

## FIVE. NIGERIAN CORRUPTION AND THE LIMITS OF THE STATE

On 14 May 2003, a group of eight men knocked at the gate of a house in Enugu, eastern Nigeria, belonging to Mrs. Amaka Martina Anajemba. Two of the men were uniformed police officers; the other six represented the Economic and Financial Crimes Commission. In a lawsuit Mrs. Anajemba filed against the EFCC, she alleged the official party brutalized a domestic servant and the guard at the gate, a plainclothes police officer who was inside the house providing extra security. The officers conducted a thorough search of the house, and the next morning they detained Mrs. Anajemba's children, who had been staying with a friend while their mother traveled.<sup>1</sup> The raid was the culmination of some months' investigation and resulted in the prosecution of Mrs. Anajemba and several colleagues for advance-fee fraud. This was an early and high-profile case for the EFCC, which had only come into existence toward the end of 2002. Mrs. Anajemba was convicted in July 2005 of having defrauded a Brazilian bank of U.S. \$242 million. Coverage at the time called her the "queen" of the advance-fee fraud.<sup>2</sup> Mrs. Anajemba's legal woes and notoriety emboldened more humble 419 artists to circulate e-mails in her name: "We were accused of currupt [*sic*] enrichment, our money and assets confiscated in our base country and those abroad sorted after," and asking for help in laundering \$55 million in still-hidden assets.<sup>3</sup>

The high-profile case was a telling illustration of Nigeria's confrontation with corruption during the first years of the twenty-first century. The EFCC had been created as the civilian president Olusegun Obasanjo was approaching the end of his first term and a campaign for reelection. The Independent Corrupt Practices Commission (ICPC) he had previously created to fight corruption had as yet made no convictions. The ICPC was mandated only to investigate official corruption, while the new EFCC was permitted to investigate "any person, corporate body or organization" suspected of economic or financial crimes and was authorized to trace the assets of anyone if "the person's lifestyle and extent of the properties are not justified by his source of income."<sup>4</sup> Dismissed as a "waste of the country's time and resources," the ICPC was handicapped by its considerably more limited mandate,<sup>5</sup> and the EFCC was able quickly to become the higher-profile body. This was politically advantageous for President Obasanjo and other officials facing reelection in 2003. Enthusiasm for the civilian administration had dissipated across the Fourth Republic's first three years, and the popular consensus was that corruption had only grown worse since the military had returned to the barracks. The EFCC's dynamic young chairman, Nuhu Ribadu, was an assistant commissioner of police.<sup>6</sup> He quickly garnered considerable public attention for EFCC raids such as that on Mrs. Anajemba, but tellingly the majority of cases were for crimes such as hers—committed by private individuals defrauding others. The EFCC's triumphs centered on private rather than state corruption, "corruption" in the broad Nigerian sense of the term but not the international technocratic one.

It is difficult to calculate the electoral dividends incumbent politicians reaped as a result of the EFCC's activities. The elections of 2003 were marred by such substantial malpractice that their actual outcome (as opposed to the official result) is somewhat ambiguous. Unlike national elections under previous regimes, the ruling PDP suffered high-profile losses and did not emerge having consolidated an overwhelming advantage against its political opponents. Even if anticorruption activities did not convince Nigerians of the president's or the PDP's rectitude, the EFCC itself received good publicity both at home and abroad. Hopes were high that its activities would finally improve Nigeria's international reputation: "It is undoubtedly successes like this that send strong messages to the international community of Nigeria's anti-corruption war. . . . I can already visualize Finance Minister Ngozi Okonjo-Iweala arguing with the Paris Club sharks next September that Nigeria is changing, business is no longer as usual and corruption is being frontally attacked."<sup>7</sup>

This goodwill lasted until after the election, when the EFCC and Chairman Ribadu began to receive unfavorable comment, which centered on observations of a tendency to prosecute private corruption more enthusiastically than state corruption, ordinary people rather than bigwigs, President Obasanjo's political enemies rather than his allies: "Viewed from all indices, the so-called image laundering motive of EFCC has been rendered ineffective, and hence counter-productive, simply because people are yet to see the big officials of government stealing public money and stashing them abroad apprehended. Only the small fries without godfathers are being paraded in front of cameras."<sup>8</sup> Praise still came from abroad: toward the end of 2004, Reuters cited the chairman as claiming, "Corruption became endemic in the 1990s under late dictator Sani Abacha, who personally banked \$5 billion. But a culture of impunity spread throughout the political class when democracy returned . . . in 1999." Even so, as a result of EFCC activity, "Things have improved. About 70 percent [of oil revenues] used to go to waste and corruption, but the number is now maybe 40 percent."<sup>9</sup> Even if the EFCC's measures to control corruption attracted complimentary attention, the country's reputation did not significantly improve, at least by immediately obvious metrics. In 2004 Transparency International's Corruption Perceptions Index (CPI) listed Nigeria as the world's third-most-corrupt country, only a minimal improvement on 2003 when it had been deemed the second-most corrupt. The finance minister, Ngozi Okonjo-Iweala, was a widely respected technocrat who had been a senior official in the World Bank. When the rankings were announced, she held a press conference attacking the index's methodology as "unreliable, outdated, and misleading." The country's failure to improve stung.<sup>10</sup> A marginal improvement to number six in 2005 led the president's spokesman to respond, "Given the tremendous efforts that President Olusegun Obasanjo has made in fighting corruption, we don't accept the idea that we are the sixth most corrupt nation in the world."<sup>11</sup> Reservations about methodology were abandoned in 2006, however, when Nigeria did move up in that year's rankings. The triumph was palpable: "Nigerians, especially the authorities, who have been grappling with the monster of corruption since the last six years of the Obasanjo administration, can now heave a sigh of relief that all that great effort is at least yielding result."<sup>12</sup> This acute attention to the Transparency International Index was no fluke. Every year, TI's release of its new rankings occasions detailed coverage in the Nigerian press—and sorrow or rejoicing depending on Nigeria's location on it.

The improvement in 2006 of Nigeria's reputation (at least insofar as this can be read from its TI ranking) may have owed less to the country's war on cor-

ruption than to other developments only tangentially related to corruption as such. By 2006 word of the EFCC's prosecutions already had time to circulate internationally; the change in perception followed hard on the heels of success in a rather different arena. "Fiscal probity" in international terms was less a matter of reining in flamboyant official corruption than it was of running state finances in an internationally approved way. The EFCC's prosecutions and reformist legislation to the side, it would be hard to make a convincing case (or even to measure) changes in the incidence of corruption. The most important development in 2006 was not EFCC arrests but rather Dr. Okonjo-Iweala's management of the economy, particularly her success that April in paying off the country's long-standing Paris Club debt. If one is to ask the question of why Nigeria's ranking changed in 2006, EFCC activities are an unlikely answer because the commission's performance that year was of a piece with the several years previous. It is possible that word of them only influenced the "respected institutions" TI surveyed in the compilation of the index by 2006. The resolution of the debt and the international kudos Dr. Okonjo-Iweala received as a consequence are a more obvious watershed, suggesting the perception of corruption was more dependent on a certain neoliberal order than it was on concrete shifts in officials' material practices.

Press and popular perception of the index in Nigeria is more sophisticated than its reception in the West. Dr. Okonjo-Iweala was quite right to complain that the index did not seem to reflect substantive legal changes across several years, and critics post-2006 are not unreasonable in doubting whether high-profile prosecutions are discernably improving ordinary Nigerians' ability to benefit from state resources or staving off the looting of the national treasury. Despite this, Nigerians also recognize the CPI contributes to their country's reputation as corrupt and are accordingly pleased or displeased with the CPI as indicating how the country and its citizens are perceived. Meanwhile, foreigners and particularly Westerners often take the index as unproblematically indicating absolute levels of corruption around the world. Transparency International is candid that the corruption perception index is a measure of how corruption is *perceived*, and it is also transparent about its methodology. Thus in its discussion of the index for 2012, the organization warned, "The CPI scores and ranks countries/territories based on how corrupt a country's public sector is perceived to be. It is a composite index, a combination of surveys and assessments of corruption, collected by a variety of reputable institutions."<sup>13</sup> Western news reports generally collapse this description of perceptions into a metric of the relative prevalence of corrupt behavior. Both Nigerian and

Western stories often equate perceptions of corruption and corrupt practices, but the Nigerian press is more acutely aware of the index as a sign of their country's current and prospective *reputation*.

