

The Phenomena of Corruption in Liberian Political System

A.Susanne Mulbah, PhD Student, University of Helsinki

***Abstract:** Corruption is an integral component of Liberian political system. It extends throughout the society, both upwards and downwards. Efforts to curtail corruption have remind cosmetic at best. This article outlines some of the current forms of corruption and discusses the political aspects of eliminating corruption. The first section provides categories to analyze corruption. The second section describes how corruption appears in the post-conflict political system and society by presenting examples. The third section discusses dilemmas of anti-corruption efforts, concluding that anti-corruption efforts need to be rooted in a deeper organic democratization process and power-sharing in order to achieve changes in the way corruption operates in the context of the Liberian socio-economic political system.*

1. Introduction

Liberia holds the record for most fraudulent election ever in the Guinness Book of World Records.¹ Corruption is an integral part of Liberian socio-economic and political system. The National Truth and Reconciliation Commission Final Report states, "with the lack of opportunities for economic advancement corruption and the abuse of power spread to virtually all sectors of Liberian government; corruption became endemic across ministries, the security forces, civil service, and judiciary. So endemic and permissive is corruption as a culturally accepted practice in Liberia that if one doesn't steal public resources and monies when in government, he is considered stupid while corrupt officials who steal and bask in affluence to extend their influence in society are well respected and honored annually by social

¹ In 1927 according to the official statement of the National Election Commission King had received 234,000 votes; however, at the time Liberia had only 15,000 registered voters.

and religious institutions as “honorable” and “good citizen” and “personalities of the year” because of their “benevolence and valuable contributions to society”. (NTRC p.5) According to Alan Doss, one of the United Nations’ top officials in Liberia, the endemic corruption was one of the key causes of the original conflict.¹ Corruption is often presented in association with the concept of a failing state. (Rotberg 2003, the Fund for Peace)

Transparency International defines corruption as the abuse of public office for private gain. The World Bank’s working definition for corruption is “the abuse of public power for private benefit”. Per this definition an office is not required in order to participate in corruption. Generally aid literature provides many suggestions on how to combat corruption, yet presents few explanations for the cause or source of corruption. In donor policy papers explanations for corruption are often causal; weak or bad governance – corruption–weak state. Nevertheless anti-corruption efforts are on the list of typical statebuilding practices. (Chandler 2006, 2010)

Academics provide a more systematic analysis of corruption. Blundo and Oliver de Sardan (2006) studied everyday corruption in Africa and conclude that the forms of everyday corruption in Africa are similar from state to state. Blundo and Le Meur (2009) link governance to public services and postulate that malfunctioning of public services is characteristic for African states. Hyden and Bratton (1992) examine how management of regime relations, defined as governance, set the framework for conducting politics. Studies of patronage networks emphasize the role of networks, personalize conflicts, and focus on the role of the warlords. (Reno, Hazen) Motivational studies have tested people’s willingness to participate in corruptive behavior but those studies were conducted in neutral situations or by individuals who have grown up in different value systems. Hill (2005) discusses Liberian leaders and the value systems to identify reasons for corruption in those differences. Klintgaard’s presents a formula for corruption Monopoly +

¹ http://www.opendemocracy.net/democracy-africa_democracy/liberia_3174.jsp

discretion – accountability = corruption. (in Phil 2008 p.322)
This combination of discretion and accountability with the definition of corruption provide explanatory value for corruption in the Liberian context. Johnson categorizes four types of corruption: market, patronage, nepotism, and crisis corruption. Market corruption involves routine stakes of exchange and many suppliers dispensing corruption benefits (integrative and stable). Patronage involves few suppliers and routine stakes concerning large networks (integrative and stable). Nepotistic involves extraordinary stakes and few suppliers within a kinship network (designative and unstable). Crisis corruption involves multiple suppliers and extraordinary stakes (unstable and disintegrative). (Johnson in Collier 2008 p.414) Amudsen (1999) categorizes corruption using pairs of concepts: political and bureaucratic (grand or petty) corruption, private and collective (individual vs. aggregated) corruption, redistributive and extractive (from below vs. fraud above) corruption.

All these forms of corruption are present in Liberia, but grand political extractive corruption is what characterizes the Liberian state. In extractive corruption, the state as a group or the elite may extract substantial resources in the form of wealth and power from the nation or the society at large, while the society in return has only symbolic resources like protection and national identity. The effect of the corrupted state-society relationship, and the direction the aggregated flow of resources will take is not given a priori. Only historical and empirical research into this relationship in given countries can reveal its true character. (Amudsen 1999 p.5-6)

The form of corruption changed over time in Liberia. Market and patronage corruption were typical for the earlier republic. During the conflict crisis corruption became dominant, and the extent of the corruption during the transitional government could be best described in terms of nepotism-cronyism, in which the few offices and administrative functions available were exploited. The National Transitional Government of Liberia (NTGL) awarded several concessions. At the time timber concessions covered

2.5 times the timber territory that Liberia has. (Reno, 2008 p.389) Jacques Klein, the Secretary General Special Representative to Liberia stated, "It would have been more expedient for the Security Council to have granted the Mission executive mandate at the NTGL's inception in October 2003, rather than to tolerate the degree of corruption in the provisional government." (ibid. p. 390) The UN Security Council called on the transitional government to establish audit regimes of its use of revenues from the corporate registry of flag ships and timber exports. None of the measures had any effect on the extent to which the corruption was bleeding the economy and resources, because external regulations are inefficient for eliminating systemic extractive corruption.

