

THE ROLE OF RELIGIOUS BODIES IN FIGHTING BRIBERY AND CORRUPTION IN GHANA: BY MARTIN A. B. K. AMIDU

GENERAL COMMENTS

I am here with this august assembly because the Seminarians Representative Council of St. Gregory the Great Provincial Major Seminary, Parkoso, Kumasi in celebrating this year's SRC week on the theme: "Equipping the Seminarian to discern his Faith and Vocation amidst contemporary challenges" considered the fight against bribery and corruption one of the contemporary challenges facing our dear nation Ghana. Naturally the SRC considered the latest anti-corruption law enforcement institution established to fight the systemic problem of corruption that has eaten into the body politic of our nation as an appropriate institution to share its perspective on: "The Role of Religious Bodies in Fighting Bribery and Corruption in Ghana". I am the Special Prosecutor appointed under the Office of the Special Prosecutor Act, 2017 (Act 959) to execute the vision and mandate of the Office of the Special Prosecutor contained in the Act.

I see the invitation extended to me by the SRC of this Seminary to share ideas on the role of religious bodies in fighting bribery and corruption in Ghana as one that affords the Office of the Special Prosecutor the opportunity to share with you and the country at large my perspectives on what religious bodies in Ghana can do and must do to support the fight of the Office in achieving its mandate and vision of fighting the pandemic of corruption and corruption-related offences and to prevent the spread of the virus which has so far defied a cure.

As most of you may be aware of already, the Office of the Special Prosecutor is a relatively young institution which is in the process of operationalizing the provisions of Act 959 to enable it position itself to deal seriously with the cancerous challenges posed by corruption and corruption-related offences. I was nominated and approved by Parliament after an almost nine hour vetting process beamed worldwide, and appointed by the President on 23rd February 2018. My parliamentary approval process at which my responses to the questions and enquiries by Honourable Members of Parliament were on oath more than adequately state my personal vision for the Office of the Special Prosecutor for which I was being vetted. For the purpose of this discourse I have tried to capture in a nutshell my perspectives of the role I conceive religious bodies can play in assisting the Office to fight corruption and corruption-related offences.

INTRODUCTION

I therefore propose in this discourse to begin with a brief narration of the political and historical context, leading to the enactment of the Office of the Special Prosecutor Act, 2017 (Act 959). This will be followed by a brief examination of the concept of bribery and corruption under the laws of Ghana from a historical perspective, under the Criminal Offences Act, 1969 (Act 29) as amended, and the defunct Corrupt practices (Prevention) Act, 1964 (Act 230) and other laws. I will be contending that corruption and corruption-related offences being illegal are secret

practices which are mutually beneficial to the giver and the taker who are accomplices who will scarcely report the offence. I will outline the types of offences that constitute corruption and corruption-related offences. Using the example of the Corrupt Practices (Prevention) Act, I will maintain that Ghanaian Governments generally scarcely investigate and prosecute their own members and associates who come under suspicion for committing these offences.

I will then explore the objects of the Office of the Special Prosecutor and its jurisdiction in the fight against corruption and corruption-related offences. I will stress the importance of the prevention of corruption object as a necessary and most important tool in the fight against corruption by all anti-corruption bodies. The central role of good religious bodies in the socialization process of citizens to ensure the inculcation of the highest ethical values of honesty and integrity in public life and governance will also be stressed.

One cannot understand the role of religious bodies in the fight against corruption in Ghana without understanding in a nutshell the concept of religion. This will take us to an exploration of what religious bodies are and what they do in society.

The foregoing will then set the foundation for an exploration of the role of good religious bodies in the fight against corruption and corruption-related offences in Ghana. The focus will be on how good religious bodies may support and assist the Office of the Special Prosecutor to make a difference from past efforts to fight corruption and corruption-related offences in Ghana.

This discourse will conclude with the assertion that good religious bodies have a spiritual and temporal obligation to ensure that the wellbeing of the nation is put above the greed and avarice of the political elite as has been shown in Ghana over the years. The discourse will part with perspective that the Office of the special Prosecutor therefore still needs the active support of religious bodies not only in the prevention of corruption but also to protect its independence and have the free room to treat corruption and corruption-related offences as purely criminal offences without fear or favour, affection or ill will.

CORRUPTION IN GHANA

Brief political and historical context of the Office of the Special Prosecutor Act, 2017 (Act 959)

The work of the Special Prosecutor of the Republic of Ghana is set out for him in the Office of the Special Prosecutor Act, 2017 (Act 959). The Act came into existence on the 3rd January 2018 with the notification in the Gazette of the enactment of the Office of the Special Prosecutor Act, 2017 (Act 959). This law is available on the world-wide-web for anybody who cares to read it and to find out what the work of the Special Prosecutor entails and the probable challenges the Office may encounter within the context of Ghana's long struggle pre and post-independence to fight the canker of corruption. I could, therefore, rightly assume that the work of the Special Prosecutor as spelt out clearly in the enabling Act is already known amongst almost all of us here. That makes my work easier this afternoon and may be after talking for ten minutes on the

perceived prospects and challenges of religious bodies in fighting corruption my remit should be done.