It is little surprise Nigeria's climb in the rankings lagged several years behind the EFCC's widely publicized actions. Taking the CPI to be what TI claims for it, a measure of how a knowledgeable international community views Nigeria, it must be understood to depend on news of substantive improvement, which would take time to spread or would initially engender some skepticism. However, the tight correlation of the improvement in the rankings with the triumph of Dr. Okonjo-Iweala's reforms suggests that the international community views "corruption" as the antithesis less of good governance than of a particular sort of economic regime, of which following bureaucratic norms may be a part but is perhaps a minor one. Such a conclusion is beyond the scope of this book. It is nonetheless intriguing that "corruption" may be as polyvalent beyond Nigeria as within it. The relationship between empirical acts of corruption and Nigeria's reputation for corruption is somewhat attenuated, and causality may go in both directions: although such a conclusion would necessarily be speculative, it would not be unreasonable to suppose that Nigeria's international reputation may also facilitate some large-scale acts of corruption. Even as reputation enabled the 419 scams of the 1990s and 2000s, a reputation for corruption might have been useful for officials looking for international collaborators or for ensuring they might be offered bribes as a matter of course. More than that, the ubiquity of talk about corruption and condemnation of it ensured the corruption-complex's centrality to Nigerian politics.

### State Actors and the Politics of Reputation

The EFCC and its chairman created a splash in 2007 after President Obasanjo's retirement, when many governors retired as well due to term limits. In the process, all lost their immunity from prosecution. The EFCC proceeded to arrest a series of governors who had just stepped down, culminating in the former governor of Delta state, James Ibori, a powerful figure in the ruling People's Democratic Party.<sup>14</sup> The move was not calculated to endear the chairman to the new president, Umaru Yar'Adua, who was personally close to Governor Ibori. Chairman Ribadu was removed from office. He was then demoted in the police force and subsequently resigned from it, going into exile for a period. U.S. diplomatic cables released by WikiLeaks immediately speculated that the new EFCC chairman, Farida Waziri, had been mandated to end this most politically embarrassing investigation: "Critics allege Waziri's appointment was

orchestrated by former Delta Governor James Ibori [and a number of other current and former governors under EFCC investigation] and Attorney General Michael Aondoakaa. . . . Rumors have also surfaced in the press that Waziri has been instructed to go after President Obasanjo and his family in an attempt to refocus attention away from the former governors.”<sup>15</sup> Despite these rumors, the new chairman did not move against the former president, which presumably absolved her of the charges of naked intervention on behalf of her patron. However, her reputation as a political patsy and sluggish guardian of the public trust had already been established. The chair of the Ikeja branch of the Nigerian Bar Association commented that in the 1990s,

Obasanjo farm was on the brink of bankruptcy, as at the time the man was languishing in the prison, but he eventually found his way to the palace. By the time the man was leaving office, Obasanjo farm was the most prosperous private farm in West Africa. Yet, he has no case to answer. About \$16 billion was expended during his tenure on the power project. What was the result? The power sector collapsed, yet he has no case to answer. And you are arresting Aborishade and Fani Kayode for the stipend mismanaged at the aviation sector. We are having a mockery in Nigeria, a situation whereby a bus conductor is being arrested for the offence of the driver. If [Mrs. Waziri] is saying that Obasanjo has no case to answer in spite of petitions written by some human rights groups and in spite of the results of various probe panels set up by the National Assembly, then she has no business sitting as the Chairman of the anti graft agency.<sup>16</sup>

Whatever the justice of such conclusions, unfavorable comparison between the two EFCC heads was widespread. Waziri retained a reputation for sluggishness throughout her tenure. The unfavorable comparison to Ribadu was not entirely fair. Waziri’s conduct in office was not substantively different from Ribadu’s, even if their public personae were. As it had under her predecessor, Waziri’s EFCC energetically pursued cases of advance-fee fraud, and it also vigorously prosecuted misconduct in banks. Its pursuit of malpractice among public officials was more delicate, as the attention to the former governors had demonstrated. Unlike Ribadu, however, Waziri did not receive much personal praise for many of the unequivocal successes on her watch. Some of the admiration of Ribadu was retrospective: complaints about his decisions in office were quieted by his travails afterward. His misadventures combined with dissatisfaction with Waziri to solidify his reputation as one of the great reformers of contemporary Nigerian politics. Indeed, Ribadu contested the presidential

election of 2011 as the standard bearer of a party whose major strength was in southwestern Nigeria, which had been the stronghold of Obafemi Awolowo's progressive parties in the two previous republics. However, Ribadu ran a distant third in the popular vote.<sup>17</sup> By 2011 and indeed ever since, Ribadu had become something of a doyenne for progressive and reformist political opinion. Before the elections of 2015, both of Nigeria's major political parties hoped to attract him to stand as a candidate for the governorship of Adamawa state. He ultimately joined the PDP, losing to the APC candidate. Waziri, by contrast, has not been rehabilitated in the years after she left office. And yet, in a report on Nigerian corruption published in 2011, Human Rights Watch concluded that the EFCC's performance was very similar under both leaders, noting that the prosecution of political figures under both leaders was slow, selective, and often marked by incompetence.<sup>18</sup> Waziri's successor, Ibrahim Lamord, seems to have achieved a midpoint between these extremes—neither celebrated nor reviled.

Such debates took on new life in late 2013, when Olusegun Obasanjo gave an interview to *Zero Tolerance Magazine*, a publication of the EFCC. In that interview, the former president declared Waziri was the “wrong successor” to Ribadu: “I know that the woman they brought in to replace Ribadu was not the right person for that job because I understood that one of those who head-hunted her was Ibori. If Ibori, who is now in a UK . . . prison for fraud, head-hunts somebody who will fight corruption in Nigeria, then you can understand what happened.”<sup>19</sup> Waziri's response was tart: “I would like to warn that those who live in a glass house don't throw stones and as such Obasanjo should not allow me to open up on him. Respectable elder statesmen act and speak with decorum.”<sup>20</sup> The personal nature of this exchange cannot disguise the fundamental issues at stake. Waziri's being Ibori's client and Yar'Adua's lap-dog and the “glass house” of Obasanjo's own history of corruption are not as significant as the normalization of EFCC activities as an integral part of the corruption-complex.

The different public profiles of Ribadu and Waziri point to an issue raised in the last chapter. There is a wide-ranging consensus that all forms of “corruption” in the Nigerian sense of improper acquisition of resources through pretense and misrepresentation are wrong and should be punished, and indeed a consensus that the thievery characterizing the Nigerian political class requires harsh punishment, but public opinion remains inflected by ties of patron-clientage and tends to shift across time. While there is general agreement that the diversion of large sums of money from government coffers is unacceptable, there is less agreement about who has committed such malpractices, and whether

they might be excusable. Constituents evaluate public officials (or at least governors and legislators) on the basis of how well they bring development—for example, infrastructural improvements, schools, hospitals—to the areas they represent. Thus, the indigene of an area that has benefited from a politician's tenure is less likely to evaluate him or her as corrupt. Or rather, supporters may be more likely both to perceive a politician as having brought "development" *and* therefore to claim them as less "corrupt." But the diversion of public money to irregular uses is not the sticky point. The question is whether state resources have been used to make people's lives better. Thus, on a story about Governor Ibori's long-awaited extradition to London for trial in 2010, "Blackwell" commented,

I find it very difficult to think that all what is said about Chief James Ibori are correct. As a young man who started life in Warri, we knew how Delta State was before he ascended into power in 1999. By the time he left office bridges and connecting roads have been built. Negative media hype and gang ups has compeltly [*sic*] ruined this once generous man. I remember the massive employment he did in primary and post primary schools in Delta State. I know someday he will work free again. By the grace of God. This is my prayers.<sup>21</sup>