The definition of corruption is problematic in a political system that is based on reciprocal clientelism which is not optional at any level of political power. In some societies corruption is not necessarily malevolent by nature (Thoebald 1990). In the Liberian political system mutually reciprocal networks are the *modus operandi*. Politics is about nothing other than distributing resources, preferably public resources because in an extremely poor society there are very limited private resources to be distributed. Unlike in Western democracies corruption is not just horizontal, it also includes vertical corruption and what is often misunderstood, it also includes down and up-ward forms of corruption. According to Reno (2008) the patronage networks may serve as a transitional vehicle towards state-building, contribute to economic recovery, and integrate ex-combatants into the economy. Reno uses the term "institutionalized patrimonialism", which was a major factor in the formation of successful business groups in South Korea. (Reno 2008 p.402) He further argues that Liberia has a need to go through cultural readjustment in terms of its relation to corruption. "Corruption in Liberia reflects social relations." (ibid. p.400) "Even if networks that are defined as corrupt are not ideal paths of development, they can help solve some problems of state-building." (ibid. p.402) The reasoning is misleading in two key points; first indigenous kinship based patrimonial structures were excluded from the formal state structures and thereby excluded from grand

political extractive corruption. Liberian political life was primarily organized by social class. Secondly, the type of networks in Liberia will not solve problems of statebuilding. The heart of Liberian corruption problematic is not patrimonial forms of corruption which have social functions. "A system of patron-client relationship ensures some degree of political stability due to the prevalence of reciprocity. In large parts of sub-Saharan Africa such legitimacy is bounded by ties of kinship and community within which redistribution is governed by the logic of patronage." (Chabal and Daloz 1999)

The political networks provide stability and stimulate economic growth but that is exactly the type of political stability the earlier Liberian Republic enjoyed while also seeing significant economic growth without sustainable development ultimately leading to the conflict. In Liberia the state was the main vehicle of corruption, characterized as 'extractive corruption'. (Amudsen 1999). Extractive corruption turns the state predatory to the extent that the state becomes or stays fragile. (Bates 2008) The Liberian state was plagued by grand, predatory, nepotistic corruption with high stakes and this predatory form of corruption extended from top to bottom. Corruption in Liberia is not a cultural but a systemic issue and more than adjustments in tolerance towards corruption is necessary to root it out.

Greene (1936) describes the exchange of loyalty in the earlier Liberian Republic "There was no trait of cowardice in their loyalty, no admission that the richer is the better man. They *did* sell their loyalty, but it was a frank sale: loyalty was worth so many bags of rice, so much palm oil. They didn't pretend an affection they didn't feel." In essence this mode of purchasing support and loyalties has changed very little. In post-conflict Liberia the level of loyalty is still measured in goods. There are commonly understood rules about level of commitments and loyalty. The rules are complex taking into the equation the individual's position in the society and justifications for the loyalty, the resources available for the patron, and his ability to distribute. The information is exchanged quickly and involves a bargaining process of price. Mobile phones and even e-mail speed-up and

extended these trading networks. Because NGOs and international organizations lack understanding of the rules of the loyalty trade, they may be too quick to criticize the commitment of the local organizations or participants. Local participants will initially show interest and be actively involved in projects but they will easily withdraw, if no benefits materialize. Forms of upward corruption are not considered corruption in the donor programs, although as per the definition of corruption they use one's position for personal gain. The position can be that of a village leader, group leader, or an individual, who can win over others. Also the positions of doing nothing, 'speaking badly', or not supporting the competition are utilized to press for benefits and loyalties.

Democracy in a reciprocal clientelist system includes a process of 'buying' support, i.e. votes. Votes or support can be initiated by identifying and compensating a few significant 'opinion leaders' and local mobilizers. The opinion leaders are not really 'opinion' leaders, they are influential persons in a position to reward or marginalize other in those settings, be it then a village, a community, a region or a party structure. In an extremely poor and volatile society selling a vote has a much higher immediate pay back value than voting for a good cause or political ideology, which might eventually in the far future bring positive changes. Similar purchasing and trading practices apply to mobilizing support in general. Local politicians and patrons pay a few organizers, who then mobilize sub-groups and crowds. In post-conflict Liberia political ideas are no hard currency to maintain support and leadership positions. As an ex-commander and current government official stated, "If you have no money, even your own children won't speak to you." Harris presents the argument that tolerance towards corruption would have enabled newcomers to enter politics in the 2005 Liberian elections while wartime leaders were busy making money. (Harris in Reno 2008) In fact in the 2005 elections many wartime leaders were elected to the Government; there were no clear lines between involvement and non-involvement in the conflict at the first place; they were previously cut off from their trading networks and no longer able to trade; furthermore the key members of the

