I freely concede that corporate corruption is as old as human civilization and cuts across all societies and, therefore, is not inherently Nigeria. However, as noted earlier, the West has demonstrated the capacity to deal with this problem while Nigeria continues to dance around the issue. For instance, Jesse Jackson, Jr., a member of the US House of Representatives did prison time for using part of his campaign finances for something personal. Martha Stewart went to jail for insider trading on Wall Street. China metes out capital punishment for corruption. Nigeria must not wait to be 200 years to begin to deal with issues that border on the quality of life of the citizenry. Nigeria reminds one of an addict who although aware that the route to recovery goes by way of acknowledging her problem but lacks the will power to take that important first step. Nigeria cannot remain addicted to impunity.

As it concerns responsibility for one's actions, Nigeria tends to follow Nietzsche in celebrating God's funeral and, consequently, transforming herself into a god. To make the point somewhat differently, Nigeria

has elevated herself to the level that transcends the good and evil and “evil” antithesis. Like the Nietzschean superman, Nigeria exhibits no contrition for her blown opportunities through corruption. To her credit, though, she is smart enough to recruit external actors, for example, Europe, to own up to her corrupt ways with impunity. Broadly construed, it is this attitude that distinguishes Augustine from Nigeria. And it is precisely the unwillingness to be honest with herself that shuts her to the grace of God, as well as heighten her reputation as the most corrupt country on the face of the earth.

Conclusion

This paper has investigated Nigeria’s twin-problem of corporate corruption and impunity in light of Augustine’s *Confessions*. It casts Augustinian/Nigerian relations in conflictual terms in order to prove the superiority of one approach over the other relative to the corruption saga. If Nigeria’s culture of impunity has failed to deal with the issue of corporate corruption, it is time to explore alternative approaches. My preference for the Augustinian approach is scarcely in doubt. For the present, I will rehearse three. First, acknowledging one’s guilt leads to a better future. Therefore, I view it an act of strength not of weakness. In this way, Augustine is able to make amends with his God, fellow human beings and himself. Second, without question, the problem of corruption and

associated problem of immunity is a collective problem and, therefore, requires a collective approach. While it may not be possible to get everybody to see things from the same perspective, individually we can do our bit and ownership of responsibility will go a long way towards being that change we would like to see in the country. Third, the problem of impunity also has moral undertones. We cannot afford to ignore the adverse impact of this state of affairs on the polity, which is disproportionately borne by the ordinary people in a state that is vastly endowed with human and material resources. Relationally, we must not be blind to some of the problems this development has partially inspired, including but not limited to armed robbery, kidnapping, Niger Delta militancy, radical Islamic insurgency, and so forth. One can only hope that this comparison will inspire Nigeria to confront her assumptions with respect to her status as the most corrupt country in the world.

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