There remains a tendency to idealize the conduct of figures who held office longer ago. As particular political actions recede into history, fewer people remember them as corrupt or problematic. Perhaps most noteworthy of all is the widespread consensus that General Buhari is the epitome of the honest public official, despite quiet reminders of how members of the general's inner circle enriched themselves while he was in power and complaints about his reliance on a Fulani coterie and determination to perpetuate Fulani dominance over the entire federation. It is noteworthy how little resonance "Army Arrangement" has with the general as a contemporary political figure. During the political transition leading to the start of the Fourth Republic, coverage of Olusegun Obasanjo had something of the same quality. News stories mentioned allegations of embezzlement, but the general's more recent history included a seat on Transparency International's advisory council, international advocacy against corruption, and his imprisonment under Abacha. Obasanjo's earlier criticisms of the Babangida administration received much greater attention than dark allegations about his official conduct in the 1970s. If corruption discourse is a set of stories one tells about people of current political relevance, and if its narratives are structured by ongoing relations of patronage, the EFCC (and corruption prosecutions more generally) serve simultaneously as a powerful



mechanism for prosecuting political conflicts and for marketing domestic political gamesmanship internationally as a fight against corruption.

The role of the EFCC in contemporary Nigerian politics transcends stories of Ribadu versus Waziri or of how the moral economy of Nigerian public discourse evaluates officials, corruption, or efforts to discipline them. On one hand, the EFCC continues a long-standing feature of the Nigerian corruption-complex, in which attempts to contain corruption translate into accusations of corrupt behavior that are themselves a central strategy of political life. Scholars have tended to imagine that the solution to corruption lies in institutional reform and the inauguration of powerful and independent watchdog bodies—precisely what the EFCC was intended to be—or to maximize transparency. Part I of this book suggests a very different conclusion. Across Nigerian history, both the concrete practices that might be termed “corruption” and the intellectual and discursive traditions for describing them have been integral parts of politics and statecraft. In no sense is corruption epiphenomenal or incidental. Neither is it something that could be legislated away through an appropriate raft of policies. Indeed, policy approaches to corruption have tended to posit ideals of independence that real-world institutions are unlikely ever to attain. They discount the historical overdetermination of existing material practices labeled “corruption.” A more modest appreciation of “corruption” and the corruption-complex would recognize the constraints of making real-world decisions. Rather than imagining corruption to be a determinate set of (mal)practices, conceiving of it as a set of labels brings into focus its status as a discourse that describes and in part enables a set of material activities. The lessons to be drawn from the EFCC, therefore, must be read from within this more delimited frame. And even if the EFCC’s activities are not new, its presence in twenty-first-century Nigeria is significant. The Nigeria of 2015 is not the Nigeria of 2002, and this is due in part to the EFCC.

### Corruption and the Problem of the State

The EFCC captures in microcosm a general tendency of the Nigerian state, perhaps of all states. The EFCC has become a disciplinary mechanism within Nigerian politics and appears to instantiate the PDP’s commitment to control corruption. It is thus a political tool and a public-relations icon, but one need not assume its architects were cynics who saw no worth in anticorruption agencies except as camouflage. The war of words between Obasanjo and Waziri was a symptom of the EFCC’s much greater importance: its activities *are* politics, though perhaps an unusual genre. The great sensitivity of Nigerian

public discourse to Transparency International's rankings stems from the fact the country's unfavorable position on them is an international embarrassment: it confirms a stereotype of Nigeria held around the world. Acutely aware of the great difficulties corrupt practices pose to their own lives, people also hate the embarrassment of living in a kleptocracy. Ironically, to the extent that improvement in Nigeria's international perception is a result of the enactment of neoliberal prescriptions, doing better on the corruption-perception index is at best a mixed blessing. It is far from clear that the EFCC or anyone else has greatly decreased the incidence of grand corruption. Decisions taken by Dr. Okonjo-Iweala and by then-central bank governor Sanusi Lamido Sanusi (grandson of Emir Sanusi I of Kano and now himself Emir Sanusi II), such as 2011's abortive decision to lift the national subsidy on petrol, were massively unpopular, even though such measures demonstrate the "business-friendly climate" likely to make TI's experts improve their rating for the CPI. Even if these measures play a role in garnering Nigeria a greater reputation for fiscal probity, they do little to ameliorate practices Nigerians agree are problematic. Appearing to combat corruption while forming an integral part of the corruption-complex, the EFCC epitomizes the multiple paradoxes of Nigerian politics, thus bringing together the issue of corruption discourse as politics with the structural logic of political life.

The introduction proposed that the corruption-complex's power stemmed from its performative location in the gap between the illocutionary and the perlocutionary. The illocutionary power of the charge of corruption is the force it exerts simply by being uttered. Over and over again, corruption accusations have been key turning points in political careers. Royals like Aliyu of Zaria or Sanusi I of Kano, politicians like Nnamdi Azikiwe and Shehu Shagari, faced political watersheds at precisely the moment when accusations of corruption were taken seriously. The emirs lost their thrones; Azikiwe's position as premier of the Eastern Region became precarious; Shagari had been overthrown by the military. When whispers become public inquiries (or, as in the case of the 1970s military, Afrobeat songs), discourse itself is action. Corruption discourse besmirches what might otherwise be an unblemished reputation. Making an accusation positions the speaker vis-à-vis the complex ties of affiliation and patronage structuring all Nigerian politics.<sup>22</sup> Corruption discourse can structure political discourse through an inflection of how previous events and officials' conduct in office can be remembered. Illocutionary effects encompass both speaker and subject. Accusations have perlocutionary consequences as well. Even if not every official—indeed, perhaps not most officials—are tried for their corrupt activities, some are. The EFCC prosecutes—sometimes it even

convicts—public officials. Criminal penalties are not the only perlocutionary consequences of corruption discourse. Technically, Emir Sanusi resigned instead of being removed from office, but his resignation was not voluntary. The First Republic's minister of finance, Festus Okotie-Eboh, was notorious for his corruption and was killed during the majors' coup in 1966. Many government officials were killed that January, especially from within the ruling coalition, but it is striking that Okotie-Eboh died while other prominent NCNC officials, such as President Azikiwe or Eastern premier Michael Okpara, survived. The perlocutionary force of corruption discourse may itself have been the difference between life and death.<sup>23</sup> Umaru Dikko's flamboyant attempted kidnapping from London was an effort to bring him to trial in Nigeria, but it was blatantly illegal, a ploy to circumvent the need for British extradition proceedings. Corruption accusations served to make the incident more a farce than a humanitarian outrage. Dikko's performance as a critic of the Buhari government and representative of a legitimate civilian regime was undercut by lurid stories of warehouses full of rice, bloated infrastructure projects, and an ignominious exit across international borders.

The critical political work of corruption discourse is somewhere between the immediate effect of corruption talk and the long-term consequences of its deployment. The EFCC's greatest power lies neither in its immediate activities—investigation, public relations, prosecution—nor in success at making activities labeled “corrupt” illegal in practice as well as in theory. Rather, the unstable terrain between these effects is where the EFCC—and the corruption-complex itself—is most powerful and most effective. Corruption discourse opens up new possibilities while foreclosing others. To the extent that Nigerian public life has become permeable to EFCC scrutiny, the possibility of being charged with corruption can dictate people's actions, and it can make others risky. Corruption discourse can tarnish people's public personae and dampen popular outrage about killing, detaining, or kidnapping them, even if such measures are not legal. In this regard, “corruption” has consequences analogous to those of “terrorism.” The EFCC and contemporary Nigerian politics have pushed this logic further than previous regimes, but this is a difference of degree rather than kind. It also brings a powerful challenge to paradigms of liberal democracy and public choice. The current state of Nigerian political life is the outcome of a long history of regional and political competition, and it is shaped by an unfortunate constitutional legacy. This institutional conjuncture is in no way the result of any series of collective choices or democratic deliberations, though it has constituted corruption discourse as a weapon within Nigerian politics. “Corruption” is thus not a problem to be solved so much as a

label for a series of practices and dilemmas that must be understood within the contexts that gave rise to them. Such conclusions about corruption demand more than a revision of paradigms that take it to be a malformation of universal bureaucratic rules. These conclusions pose the question of what a state is, and how one can be understood. One cannot understand the intellectual legacies of corruption discourse without paying attention to the ways it maps onto more comprehensive discussions about the nature of the state.