corrupted NTGL were not allowed to run; members of the elite had not yet returned; and furthermore the society had gone through a democratization process pushing newcomers into the government. Many newcomers, local leaders, women, labor union advocates, youth politicians, few traditional leaders, and career politicians were elected. The 2005 elections resulted the most diverse government in Liberian history. Nevertheless, on an institutional level the lack of legitimacy of state institutions is at the heart of the corruption problematic because reciprocal exchange substitutes for legitimate representation. Legitimate representation could eventually eliminate the need for mutually beneficial arrangements. "Where patronage politics is not feasible, the people attracted to politics are more likely to be interested in issues of public service provisions." (Collier 2008 p.46) Collier's conclusion is that a patronage system promotes the most corrupt as the winner. (Collier 2008) The patronage system promotes those, who are most capable of capitalizing on fast gains, maneuvering in a patronage system or have significant external resources to build supporting networks faster than others. If they are the most corrupt or not depends on the definition of corruption. General poverty, illiteracy and lack of legitimate means to gain and preserve political capital combined with double standards give leverage to those in possession of more financial means to cultivate relations and engage in exchange of reciprocities. What is essential, is that the patrimonial system inhibits emerging support based on political ideas, and by doing so raises the question of whether democracy is the suitable platform for resource rich poor countries.

The head of the Nigerian tax authority invited me out one evening. In fact, he was the ex-head, having just resigned to go back to the private sector, from where he had been recruited. Over dinner he told me why he could not take any more. For two years he had been trying to get a small piece of tax legislation through the legislature: it was not contentious, just a technical cleanup operation. Its passage depended upon the chair of the relevant committee – who had said to him, "How much?" That is, the chair of the committee had expected to be bribed by the tax authority. No

bribe, no law. Why? Because that was normal: that was how it was done. (Collier 2008 p.46)

In Liberia the laws and concessions are passed in the same fashion.¹ Before a vote is on the table, or before a bill is even introduced, there is a system of envelopes. A thick bundle of dollars is first divided into a bigger bundles, then into smaller amounts, and then into the smallest amounts, followed by distribution accordingly. The chair of a committee gets a slightly bigger amount and is obligated to distribute to his committee members. If there is a general vote pending the faction leaders e.g. those who can control a group vote, have to distribute to their allies. An insignificant bill can be worth 100 USD, a more significant one such as a big concession may come to an average price of 5000 USD or more for the ground floor members. 64 members at an average price of 5000USD is not a very high price to pay for

¹ Rep Bah acknowledged receiving US\$15,000 only and presenting same to the joint legislative committee on investment, the audit revealed. New Democrat: Liberia Bribes Deals, 26 March 2010,

<http://allafrica.com/stories/201003260894.html>;

Christian Media Center condemned the recent Arcelor Mittal gift of 100 vehicles to government classifying it as 'opened bribery'. The Inquirer (Monrovia) Arcelormittal's Gift of 100 Vehicles is Open Bribery' 27 September 2008;

It was alleged that Ellen gave some legislators about \$ 5,000.00 to sign a petition in the removal of Speaker Snowe. Nothing came out of that case. The Supreme Court ruled that the business and setting of some of the renegade law makers in the township of Virginia was illegal and unconstitutional. Front Page Africa,

http://www.frontpageafrica.com/polls/legis_poll.html;

The Monitor Newspaper has revealed that following bickering over the controversial Electoral Threshold Bill, the Executive Mansion has offered a huge sum of money in an attempt to reverse the decision to set the threshold at 40,000 with the understanding that no county gets less than two representative seats. According to a well-placed source, the decision to offer the lawmakers the US\$500,000 to reset the threshold at 45,000 was reached over the weekend after President Ellen Johnson-Sirleaf vetoed the much talked about threshold bill.

http://www.themonitor.com.lr/story.php?record_id=1700&sub=14, etc.
etc.

passing a piece of legislation or a concession. Sometimes a debate is stretched out over days to increase the price of the vote. The timing of the introduction of the bill can play a role. The politics of envelopes' involves wining support to be in a position to either expedite or delay legislation in the House. Not all dealings are associated with cash. There are other forms of payments for support and loyalty: future obligations, positions, foreign trips, fuel coupons, small favors and counter-favors. The list is long and resourceful. If a representative needs something from a ministry, he prefers to send his staff member because the pay-off is lower than if he were to attend the matter personally. The member of the staff may need to wait longer, even return the next day and day after that but is still the more cost effective alternative. The bottom line is nothing for nothing, and political ideas and ideologies, good causes tend to lose without support. Each position and each function is only supported by exchange of favors or monetary values, the traded loyalties. If a member of the committee wishes to stay in the committee, he or she needs to go and distribute to the supporters; the chair of a committee has an obligation to distribute up to those who made him or her the chair of the committee. One can write the best bills but without somebody to introduce them, second them and vote for them, the bills won't stand a chance; an idealist refusing to participate in trading won't gain any support. There is always payback, the mutually beneficial reciprocal exchange that does not cease to exist just because it is labeled corruption. Lastly, before presenting these practices as unique to Liberia, it is worthwhile to note here that this is how politics is done in the US democracy (Abramoff 2011 p.33-39) and probably in many other democracies as well. The compensation for votes may not be shared in envelopes yet benefits and favors in return for votes is a common practice.