### Corruption and the State

More than eighty years ago, the anthropologist A. R. Radcliffe-Brown dismissed the state as analytically vacuous, “a fiction of the philosophers” used to designate collections of people and established relationships engaged in political affairs. He argued instead for a more precise attention to actors, political roles, and the institutions within which they operated. That suggestion contrasted with traditions following Marx that posited the state as an instrumentality enforcing the interests of a dominant class, often as an expression or embodiment of the social relations and ideologies of class society. Equally it challenged followers of Weber, who viewed the state as the entity with a monopoly on the legitimate use of force in a defined area. Radcliffe-Brown’s exhortation to greater precision was attractive in the aftermath of World War II for Western (and particularly American) social scientists eager to guard against the spread of state socialism. The apparent rigor of a “political system” suggested that even the most urgent political questions were susceptible to scientific understanding and technical solution.<sup>24</sup> The definitional agnosticism implied by invoking “political systems” rather than “states,” however, made the approach vulnerable to the critique of modernization theory’s historical accuracy.<sup>25</sup>

As the introduction argued, the scholarly literature on corruption that emerged in this period was deeply involved in this strand of modernization theory. The earliest work in this vein, such as Wraith and Simpkins’s book, tended to view corrupt practices as having both positive and negative effects—distorting state decision making while potentially also strengthening social ties<sup>26</sup>—but they were increasingly understood as being a developmental problem or pathology, or even as epiphenomenal to appropriate state practice. Joseph Nye’s formulation of corruption as “behavior which deviates from the formal duties of a public role because of private-regarding . . . pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence”<sup>27</sup> was a significant turning point, making a truly influential

importation of modernization theory's appropriation of Weberian sociology. Nye's choice of vocabulary demonstrates his reliance on Weber's account of the modern bureaucratic state. According to Weber, human societies go through a transition in government structure; one can discern a transformation in how government officials obtain and retain recognized authority—acquire legitimacy, to use Weber's term. The development of states demonstrates a tendency to move from a logic of what he termed patrimonialism to a logic of bureaucratic officeholding. In a patrimonial system, individuals hold and exercise power through personal ties. A chieftaincy or kingdom is the quintessential patrimonial state, because officeholders enjoy power through their relation to the monarch and because they retain his or her favor. The primary characteristic of offices in such a system is that the officeholder needs patronage. In a bureaucracy, by contrast, the organizing logic inheres in offices. A bureaucratic office consists of a set of rule-governed duties, which one fulfills more or less perfectly. Personal relations to one's superiors are incidental. Nye's formulation posits the position of corrupt officials as being within a bureaucratic state—they play a formal role, have a public duty. The implications of invoking Weberian bureaucracy are more wide-ranging than might be immediately obvious. Weber observes, "Bureaucratization offers above all the optimum possibility for carrying through the principle of specializing administrative functions according to purely objective considerations. Individual performances are allocated to functionaries who have specialized training and who by constant practice increase their expertise. 'Objective' discharge of business primarily means a discharge of business according to *calculable rules* and 'without regard for persons.'"<sup>28</sup> Deviations from the rules of office are not by themselves evidence of criminal malpractice. My job performance might deviate from my official duties for any number of reasons, because of incompetence, for example. But incompetence is not in itself corruption. For Nye, the deviations that can be considered "corrupt" are "private-regarding": I am corrupt because I make decisions in office on the basis of hopes for personal gain, because of my personal regard for a superior, or to benefit someone with whom I have a personal connection. This formulation invokes Weber's bureaucracy "without regard for persons" as a way of explaining the constitutional logic of political office within the modern state. There is more to it. "Pecuniary or status gains" and "certain types of private-regarding influence" are more than the confusion of "private" interests for "public" ones. They signal the persistence of patrimonial political logics within a formally bureaucratic state.<sup>29</sup> Corruption, however functional or useful it might be in particular circumstances, is quintessentially a problem of imperfect or incomplete transitions. Nye and, decades later, Trans-

parency International use the term “corruption” in precisely this sense. According to bureaucratic norms, an official should execute his or her duties only with regard to the public interest. Any personal considerations should be excluded. The paradigm implies the development of modern bureaucracies depended on a double transition: a reorientation of the logic of offices so that they were rule-bound rather than personalistic *and* the development of a distinction between public and private.

This discussion of Weber represents the role his work played in modernization theory, and thus in the corruption literature. It is not entirely fair to the man himself. Weber’s account is one of ideal types, heuristic devices that are to be used analytically. They “cannot be found empirically anywhere in reality.”<sup>30</sup> He does not claim a teleological progression from patrimonialism to bureaucracy. Quite the contrary, Weber describes how institutions that could be described as patrimonial gave way to more or less bureaucratic ones, particularly with the expansion of democratic accountability in nineteenth-century Europe, but this is a way of characterizing a host of grounded political developments, not an inevitable transition from one system to another. Commentators on corruption influenced by Weber have tended instead to view corruption as a problem of bureaucratic states that retain within themselves earlier modes of political organization. Under bureaucratic norms, officeholders should be selected for their competence at fulfilling the requirements of their offices, which they should then perform in a disinterested manner. The persistence of patrimonialism inscribes a personalistic and self-interested logic into the workings of the bureaucratic system. This is not a particularly inspired reading. It substitutes a strong and deterministic historical trajectory—a teleology, really—for Weber’s far subtler set of paradigms and case studies. For Weber, bureaucratization is a consistent feature of wealthy empires, even ones from the distant past. It occurs and recurs. His description of bureaucracy (even when he associates bureaucracy with modernity) is meant to elucidate extant states of affairs rather than to provide a model to which modern states conform, or from which they might deviate.<sup>31</sup> This modernization-inflected appropriation of Weber has persisted until the present, most recently under the label of “neo-patrimonialism,” denoting a political system in which patrimonial logics persist within the structures of the bureaucratic state.<sup>32</sup>

This focus on a patrimonial or neo-patrimonial state took place in the context of a resurgence of attention to the state as such—“bringing the state back in,” as a celebrated collection memorably put it.<sup>33</sup> The return to the state, as opposed to broader formulations of a political system, fit well with the interests of commentators on Nigeria and on corruption in the 1970s and 1980s. Where

earlier studies had concentrated on Nigeria's problematic or incomplete process of modernization,<sup>34</sup> new generations of scholars, many using Marxist and materialist approaches, considered Nigerian state institutions and placed them in the context of the global political economy (Nigeria as an oil rentier state) or ethno-national politics.<sup>35</sup> Richard Joseph's study of Nigerian prebendalism was a particularly subtle contribution to this strand of the literature. He suggested that Nigerian politics had become characterized by a very particular form of patrimonialism, which went beyond a simple patron-client system. In Nigerian prebendalism, offices themselves were a resource, because they had become the primary way in which state resources—oil money, most specifically—became available to Nigerian citizens. Not only did Joseph's insight capture something central to Nigerian politics; it touched off a cottage industry,<sup>36</sup> to such an extent that Peter Lewis influentially proposed a progressive typology, arguing that patrimonialism gave way to prebendalism (usually around the start of the oil boom), and since Babangida's ascent to power gave way again to "predation" in which offices are not just used as a source of wealth but as a way systematically to loot state resources.<sup>37</sup>

### Corruption and the "Weak State"

Lewis's account is compelling in its ability to capture the changes that have occurred in Nigeria since the end of the Second Republic. These included an increasing politicization of the military, especially during the Babangida and Abacha regimes, and an increased importance of retired military officers in second careers in business and politics.<sup>38</sup> As some military officers exploited their political roles in the 1980s and 1990s, enjoying precisely the prebendal benefits civilians had used under the Second Republic, the ideological utility of the "army arrangement" faded: no longer might the military appear to be a guarantor of governmental probity while in practice rehabilitating civilian politicians and enriching officers. Instead, the inauguration of the Fourth Republic enabled the circulation of people and of networks of patronage between the military and civilians to spawn an intensified brand of local patronage politics dubbed "godfatherism."<sup>39</sup> Where civilian politics have always been structured around great men and their constellations of followers, the recent and noteworthy development is the complex relationship between political dominance and political office. While Nigeria's current godfathers do sometimes hold office, often they do not and do not aspire to do so. This can have dramatic implications for the constitutional order.

A noteworthy illustration was in Anambra state. Anambra's politics had been controlled by a godfather, Chris Uba, who dominated the local branch of the ruling PDP. Uba's candidate for governor, Dr. Chris Ngige, had been declared the winner of a disputed election in 2003. Subsequently, the governor broke from his patron, whereupon he was kidnapped. During his captivity, the governor was forced to sign a letter of resignation, though this was abrogated after his release. The governor was deposed in 2006 when a court ruled his election invalid.<sup>40</sup> Afterward, the former governor reemerged under the banner of other parties and was elected to the national Senate in 2011. The godfather remains a potent and respectable force in state politics. Basic constitutional issues about gubernatorial tenures in office and how they should end have become increasingly detached from public affairs and the rule of law. By themselves, such extraconstitutional political pressures are nothing new: the Western Regional crisis of the First Republic demonstrated that point. Nonetheless, Chief Akintola's consolidation of his position as premier of the Western Region, however legally dicey, was negotiated with a broad spectrum of the region's political elite and members of the ruling coalition. Lewis's suggestion about the advent of predation goes alongside the politicization of the military and the era of godfatherism. But what does this have to do with corruption and the state? All three developments pose challenges to the modernization-theory-inflected appropriations of Weber that have informed much of the existing literature.

The protean quality of analysts' appropriation of Weber stems in part from their commitment to fine-grained empirical detail, but it also has the effect of creating a strange implicit sociology that naturalizes what is supposed to have occurred in European processes of state formation and universalizes it as *the* trajectory of modernization. While most of these commentators would not explicitly assert that Nigeria and other African countries deviate from such models or are intrinsically pathological, that is something of the effect of their initial theoretical assumptions. Aside from such abstract, teleological assumptions, why might that be the case? An important line of argument emerges from Robert Jackson and Carl Rosberg's discussion of the "weak" states of Africa, which suggested there is something distinctive (if not unique to Africa or the postcolony) in the role sovereignty plays in its own perpetuation. The "weak states" paradigm responded to the objective institutional incapacity of many African states. African governments have frequently failed to exercise a monopoly of violence in their territories, and the legitimacy of uses that did occur was often open to question. Many functions at the center of



modern governance—censuses, policing mechanisms, agencies for ensuring social welfare—also were not able to function consistently or systematically. The most basic information about African populations and economies is unreliable.<sup>41</sup> Despite these obvious incapacities, African states nonetheless show considerable stability. At the time Jackson and Rosberg wrote, no African state that had attained full independence had lost its sovereignty or split into other states. One might have expected many more such incidents given the institutional weakness of many states and the relative prevalence of secessionist movements. Jackson and Rosberg suggest the relative stability of African borders and the persistence of African states can be explained by the international state system and its need for sovereign actors in Africa as anywhere else. The logic of interstate relations requires some instrumentality called “the state” to exercise sovereign authority. The order that has emerged is better served by predictability than by some more protean arrangement, and other African states are reluctant to support secessionists elsewhere lest success there fuel dissent at home. This international order creates a space African states can occupy and use to perpetuate their own institutional existence. The state is thus a function of its sovereignty rather than the reverse.<sup>42</sup> Since the time Jackson and Rosberg wrote, Eritrea has regained its independence from Ethiopia. More tellingly, South Sudan’s recent independence from Sudan is an instance in which an entity unified across the colonial period split in two.

The model of the weak state can be applied to Nigeria only with great caution. A striking feature of the Nigerian polity is its extraordinary, if somewhat erratic, presence. Although state organs are frequently inefficient and vastly expensive given what they actually accomplish, they are also pervasive. The police and army are visible throughout the country. Police checkpoints stop traffic throughout Nigeria; the Federal Road Safety Corps maintains other surprise checkpoints, where they examine drivers’ licenses and mandated aspects of automotive safety such as having the requisite flares and reflective safety panels in case of breakdowns. Police direct traffic and monitor vehicles passing through intersections. They jump in front of cars that flout traffic laws, sometimes playing a dangerous game of chicken with drivers disinclined to stop. The officer will enter a car that has stopped and will usually negotiate an on-the-spot “fine.” Driving in Nigeria is a constant reminder of the ubiquity of officialdom, even and perhaps especially when these officials of the “everyday state” exercise their power in problematic or irregular ways. For while Nigeria has a highly developed system of traffic laws and rules for licensure and vehicle operation, in practice every aspect is highly negotiable. Obtaining a driver’s license often requires bribery, a fact that also results in quasi-competent driv-

ers succeeding in the examination. An unlicensed driver who is stopped will probably need to pay more than one with the appropriate credentials, but even the most law-abiding driver is likely to be stopped and fined on one pretext or other.

State hospitals and dispensaries are also everywhere, even if they are understaffed, ill maintained, and ill equipped, and the government also maintains an impressive array of schools and universities, though these also suffer from a terrible shortage of resources. Cultural activity itself is overseen by state bodies that codify and regularize “tradition”: herbalism, spirit possession, dance, music, other long-standing forms of artistic tradition—all are subject to governing boards and monitoring. Such supervision is often a source of patronage for practitioners, but it is also a source of oversight. Nigeria has a census, taxing authority, and all the organs of the modern bureaucratic regulatory state. It also has a full panoply of agencies superintending development projects and other public works. All these agencies employ world-class officials, who can represent Nigeria on a world stage and who understand their work in up-to-date technocratic terms.<sup>43</sup> State agencies are active, and Nigerians vigorously discuss their undertakings and engage in public debate and political contestation about them. The Nigerian state is anything but nonexistent, but its shortcomings are grave.

Two great grievances are the diversion of public money to private ends—that is, the extraordinary gulf between Nigeria’s rich (who have access to state resources) and everyone else—and a basic insecurity. With the former, there is a sense that something has changed, that corruption now is worse than it has ever been and that politicians’ self-interested actions are more selfish and more parochial than ever before: whereas in the past, officials benefited their home communities, now they do not bother:

What has Kano gained from producing presidents? The Aminu Kano International Airport is the worst you can find anywhere. The city is comatose at night. The talakawas are yet to find another Aminu Kano to give them hope. The streets are in pitch darkness most nights. All our leaders live in Abuja, yet this newly created city cannot boast of ordinary traffic lights. The proponents of zoning are yet to tell us that Minna has become as beautiful as Dubai for producing two heads of state. We are yet to see the physical progress that Yorubaland enjoyed in the eight years of their luckiest son in power. Not a single road was built or rehabilitated. What was the gain of Adamawa when her son became the most powerful vice president in Nigeria’s chequered history? What

was the gain of Abeokuta and Ota with their most powerful man in the presidential villa? It would probably have been better if the people had no president in their midst.<sup>44</sup>

Such observations are telling in the failures of patronage they target. Kano has produced two heads of state—the still-popular Murtala Muhammed, and Sani Abacha. Minna's two were Babangida and Abdulsalami Abubakar, the military leader who briefly succeeded Abacha. The references to Yorubaland, Abeokuta, and Ota are a complaint that President Obasanjo did not help his home region or even the town where he famously owns a farm. Murtala aside, the complaints focus on heads of state who ruled since General Babangida's coup in 1985; that is, the period Lewis identifies as being characterized by “predation” rather than patrimonialism. Even as an ethos of benefiting one's immediate constituency degenerated, ordinary people's vulnerability increased. Crime is rampant, and daily life is patterned by the risk of terrible violence. And while the police are ubiquitous, they are believed to do little to combat this insecurity. As a result of these intertwined changes, interpenetration of state- and non-state institutions has been perceived to gather pace across the past two decades. Politicians have long surrounded themselves with unsavory characters, groups of young men who threaten opposing political parties with violence. During the 1990s, however, the institutional breakdown in the Nigerian police had reached such a point that groups of vigilantes emerged in many areas of Nigeria and took over policing functions. For a period they were perceived as being less corrupt, often somewhat more predictable, less liable to be in cahoots with criminals than the police. With the start of civilian politics in the Fourth Republic, these vigilante organizations have increasingly been co-opted by politicians. In the north, the vigilante *hisbah* organizations enforcing Islamic law were often granted quasi-official status—though that relationship frequently proved stormy. The vigilante leaders sometimes transitioned to more conventional political careers.<sup>45</sup>