Although the example presented here refers to the legislature, the same system of support and exchanges extends to all branches of government, and society public and private sector alike.¹ Some praise the president for

¹ Liberty Party's leader Brumskine, a political rival of the president, said that during the last two and half years allegations of corruption in the Unity Party-led government have been numerous. He named the issue of the

efficient financial management and good governance, some say “she is building Liberia into a crony capitalist state where her family and cronies have a monopoly and unfair advantage...in every other area of enterprise”¹ whichever the case corruption charges are frequently brought out to discredit political rivals. In systemic corruption technocratic procedures, international standards, and external oversight are not enough, the political elements of corruption need to be addressed as well.

A new government does not begin its work in a social vacuum. It needs to establish its legitimacy in the eyes of the electorate. Thus, new members of the legislative “make it their abiding duty to visit their respective constituencies whenever possible. They are highly accessible to the constituencies who bring increasing development demands to them.” (Jaye 2008, p.15) Being more diverse, representing more broadly the general population and having less ties to the traditional ruling elite, the new elected members are more dependent on support of their constituencies more than any other previous Liberian government. They are more directly accountable to their constituencies than to the international community or to transnational companies. The transformation from the traditional code of conduct to the new institutions and to international standards is a gradual process. The new members of the government have been elected by or even originate from the communities, which expect to be rewarded for their electoral support. Officials are expected to distribute down and the communities keenly observe how much ‘development’, companies, jobs, positions in the government or other institutions the local

Nigerian oil deal, local government officials in Grand Bassa County on Liberia Agricultural Company’s payroll, rewarding a non-Liberian who worked on the President’s campaign with an LPRC (Liberian Petroleum Refinery Co.) contract, and the unlawful granting of duty free/tax exempt privileges to Buchanan Renewable Energy Company. He cited corruption at the National Port Authority and the Ministry of Lands, Mines & Energy, as announced by the President; the awarding of rice importation contract to political allies of the President without a public bidding process, contrary to the law; the government’s failure to use the rice stabilization fund to offset the high cost of rice, or otherwise account for the funds from that account; and, million dollars paid by the Finance Ministry to a purported vendor who suddenly disappeared, among others. (Liberian Corruption Watch 2009)

Zaza (2009) claims that the president is involved in all major deals and presents ‘President Ellen Johnson-Sirleaf’s Corruption Tree’ comparing her to President Tolbert and his business activities. Voice of Liberia: <http://www.voiceofliberia.org/sirleafcorruptiontree.htm>

¹ <http://www.liberianforum.com/Articles/Africa-confidential-knows-Pres-Sirleaf-swims-in-corruption.html>,
<http://theliberianjournal.com/index.php?st=news&sbst=details&rid=502>

representative will be able to 'bring home'. These claims are made in the absence of social service provision of the state, genuine decentralization efforts, a hampering educational system, in the absence of state funded infrastructure projects or any state funded regional and local budgets to be distributed.

2. Anti-Corruption Policies and Politics

Because corruption charges are frequently used in the Liberian political game¹, anti-corruption procedures assume political functions: they can be used to remove opponents, to regulate resources and to undermine loyalties. Using the media to distribute corruption stories is an old tactic. Various stories of payments are so common that only the most grotesque cases win wider public interest². Anti-

¹ How the favoritism and political power game plays out shows in the paths of individuals in powerful positions: Edwin Snowe heading the Liberia Petroleum Refining Corporation (LPRC) then as the Speaker of the House and outcaste by corruption, sex and foreign policy scandal, or Harry Greaves campaigning for local support using Millennium Village Program and heading Liberia Petroleum Refining Corporation (LPRC), his unilateral decision to sign a \$24.8 million oil deal with the UK-based Zakhen International, (The Liberian Dialogue), then under bribery allegations but still 'boasting with the wealth he accumulated'. Snowee, Greaves' predecessor, had signed a US\$12M contract with Zakhem. Rep. Zoe Emmanuel Pennue of Grand Gedeh County, Chairman of the House Standing Committee on Public Utilities and Corporations, who also alerted the House that the signed document needed clarification because it had been overstated and it was singlehandedly signed without a written communication to the committee. Rep. Pennue was also at one time Deputy for Operations under the Snowee's administration at LPRC. (Daily Observer Sep 7, 2009) (The Monitor, The Liberian Dialogue, Daily Observer, among other news); Bryant, the head of the transitional government and others who were selected among those present in Accra, later charged with corruption.

² "Kenneth Best of the Daily Observer newspaper, recalled being approached by a diplomat asking how much the Observer charged to get a story on the front page. .alleges that one unnamed panelist quoted the former head of the United Nations Mission in Liberia, Jacques Klein, as saying, 'ten dollars can get you any story in Liberian newspapers'." The

corruption efforts are often combined with the rhetoric of good governance and reform agenda. The international community plays a significant role in promoting the anti-corruption agenda. According to Chabal and Daloz (1999) “The degree of conflictuality associated with corruption is also related to its level of competitiveness.” In the post-conflict situation corruption is officially criminalized. At the same time the traditional code of conduct and patronage is expected and networks still substitute for public service provision as supporting structures. The situation is competitive, leaving less avenues for the members to fulfill their patronage functions and commitments and thereby making them easier to manipulate. It has been noted that competitive politics probably escalates the demand for campaign funds, and thus is a breeding ground for questionable political influence (Goldsmith 1999 in Andvig et.al 2000). While the official policy calls for anti-corruption and good governance, and showcases efforts to the international community, the reality is that corruption or rather control over it, is used as an instrument of politics between the branches of government. On a rhetoric level fiscal policies and macroeconomic programs are often combined with anti-corruption efforts. “With few exceptions, such anti-corruption discourse is primarily rhetorical and that the recurrent purges which follow are, more often than not, convenient devices for eliminating political rivals rather than a real attempt to reform political order.” (Chabal and Daloz 1999 p.104)

In clientelist and patrimonial systems wealth is displayed to symbolize power. “Corruption in neo-patrimonial regimes is largely seen as “collective” because of the apparent *power of consumption* of the rulers.” (Amundsen 1999 p.10) Inability to demonstrate wealth and status indicates a weaker position and translates to loss of viability as a leader, as a patron. Moran (2006) describes events in Liberian rural areas in 1983 “when new elites of indigenous background... could see themselves as finally having come into their own

NTRC rely on the views of panelists and discussants of a three-day TRC workshop on media assessment, TRC Maligns the Media, 14 July 2009<http://allafrica.com/stories/200907141049.html>

after generations of subordination” and how “generosity was expected from the wealthy” based on “deeply held Liberian values concerning loyalty to a patrilineal defined ‘home’ and “personal obligations constrained individual choices of giving or not giving”. (p.139) The scenario was repeated and intensified after the 2005 elections. The newly elected members of the government were put in the position of needing to satisfy contradictory obligations to their constituencies and supporting networks while also complying with ‘international standards’. In such a situation tightening budgets and eliminating wasteful spending does not necessarily reduce corruption. Less public resources may just alter the forms and practices of corruption. When resources available for the public sector are reduced in the name of good governance those with sufficient private resources to satisfy their clients’ needs benefit. Less public resources available may force the officials to look for additional means to compensate and draw from alternative sources such as aid, contracts, project funding, supporters, business deals, and at the highest level kick-backs from concessions, to satisfy their clientele’s demands and to buy enough loyalty to maintain their position. Cutting down the county development budgets, delay of the election of county superintendents, and delays in staff salary payments are measures to undermine popular support. Salaries and benefits get distributed.¹ Keeping wages and benefits low is a strategy to control allegiances and individual members. It gives a powerful tool for the executive to interface with the decision making process of the legislative and strengthens the position of the executive. Furthermore, it makes representatives significantly more receptive to anything involving cash. Less financial means equals to less loyalties obtained. Less loyalties equals weaker supportive networks.

¹ The 2006 UNDP Liberia report notes that it is not possible to eradicate corruption, if public employee benefits are insufficient to provide basic living. The elected government’s benefits were compared with other African countries. It was not considered that the living costs in Liberia are higher due to the use of USD and that many of the services such as telecommunication, transportation, ICT, printing, access to international news, or courier services available in other countries could only be bought for higher prices in USD.

Those members of the new government who don't possess significant private funds, and even those who do, are left in a position in which they cannot act according to their position and buy political support for their initiatives.

On the other hand a position in the legislature can be 'a license to loot.' This type of theft of public resources can be categorized as embezzlement. (Amundsen 1999) Representatives justify the use of their office for embezzlement with the need to purchase loyalties. High ranking rebel faction leaders, who were elected into an office, may have counted on legislative immunity. Businessmen join politics because they are simply too tired of dealing with corruption and faced inability to advance their business without being a member of 'the establishment' and having their interests protected accordingly. Rent seeking political occupation is reinforced by executive domination that leaves less space for ordinary parliamentarians to carry out their legislative oversight and representative functions. (Fjeldstad 2002 p.3) Furthermore in Liberia everything is for sale, including electoral loyalty or votes in the legislature. Observations of corruption have concluded that the mutually beneficial reciprocity must remain personalized, renegotiable, and asymmetric. (Chabal and Daloz 1999, Blundo 2006, 2009) When loyalty and obligations of mutually beneficial reciprocity weigh more than formal sanctions and institutional regulations, it is only rational that corruption remains instrumental and systemic.

As in many developing countries social networks drive corruption. Favors are expected as a part of the code of conduct by relatives, extended family members and their children, extended families of mistresses, clients, and communities. In the absence of social system, anybody with access to public funds feels morally obligated to share (Lieven 2001). Official laws co-exist with whole set of informal laws centered on family, ethnicity or personal allegiances.