The changes in Nigeria that have been unspooling ever since the start of the oil boom would initially appear to be a consequence of corruption's growing ever more powerful—the military politicized, politics dominated by godfathers, government assets looted. It is painfully obvious the country's impoverishment and the systematic underfunding of public institutions are intimately tied to the diversion of oil revenue to nonofficial ends, which has contributed to increasing dysfunctionality and chaos. However, it should also be clear that “corruption” is not such a transparent label. It is a discourse rather than a discrete thing and thus cannot be an explanatory device. The implica-

tions of viewing corruption in this way are illuminated through attention to the weak-states hypothesis: Nigeria (though not only Nigeria) demands a modification that focuses less on the persistence of Nigeria as a formally unified, independent state and more on the dysfunction of government institutions and on the blurry boundary between “state” and “non-state.” Such an approach demonstrates the limits of the paradigms of patrimonialism or neo-patrimonialism, or indeed of how and whether “the state” enjoys a degree of autonomy from society. All of these paradigms treat a heuristic device as normative model. Contemporary Nigeria underlines the conceptual challenges thrown up by a place where it is unclear what counts as “the state.” The formal framework of state sovereignty makes obvious the worth of recognition as an actor of the Nigerian state. It suggests less that the Nigerian state is weak than that the ideological nature of all state institutions has acquired a high value in Nigeria, where the state itself heavily depends on its location within broader international structures of sovereignty and recognition. Godfatherism, for example, need not be viewed as a pathology or an index of state dysfunctionality. Indeed, it might appear less disruptive if only godfathers’ political maneuvers were more predictable or the constitutional order were better suited to the patronage structures undergirding their activities. The corruption-complex creates problems because the constitutional order presupposes a different mode of politics. To the extent that critiques of corruption—up to and including prosecution—are integral to that mode of politics, exhortations toward honesty and transparency will not help.

Others have made similar observations about the persistence of patronage. William Reno has described the situation of Liberia, whose pre-1980 government was quite corrupt in the sense that its rulers benefited personally from office and irregularly diverted state funds for their own purposes, but it was remarkably stable over a long period. Reno attributes this stability to its presidents’ ability to control other members of the elite through tight ties of patronage. When Master Sergeant Samuel Doe overthrew that regime in a military coup, he was unable to achieve a similar degree of control through patronage, partly because he was a member of an indigenous ethnic group rather than the Americo-Liberian elite. Doe’s successor, Charles Taylor, did manage to construct a greater degree of control over a patronage network, but he was limited by the extremity of warfare during his period in power. In post-conflict Liberia, figures from the Taylor regime have reemerged, using remnants of Taylor’s network to aid their rise. Reno suggests that even though such structures are overtly incompatible with norms of good governance and with the eradication of corruption, they also represent a potential for control and stability which the state would be well advised to co-opt.<sup>46</sup>

The principle requires careful application. In her study of informal networks of shoe and garment manufacturers in Aba, Kate Meagher argues there can be no one-size-fits-all accommodation of patronage. Under some circumstances networks provided small- and mid-size manufacturers access to social resources, stable credit, input, and markets, all of which allow them to expand their operations. In others, such networks have the effect of making it difficult for successful firms to consolidate their success because they were subject to egalitarian pressures making innovation and expansion difficult to sustain. The transition in 1999 to civilian government strengthened this unfortunate tendency by enabling entrepreneurs to seek patronage, thereby exacerbating tensions between those who enjoyed it and those who did not, even while heightening the demands of the networks themselves.<sup>47</sup>

Nigeria is often held up as prototypical of a kind of pathological, African, or Third World state. While it is too well financed to be a clear instance of a “weak” state that persists mainly because of its place in the international order,<sup>48</sup> the power of its rulers does not emerge directly from their ability to monitor, control, or even significantly influence what goes on inside the country’s borders. Neither is it a simple consequence of the demands of the international system of states that every country have a government. Nigerian oil is controlled by the Nigerian government. That obvious fact gives outsiders a considerable incentive to recognize those in charge of the government as legitimate. Nonetheless, the Nigerian state does suffer from the dysfunction of its most basic institutions. Its politicians often use violence and threats as political tools. Organized criminal activity is frequently protected by state officials, and officials often themselves commit criminal acts. The inability of the police to ensure public order has resulted in public support for vigilante groups, who in some areas have begun to enjoy quasi-official status, blurring institutional distinctions between the police, vigilantes, and politicians’ followings.

The seeming paradox of a ruling class whose power rests on international recognition ties in to a much broader literature on what is specific to African states. The weak-state approach is not incompatible with this literature but requires a tweak, since the figure of the weak state implies something pathological about African states in that they deviate from “normality.” This literature, largely francophone and centered on francophone Africa, neither euphemizes the suffering corruption can cause nor blames it on a specifically African failure to remove patrimonialism from state bureaucracies. Jean-François Bayart argues that understanding African politics has been hampered by ethnocentric, ahistorical attempts to shoehorn African polities into developmentalist Western categories, from which they fall short. Bayart’s brand of historicism

avoids recapitulating a teleological paradigm of progress from patrimonialism to bureaucracy by positing there has been an enduring logic to African political relationships, which colonialism did little to disrupt. Bayart terms this logic the “politics of the belly,” in which political elites demonstrate their power through conspicuous consumption. Ties of patronage channel wealth to ordinary people, but political power cannot be separated from gaudy consumerism. More than mere patrimonialism, the politics of the belly are a mode of politicking intertwined with public culture—an ethics and esthetic as well as an organizing principle. From the start of political competition (according to Bayart this was the late-colonial period, though earlier in some areas), politicians competed for access to office and the resources necessary to ensure continued success. Political competition forced regional elites to come to terms with one another, created complex networks of alliances, with both vertical and horizontal linkages. Politicians and their constituencies maneuvered within this culturalized distributive and consumptive framework.<sup>49</sup> Bayart’s is a subtle reworking of neo-Weberian paradigms. Instead of focusing on a model of political structures that real systems approximate at least to some extent, Bayart emphasizes a mode of political maneuver. He conjoins institutional analysis with ethnography. For Bayart, the African state is distinctive because its contours diverge from formal institutions and political practice. In a rather darker vein, Mbembe has extended these insights, pointing out that this politics of the belly has a complex aesthetic of the vulgarity of power and is based on a very deep authoritarian logic he terms “commandement.”<sup>50</sup>

In a book that takes issue with Bayart but finishes in a somewhat similar position, Patrick Chabal and Jean-Pascal Deloz suggest that such *longue durée* pictures of a generic African political mentality are an inadequate solution to empty ahistoricism. Where Bayart suggests a utility to the politics of the belly, Chabal and Deloz emphasize the failure of the African state to become autonomous from society. The African state in their formulation is “essentially vacuous”: it holds no Weberian monopoly on the legitimate use of force; it is not distinct from society; and formally bureaucratic structures instantiate rather than replace patrimonial ones. The result is a politics resting on politicized cultural distinctions, very often ethnic groups that channel political competition, and a reliance on political disorder—extralegal behavior, the use of violence by formally non-state actors like rioters or vigilantes. This situation, Chabal and Deloz conclude, helps to explain the political difficulties of contemporary African states but does little to suggest how these woes might be ameliorated.<sup>51</sup> A similarly glum conclusion emerges from Jean-François Bayart, Stephen Ellis, and Béatrice Hibou’s *Criminalization of the State in Africa*, which notes

that the increasing imbrication of African states in criminal activity has led to the disappearance of distinctions between state and non-state, sovereign and criminal.<sup>52</sup>