There are in African societies well-understood, if not always well-defined, rules of conduct which mark clear boundaries between the informal sector and the criminal world. The informal may be illicit but it is legitimate because

it rests on principle of common clientelistic accountability. The criminal is illegitimate because it is unaccountable and based on duress. (Chabal and Davoz 1999 p.81)

The enforcement of formal rule of law advances the modern formalized understanding of rule of law. The modern rule of law is sometimes in conflict with code of conduct and traditional governance or customary law. When those conflicts are identified and negotiated, modern rule of law is easier accepted. Corruption in a clientist system does not equal patrimonial corruption. The facade of institutional rationality makes forms of patrimonial corruption illegal, although the entire system is based on reciprocal exchange and politics is about distribution of resources, public and private alike. According to Addison (2004) the donor imposed reforms have a tendency to reduce state employment and undermine political balance by limiting access to petty corruption, while the returns from the state to the enterprises continue.(p.292) While there is no question about corruption eroding the government's institutions, petty corruption has several traditional and socio-political functions such as income distribution, provision of social and human security, supplementing the insufficient income of public servants and providing for their dependents. Petty corruption and forms of patronage corruption may also have transitional functions. The clash of official state ethics and social ethics is inevitable. Therefore this type of patronage corruption ought be distinguished from fraud, systemic corruption, and corruption used as political leverage.



On an individual level corruptive behavior is always weighed against the risks and rewards it offers. Being overthrown or killed in a coup or civil war has been by far the most frequent way West African leaders have lost power (over 71%). As the statistics demonstrate politics in West Africa is a zero-sum game (19.2% killed, 23.3% exiled and 28.8% arrested holders of higher political offices). (McGowan 2005 p.6-14) Political leadership in West Africa is an uncertain, high-risk endeavor, which explains why so many leaders have been so corrupt and uninterested in long-term developmental policies. (ibid. p.6-14) On an individual level those higher in the political hierarchy will weigh any sanctions against risking their lives by holding their position. The possibility of international courts prosecuting leaders that have gone out of fashion adds into the calculation of the risks vs. rewards of the political office. "It is the leader with the least certainty about his fate who has the strongest incentives to take his rewards now – and to take as much as possible." (Arthur A. Goldsmith) Western politicians start out with expected retirement from their service in public office, CEOs have umbrellas and payout arrangements but the reality for West African leaders has been and still is that the likelihood of being killed in office or imprisoned is larger than the probability of peaceful retirement; a fact which any serious anti-corruption measures and policies need to openly address. Offering political leaders substantial and secure exit options might be a more effective anti-corruption program than any external technical advisors in charge of public financial management or technocratic procedures introduced. Unwillingness to step down and accept election results may be related to the limited options for retirement for African politicians. "In most non-democratic systems, the president has the constitutional right to appoint all high-ranking positions. This easily adds up to several hundred positions within the ministries, the military and security apparatus, in parastatal and public companies and agencies, in the diplomatic corps... This legal or customary right, of course, extends the possibilities for (and intensifies) all kinds of favoritism."(Amudsen 1999 p.14) To complicate the matter the leaders have usually inserted immediate family members in high positions. Positions are an effective way to reward supporters especially when favoritism is not defined as

corruption and not criminalized. When the leader leaves office a number of other individuals are likely to lose their position and be in an unfavorable position if not even in danger in the country. Liberian political history is a history of almost 'imperial' presidents with the power to appoint and dismiss anyone.

The role of the parliament is to control resource allocation and by doing so reduce corruption, if the process of resource allocation does not become a corruptive act itself. The weakness of the opposition, or the lack of it, contributes to weaker parliamentary functions. The right to make inquiries and conduct investigations is one of the crucial functions of the legislative. Donor funding and support to 'independent' agencies has outsourced the function to conduct investigations to the various agencies, among them the Anti-corruption Agency. It was installed after the Government Reform Commission, both agencies falling under the executive oversight. The outsourcing of parliamentary functions to 'independent' agencies has diminished parliamentary control mechanisms and shifted de facto power into the hands of executive. An 'independent' agency is no less prone to corruption than a legislative body. According the Liberian constitution only the legislative branch has the right to exercise oversight (de jure power). The aid framework has strengthened the position of the independent commissions and agencies, which are often as part of their objective tasked with introducing 'international standards'. Humanitarian interventions redefine the prerogatives of sovereign states. Even more alarming is when external actors start to define the parameters and content of policies to be implemented in a post-conflict situation (Smith 1995 in Aning 1999. p.15). This was the case when the Government Reform Commission was created under the Comprehensive Peace Agreement in Accra to oversee an ambitious reform agenda: civil service reform, judicial reform, constitutional reform, land reform, anti-corruption strategy, code of conduct for public officials, decentralization, legislative capacity building, and security

sector reform. (AfDB/OECD 2008)¹ The UNDP committed initial funding of 500,000 USD to the Governance Reform Commission (GRC)² and the memorandum of understanding was signed in June 2004 by the UNDP country director and Johnson-Sirleaf. The acting minister of the NTGL 'participated' in the signing event. (UNDP press release) The GRC was initially created by the Comprehensive Peace Agreement to "promote principles of good governance and develop public sector management reform for Liberia". President Johnson-Sirleaf turned the chairmanship of the GRC over to Dr. Amos Sawyer, the previous interim president. The GRC was described as the "Public Ombudsman". It has been reinforcing the executive oversight of governance. Political opponents say that the GRC was to create a position for Sawyer while "he was not in Monrovia fulltime being also a professor at Indiana State University" (Malan 2008).³ The GRC's extension was brought to the legislature in August 2007 after the Senate had approved it. The vote on extending the Government Reform Commission was to take place on the extended term of the legislature, which had been informed they would not be released to their agricultural break before approving the extension. The timing was highly tactical. Leaving for agricultural break is associated with satisfying a number of clientele demands, payments, salaries, contributions to constituencies, all kinds of bigger and smaller transactions taking place to secure support in the capital city area and in constituencies. The argument of the international community was brought into the conversation. The majority of the members of the house had not had an opportunity to study the law of the GRC's extension. The law would have extended the mandate of the Government Reform Commission for four more years. The

¹ Between 2006-2010 none of the listed reforms has materialized besides the security sector reform, in which the biggest bi-lateral donor the USA took the lead.

² <http://www.lr.undp.org/governances3.htm>

³ The GRC is not the first such commission Dr. Sawyer has headed. Doe appointed him chairman of a National Constitutional Commission to prepare a draft constitution. Dr. Sawyer skillfully used his position and slipped in a clause with an age limit copied from the US constitution, disqualifying Doe himself as head of state. (Pham 2004, p.85)

extension also included the executive branch of government would remaining in control of payments to the legislature,¹ although the Liberian Constitution like the US Constitution provides the House the power to control spending and the national budget. Whitfield (2010) reports similar actions of the executive to undermine the legislative and judiciary capacity to exercise checks on executive power, particularly where the other branches are financially and operationally made dependent on the executive. (p.56-57) In Liberian political culture, control over payments, even when it is an administrative function, is a powerful political tool. Because the administrative process is slow and cumbersome, delays and partial payments or granting quick payments are effective instruments of power dynamics with a multitude of opportunities to apply them.

Another 'independent' agency created and supported by donors was the Anti-Corruption Commission. In August 2008 the president signed into law an Act establishing the Anti-Corruption Commission. "In remarks at the signing ceremony, the President welcomed the measure, noting that it will help government's efforts to fight corruption, a factor she said is critical to the realization of some of the major objectives of the Government's Poverty Reduction Strategy." (The Inquirer August 28th 2008) It was not before April 2009 that the Anti-Corruption Commission announced that it would begin its first investigations and pledged a 3.8 million USD budget. (The Informer April 14th 2009) The public has been critical towards this type of measure of good governance and pointed out overlapping functions and inefficiency, as the following comments demonstrate,

The body that was set up to stop the hemorrhage of cash gushing out of the national coffers through corruption and mismanagement needs more cash (US\$3.8m) to do its job. Let's see, with GEMAP, headed by the international community; the Good Governance Commission (GGC) headed by Sawyer; Anti-Corruption Commission, headed by Francis Johnson Morris; the General Auditory Commission, headed by John Morlu; Special Commission headed by Dr.

¹ Interviews with legislators in 2008.

Dunn (US\$400,000) to investigate the email scandal from Knuckles debacle and let's not forget the Congress of Liberia whose constitutional duty it is in the first place to investigate this cancer; and yet still it persists." "instead of setting up all these other agencies to deal with corruption, why not strengthen the General Audit Commission (G.A.C.) headed by John Morlu and the Liberian Legislature- agencies whose official duty it is to fight corruption? Additionally, what credibility can commission headed by the President's cousin ever have investigating the president's administration?¹

As the commentators point out Liberia had in 2009 at least five overlapping functional instances and watchdog agencies to combat corruption all with independent status and separate budgets (funding mostly provided by donor). Even more alarming was that the anti-corruption law included a provision of removing legislative immunity and included powers to suspend them from office without due process and majority votes.

As a requirement to qualify for the HIPC initiative's completion point in 2008 the General Auditor's office conducted audits of the Ministries of Finance, Public Works, Health and Social Welfare, Education, and Lands, Mines and Energy, all of which are recipients of donor funding and national budgetary allowance. The audit revealed massive misuse of state resources. The Ministry of Finance was entangled in over five million US\$ in irregularities in financial transactions. The Auditor General was accused of either having weekly discussions with the president prior to writing his report, or alternatively accusing selected ministries in order to disqualify them.² Later a sex scandal was produced to disqualify and remove the otherwise competent auditor general himself. There seems to be no way to separate technical anti-corruption measures from politics.

¹ The Knuckle's e-mail scandal refers to e-mails that were published and clearly indicated corruption from personnel close to the president.
<http://allafrica.com/comments/list/aans/post/post/id/200904150332.html#content|main|main|id|08tpNz2D7CwqVXSI>

² <http://www.liberiacorruptionwatch.org/>

Beyond independent commissions free media, civil society, and political parties are seen as means to curtail corruption. Civil society and media are both relatively strong in Liberia but lack channels to political power, whereby the media suffers from compromised integrity itself and the practice of publishing anything it is paid for. Political parties are weak structures, which lack financing and 'de facto' political power. Because political and socio-economic methods to curtail corruption are weak, technocratic measures remain cosmetic at best. The 2009 Global Integrity report concluded: Countries showing the biggest gap between their anti-corruption laws "on the books" and the actual enforcement of those same laws "are also among the largest recipients of international donor assistance, lending credence to some who argue that political leaders in aid-dependent countries are skillful at establishing laws and institutions to meet foreign donor requirements despite those same laws and institutions failing to deliver for ordinary citizens." The report further states,

With only a vague public right to government information guaranteed in the constitution, citizens generally cannot access government records. Many government agencies are viewed as open to political influence, including the tax agency, the newly established anti-corruption agency, the state-owned enterprises oversight committee, and the regional courts, whose rulings are not enforced without the approval of senior officials. In addition, transparency in government contracting is low and there is no legal framework in place to guide the privatization process.