Despite their differences, these authors collectively furnish an important reminder about the travails of postcolonial politics, and they have gone far beyond paradigms that might attribute the difficulties to African primitivism. One might criticize a tendency to homogenize disparate historical and cultural experiences, though in part this is a consequence of the books' relative brevity and of the challenges of comparative work.<sup>53</sup> These writers have proposed a valuable extension of neo-Weberian paradigms, avoiding the teleological trajectories that often were the legacy of modernization theory. Nonetheless, an issue remains with the ideological figure of the state in their work. To the extent the secondary literature on corruption depends on an implicit model of the state, the question is how to reconcile oneself to the confusion emerging from nearly sixty years of conflating descriptive and normative appropriations of Weberian ideal types.<sup>54</sup>

Corruption is yet more complicated because it is moralizing: corruption discourse is about matters of right and wrong. In a country like Nigeria, "corruption" has typically been used to criticize practices dictated by forces formally epiphenomenal to the constitutive logic of the state. A politician's distribution of state resources to his clients is not part of his formal responsibilities, and yet it can be an act of political survival, necessary but forbidden. To the extent that both grand and petty corruption are built into everyday practice, they are an informal aspect of normal government processes, an often-pricey surcharge on state services. The diversion of resources is burdensome given ordinary Nigerians' poverty. While commentators have noted the potential utility of some corrupt practices, they also complain that widespread corruption makes government decision making unpredictable. It is one thing to budget for substantial cost overruns as the normal order of business, quite another for half the world's concrete supply to arrive in Lagos. Corruption discourse is useful to the extent it enables moral claims instead of naturalizing representations of an idealized state. Searching for something specific to African states, or neo-patrimonial regimes, gets beyond unproductive binaries of right-wrong, legal-illegal, or utilitarian-pathological, but it also implicitly claims European countries abide by them, and suggests the only hope for Africa is to begin to accord with political forms in the outside world. Trying to go beyond simple condemnation requires being more precise about what one means by invoking "the state."

## Corruption and the State-Effect

During the 1980s a group of scholars followed Philip Abrams in developing Radcliffe-Brown's proposal beyond its original ethnographic application. Abrams underlined the elusiveness of the state/society distinction, and he proposed that resulting questions about the nature of the state might be addressed through Radcliffe-Brown's methodological proposal of viewing it as a collection of institutions and individuals. For Abrams, the state was an ideological project rather than an analytic artifact. Abrams placed equal weight on the "philosopher's fiction" that it was also an idea of a coherent, powerful whole. For him, the fiction was not trivial; the state's various components depend on the notion of its unity and coherence as a way to legitimate their own actions.<sup>55</sup> So a police officer who devotes all working hours to extorting bribes from motorists is more than a criminal in official garb because he or she exercises power as an agent of the state. The power is real even if its basis is illusory. Paradoxically "state" power is most purely manifested in interactions where agents invoke the power that the state apparently gives them. The state appears to legitimate individual action when in fact those actions are its only concrete manifestation.<sup>56</sup>

Timothy Mitchell pointed out that this "state-effect" went beyond legitimation or creating a sense of omnipresent, unified state power. The ideological project of making a heterogeneous network of people and instrumentalities appear to be unified also had the effect of making the state appear to be distinct from society and from the economy. These distinctions and the centrality of the state are the defining features of modern political society.<sup>57</sup> The state-effect is a matter of ideology and appearance, but the appearance of unity and autonomy has real-world consequences. It makes state actors more powerful as part of a much larger whole.<sup>58</sup> Moreover, the state-effect's symbolic density shapes our perceptions; metaphors become experiential realities. Thus, Akhil Gupta and James Ferguson have argued the very move that brings together dispersed instrumentalities, locations, and agencies also makes the state appear to possess particular spatial characteristics—it is "above" local agencies, or "encompasses" them.<sup>59</sup> Similarly, Deborah Poole and Veena Das have argued that the state's margins—both literal and the social domains excluded from the real official politics which therefore serve as the state's constitutive outside—are critical for understanding the nature and the limits of state power.<sup>60</sup>

This approach provides a different optic on the nature of the Nigerian state. Instead of being a set of real-world institutions that approximate Western



models more or less well, the Nigerian state is an ideological project of labeling the activities of particular actors as being those of “state” officials. The ideological project of “the state” makes the institution appear to be more than the sum of its parts, to have spatializing characteristics, or to have the quality of not being political or nakedly extractive. This ideological work plays out in unexpected ways given the political-economic logic of Nigeria’s government. An approach that retains many of the utilities of the weak-states paradigm is Cooper’s influential description of the “gatekeeper state” characterized by elites who control the relatively constricted interface of the national and global economies. Cooper argues that the prevalence of gatekeeper states in Africa arises not from anything intrinsic to Africa’s political institutions but as a consequence of the legacy of many centuries of economic dependence. Africa’s relationship to the global economy has long been one of export: human beings, gold, ivory, and other minerals and agricultural goods. Colonial regimes intensified this dynamic while refusing to capitalize anything but the most minimal infrastructure necessary to enable exports. That political-economic relationship between African economies and the world economy created states whose authority neatly mirrored their capacities and incapacities. The colonial state and its postcolonial successors exist to maintain existing patterns of export, and they owe their continued authority through their tenure in that economically critical choke point. Beyond that, their success can be more limited. Bayart terms this quality Africa’s “extraversion,” and it helps to explain how African states persist despite institutional weakness.<sup>61</sup> This is a useful insight, given the caveat that the extraverted, gatekeeping state is neither peculiarly African nor uniform. Modes of engagement with the global economy arose because of contingent, local historical processes: both Nigeria and, for example, Rwanda can be considered extraverted and gatekeeping, but they bear little resemblance to one another.

Corruption discourse underlines one aspect of Nigeria’s extraversion. James Scott has influentially argued that “modernist” systems of government have a tendency to reengineer social systems in order to make them more orderly and thus more transparent and susceptible to external monitoring and regulation.<sup>62</sup> Whatever happened elsewhere in the world, government projects in Nigeria have been characterized less by *seeing* like a state than by *looking* like one. Many incidents in the history of Nigerian administrative reorganization were aimed to make social and political relationships more regular and transparent, from the creation of districts and reorganization of the tax system in the north during the early colonial period to the reorganization and standardization of market stalls or initiatives toward governmental transparency more

recently. Such initiatives cannot be taken at face value, or at least their overt purpose was not some ordered regularity, as with the revenue survey for the land tax described in chapter 1. Revenue maps bore an attenuated relationship to actual patterns of occupation or ownership because they were the product of negotiation between farmers, survey officials, and local administrators. In this instance and many others, “modernist” administrative techniques were a fantasy with serious consequences.<sup>63</sup> To the extent that corruption discourse condemns practices for deviating from the norms of bureaucratic governance, it is a political performative. However, when bureaucratic structures themselves are problematic, corruption discourse is no simple tool of technocratic critique. It underpins the ideological process through which the Nigerian state-effect functions at all. A condemnation of “corruption” implies a vision of a non-corrupt alternative, not degenerated, properly bureaucratic, fully modernized. It is a legitimating fiction, all the more powerful because it operates through its own denial.

If most African states are noteworthy for their extraversion, or for the way in which their political elites situate themselves at the juncture between the domestic and world economies, the state’s ideological function is determined by the ways in which these gatekeeping elites attain and invoke their legitimacy as “state” authorities. And to the extent the state is extraverted, elites will assert their power through an appeal to the international community, recognizing themselves in and through outside recognition. Nigerians’ careful attention to the country’s international reputation becomes more immediately explicable, since that external audience is critical to the state’s ability to claim its own existence. Corruption is not a set of distinct, definable malpractices but a stance individuals take toward and within the ideological project of the state. In a decision of whether to prosecute or not, the considerations are more delicate than whether any individual is guilty of a particular malpractice. Ultimately, the ideological overlay of his or her actions as “state” actions is in question, which is overdetermined by a set of political struggles within patronage networks involving elites and paralleling governmental institutions.

The problem of corruption is domestic, and it is thus most importantly and immediately mediated through the moral economies of corruption discussed in chapter 4. It is also an international embarrassment, a matter for Transparency International, a problem that precludes international investment, and a roadblock to development. Nigeria’s dependence on international institutions—financial, governmental—places its political elites in a peculiar and vulnerable position. It is no coincidence that an elite which depends on its mediating role with the external economy should be marked domestically with its consumption

of imported goods. Elites drive fancy (imported) cars, wear imported clothes. They eat imported food. They travel internationally. Nigeria is one of the world's greatest per capita consumers of champagne, though needless to say only a tiny percentage of the country actually consumes it.<sup>64</sup> Ordinary Nigerians are even more perilously situated. Their livelihoods are also dependent on Nigeria's position within the global economy, but they reap fewer benefits. This acute vulnerability to the external does bring a distinctive quality to Nigerian extraversion, though its manifestation as a particular kind of state is somewhat indirect. Instead of seeing Nigeria as an instance of some sort of distinctive African ideal type—as the weak-states paradigm would have it—one must see what is distinctive as a particular quality to the ideological process through which state actors are identified as such, in the meanings that being an official of the state takes on, and how those intersect with the legalities and moral evaluations of official conduct. This approach provides a very different angle on the nature of the state itself, and corruption discourse is almost unique in revealing this process.

“Corruption” designates something more than simply oppressive, self-interested, accumulative, illegal actions by state actors—that is, as practices *epiphenomenal* to the state. In this way of thinking, corruption marks the failure of the state, to the extent that the state is an ideological device, an entity that re-labels individual activity as supra-local and disinterested. But it is a failure that presupposes a state dependent on this practice of euphemization. “Corruption” can be applied as a label precisely when officials' practices, even though supported by the machinery of the government, are perceived as interested, local, and oppressive. This possibility of labeling suggests the state succeeds through failure and fails through success, when state actors violate the canons of official behavior and when an official's status as such makes irregular action possible. Corruption is the mark of a category error. The history of local administration in northern Nigeria demonstrates this contention. The local-government reorganization increased the ability of officials of the Sokoto Caliphate's emirate hierarchy to extract revenue from commoners while removing some of the checks on their doing so. The colonial conceit was that retaining African officials would result in a retention of their legitimacy, and in this way the modernizing colonial regime would enjoy the ideological and political benefits of state authority and euphemization.

The implacable presence of popular condemnation of official actions—as being “corrupt” in one sense or another—in Nigerian narratives of government activity in the end demonstrates that the Nigerian state is active, but in a highly problematic way. Officials are able to operate as “state” actors, but their actions are also perceived as illegitimate. Ironically, the Nigerian government

has proven fully able to exercise its coercive function in particular instances, but only at the cost of achieving a regime of systematic or regularized control. The euphemizing and legitimating state-effect has never functioned successfully. To no small extent, the colonial regime assumed all was well when revenue targets were met and when there were no overt political disturbances. Minimal markers of effectiveness denoted a functional state. But the regulative and legitimating functions of state, resulting in a delocalizing effect and dependent on a highly artificial distinction between public and private, never really worked.

The history of state formation in Northern Nigeria, then, is not (as Scott would have it) one of a government's coming to "see like a state" but rather of a transformation that enabled it to *look like* one. The euphemizing quality of the state-effect never got off the ground, though forms of state practice did emerge and did create an administration that could function, for outsiders, as a convincing stand-in. The logic of the state structure acts, at least in part, to cover over the state's inability to act as it "ought," and this does have consequences. The state-effect masks ordinary people's cynical and resigned appreciation that government officials are bent on personal enrichment and on the maintenance of personalistic chains of patron-client ties. The state-effect constitutes the Nigerian state as it appears to outside eyes, and so makes the country explicable within the context of the international state system. In doing so, it covers over a more complex process by which governmental actions are evaluated internally, a most complex moral economy in which some "corruption" can appear acceptable and other corruption not, in which the oppression of some can appear admirable to others, and in which the politics of identity emerge from the politics of position—ethnic, religious, regional.

Even if the euphemizing aspect of the state-effect has not resulted in much popular mystification, it has nonetheless been useful for *external* claims to legitimacy. State actors can identify themselves as state actors, if sometimes corrupt ones. Thus, officials can make claims on the coercive machinery of the government with exterior legitimacy. The ideological isolation of the Nigerian state calls into question the utility of the state as an analytic concept, or rather it underlines the necessity of clearly differentiating between empirical state actors and ideological projects or claims. The Nigerian state may do no more than look like a state. Is this so terribly unusual? The history of corruption in northern Nigeria underlines the necessity of agnosticism toward official accounts of what state agents are doing. Perhaps more interestingly, the distinction between the empirical and the ideological calls into question the utility of "legitimacy" as an explanatory force. To the extent that legitimacy is used

to explain popular acquiescence to state actions, it can only be inferred from states of affairs it is supposed to explain. If people do not overtly protest, the state is “legitimate.”

The circular quality to invocations of state legitimacy underlines the necessity of being clear on what states legitimate to whom, and what these maneuvers actually accomplish. The failure of the Nigerian state-effect has consequences. Even as state agents are able to mobilize the government’s coercive machinery—and to appropriate its resources to their own ends—they remain cut off from the networks of grassroots authority that might temper their actions. The net result is that “the state” is, except in a grossly empirical sense, an illusion. The tragedy of this situation is that the distribution of various public goods—such as development money, revenue from oil exports, and basic commodities such as petrol—is dependent on a disinterested and rationalized bureaucratic system that does not actually exist. This, in the last analysis, is a most important and most unfortunate legacy of the past century.

But where does that leave us? If the material practices of corruption are as much a symptom of Nigeria’s political troubles as a cause, and if the political system that generates so much of this concrete corruption depends on corruption discourse as an integral part, am I arguing ultimately for stopping the attempt to rein in corruption altogether? While I would argue that the various strategies proposed for reining it in—everything from legal strategies like the War against Indiscipline or the EFCC to initiatives in civil society—are ultimately insufficiently attentive to the historical causes of today’s problems, that does not imply one must simply accept the status quo. Pieces of a more realistic and more enduring solution become evident from the arguments of the preceding chapters. One aspect is Odiā Ofeimūn’s exhortation about taking Nigeria seriously discussed in the last chapter. As chapters 2 and 3 demonstrated, one of the reasons that corruption became institutionalized within the Nigerian government was the pattern of sectional competition that began with the inauguration of a federal parliament after World War II. Although Nigeria’s vastly more complicated federal system has considerably defused the pattern of zero-sum regional competition, it still inflects political practice, and political malpractice. However, it is clearly insufficient simply to exhort Nigerians to take the country seriously. But what is the alternative? Although the current political system continues to institutionalize regional difference through doctrines of state residency, Nigerians continue to be extremely mobile. Not only the elite, but people from every walk of life travel regularly around the country, and a very considerable percentage of the population does not live in the states of which they are indigenes. In the long run, this pattern of national

cosmopolitanism, along with aspects of national popular and consumer culture, will combine with patterns of interethnic and interreligious sociality to detach patron-client chains from geography. This is not a policy so much as an organic development, but I think it will have more profound legacies than any state-mandated program of national integration.

Another obvious factor is the Nigerian economy's dependence on oil export, and more broadly on the classic gatekeeping role of the Nigerian state and elite. To the extent that access to state office is the primary means by which one can get access to large-scale capital, corruption in the Nigerian government is a nearly inevitable by-product of economic structure. The key to getting around it is not so much to attempt to diminish the role the state plays in the economy (as Larry Diamond among others advocated many years ago)<sup>65</sup> as it is to expand and diversify Nigeria's economic contacts with the outside world. Access to state resources—and diverting them to private ends—will be less of an object if there are other ways to become rich and powerful. Again, this is not necessarily something that can be achieved through a concerted program. Nonetheless, a changing relationship to the international economy will, I think, in the long run have surprising effects on the incidence of material corruption.