In essence despite the anti-corruption rhetoric and introduction of international standards the Liberian overall rating remains very weak (54 percent out of 100) with a large gap between anti-corruption measures and actual practices.

¹

¹ <http://report.globalintegrity.org/globalIndex/findings.cfm>

3. Conclusion

Corruption is categorized as illegal by current international standards and there is no question of the enormous harm corruption has caused for Liberia. Instead of the current hypocritical situation where the corruption is officially declared illegal but in the reality widespread and used as a tool for political purposes “a sound management of corruption” that could play a major role in political stability (Charap and Harm (1999) in Collier 2008 p.417). In Liberia corruption is both a symptom and a method to control the unstable political situation. In a fluid post-conflict situation also the forms of corruption are fluid offering an opportunity for ‘sound management’ of corruption. Differentiating between the forms of corruption could be the first step in building legitimate institutions and eliminating systemic corruption. To free Liberia from corruption will take time and requires beyond external stewardship and technocratic solutions, domestic political process, including arrangements of power-sharing and accountability to the citizen.

References

- Abramoff, Jack. (2011) *Capitol Punishment: The Hard Truth about Washington Corruption from America's Most Notorious Lobbyist*: WND Books
- Addison, Tony and Roe, Alan. (2004). *Fiscal Policy for Development: Wider*, UN University, Palgrave
- Andvig, Jens Chr. , Fjeldstad Odd-Helge, Amundsen Inge, Sissener Tone, Søreide Tina. (2000). *Research on Corruption-A policy oriented survey*, Commissioned by NORAD, Final report, December 2000, Chr. Michelsen Institute (CMI) & Norwegian Institute of International Affairs
- Amundsen, Inge. (1999). *Political Corruption: an Introduction to the Issues*, Working Paper, 1999: 7: Chr. Michelsen Institute, Development Studies and Human Rights

A.Susanne Mulbah, PhD Student, University of Helsinki

- Bates, Robert H.(2008). *When Things Fell Apart : Cambridge Studies in Comparative Politics*, Cambridge University Press,
- Blundo, Giorgio, Le Meur, Pierre-Yves (ed.). (2009). *The Governance of Daily Life in Africa*, African Social Studies Series, Brill, Leiden, Boston. Vol.19,
- Blundo, G. & de Sardan, J-P Oliver. (2006). *Everyday Corruption and the State – Citizens & Public Officials in Africa*: Led Books London
- Chabal, Patrick and Daloz, Jean-Pascal. (1999). *Africa Works, Disorder as Political Instrument*: The International African Institute
- Chandler, David. (2006). *Empire in Denial. The Politics of State-building*, Pluto Press London
- Collier, Paul. (2008).*The Bottom Billion*, Oxford University Press
- Fjeldstad, Odd-Helge. *The Fight Against Corruption and the Role of Parliamentarians*, Working Paper
- Greene, Graham. (1936). *Journey without Maps*: William Heinemann Ltd UK
- Hazen, Jennifer M.(2004). *How Conflict Networks Fuel and Finish Civil Wars*, Dissertation: Georgetown University
- Hill, J. George. (2007). *Intimate Relationships: Secret Affairs of Church and State in the USA and Liberia 1925-1947*, *Diplomatic History*, Vol. 31 No.3
- Hyden, Goran and Bratton, Michael. (1992). *Governance and Politics in Africa*: Lynne Rienner Publishers Boulder & London
- Malan, Mark. (2008). *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*: Strategic Studies Institute US Army
- McGowan, Patrick J. (2005). *Coups and Conflict in West Africa, 1955-2004: Armed Forces and Security*. Vol.32, No.1, 5-23
- Moran, Mary H. (2006). *The Violence of Democracy*: University of Pennsylvania Press

- National Truth and Reconciliation Commission. (2009) Final Report Liberia
- Philp, Mark. (2008). Peacebuilding and Corruption: Taylor&Francis. International Peacekeeping, V.15, Nbr.3
- Reno, William. (2008). Anti-corruption Efforts in Liberia: International Peacekeeping Volume 15 No. 3
- Reno, William. (1995). Corruption and State Politics in Sierra Leone: Cambridge University Press
- Reno, William. (2005). The Politics of Violent Opposition in Collapsing States, Government and Opposition Ltd.: Blackwell Publishing
- Reno, William. (1998). Warlord Politics and African States: Lynne Rienner Publishers London
- Rotberg, Robert I.(2003). Failed State, Collapsed State, Weak State: Causes and Indicators
- Theobald, Robin. (1999). So What Really Is the Problem about Corruption?, Third World Quarterly, Vol. 20, No 3, pp 491-502
- The Global Integrity. (2009). Country Report Liberia. Retrieved 1st of July 2012 <http://report.globalintegrity.org/Liberia/2009>
- Whitfield, Lindsay. (2009). The Politics of Aid, African Strategies for Dealing with Donors: Oxford University Press