But that shortcut will not locate the Office of the Special Prosecutor Act within the context of Ghana's struggle since independence to achieve not only political independence but above all that economic independence that gives her and her peoples control over their natural and material resources devoid of corruption, and the lack of transparency and accountability in the body politic. I therefore propose to look at the problem and challenges posed by the phenomenon of bribery and corruption which is now defined under the rubric of corruption and corruption-related offences under the Office of the Special Prosecutor Act in a historical context in terms of how we came to purposefully set up an independent anti-corruption institution to lead the legal fight against corruption in Ghana.

Historical perspective on corruption in Ghana

The terms bribery and corruption are often used interchangeably. A bribe is the thing by which a public officer is influenced in his conduct as a public officer. It may be a gift, a promise or a prospect of a valuable consideration. Bribery can thus be said to be the offering or receiving of a bribe. A corrupt person may on the other hand be described as a person who has an inclination to bribery. "He is a man of such a perverted and depraved character as to yield to bribery. The act of indulging in bribery is corruption." [See Twumasi, P. K., Criminal Law in Ghana, 1985: 56]

In Ghana when the word "corruption" is mentioned our minds go to public officers as the reference entity being spoken of. This is because under the laws of Ghana public officers are the persons around whom the definition of the offence of corruption revolves. Systems of government and public institutions are expected to be made up of public officers who discharge their duties with utmost honesty and integrity of the highest order. Public goods must be managed and shared fairly and equitably with transparency and accountability to the body politic. But public officers being human their conduct may be influenced to do or omit to do certain acts relating to the duties of their office by external influence or to act in a manner one would not have done but for some external influence.

It is deductible from the foregoing that corruption depends for its operation on the readiness not only of a public officer to receive something, but also of some other person to give that something. This explains the saying that corruption is a two way process. The giver and the receiver must agree on a common ground, the giver to give and the receiver to receive. There are situations in which the public officer whose conduct is being influenced does not actually do the receiving.

The laws of Ghana make both the giver and the receiver equally criminally liable. The practice of corruption because it is illegal is a secret practice which is usually mutually beneficial to the giver and receiver who are accomplices and therefore the offence will scarcely be reported by either of them.

When occasionally the offence comes to light it is characterized by enormous difficulties of obtaining proof of the allegations because of the unwillingness of witnesses to come forward.

The Criminal Offences Act, 1960 (Act 29) of Ghana does not speak generally in terms of bribery and corruption. It sees bribery and corruption as corruption generally. Consequently it speaks in terms of corruption by a public officer and corruption of a public officer, and thirdly of accepting bribe to influence a public officer. It also speaks in terms of judicial corruption, corruption, intimidation and personation in public elections, and bribery at elections, amongst other species of corruption and corruption-related offences. Some of these corruption-related offences classified under the general heading “offences related to public officers and elections” include extortion by public officer, willful oppression by public officer, prevention of public elections, falsification of returns at elections, offences by election officers, treating, undue influence, personation, unauthorized voting and others.

The Criminal Offences Act, 1960 (Act 29) which contains corruption and corruption-related offences was first enacted three years after our independence in 1957. It was the hope that the pervasive phenomenon of corruption would be tackled through the instrumentality of criminal law and jurisprudence. Barely four years after its enactment the Government realized the difficulty of detecting, investigating, and successfully prosecuting the canker of corruption. Consequently it enacted the Corrupt Practices (Prevention) Act, 1964 (Act 230) which was designed to reduce as far as possible some of the difficulties militating against proof of corruption.

Act 230 enabled the President upon allegations of corruption against certain categories of public servants to appoint a commission of enquiry into those allegations. The Attorney General was empowered where adverse findings are made by the Commission to prefer corruption charges against the persons in respect of whom the findings were made. The adverse findings of the Commissions were regarded as prima facie case in a criminal trial against the accused person in a criminal trial to warrant his being called upon to make his defence to the adverse finding against him. Even here success depended on the availability of witnesses who were prepared to testify before the commission of enquiry. In 1974 the National Redemption Council enacted the Commissions of Enquiry (Implementation of Findings) Act, 1974 (NRCD 261) which dealt generally with the implementation of adverse findings of Commissions of Enquiry.

The definition of corruption under Act 230 included bribery, willful oppression and extortion by a public officer, and any other act contrary to public order or prejudicial to the economic or financial interest of the Republic.

As most military and democratic Governments in Ghana will subsequently emulate, Act 230 was never used to fight the pervasive corruption which obtained in the Government of the First Republic. It came handy for National Liberation Council (NLC) which overthrew the Nkrumah regime on 24th February 1966 in fighting the corruption committed by members and associates of

the Government of the First Republic who enacted the law by the establishment of various commissions of enquiry by the NLC, followed by the Attorney General calling on some of those against who adverse findings were made to show cause why they must not be convicted and sentence for corruption. Some of these cases constitute the few reported cases on bribery and corruption in the Ghana Law Reports. The NLC never invoked the Act on operatives of its own regime just as many of the military and civil governments which succeeded the NLC will do.

The foregoing reinforces the fact that this country has since her independence experienced the birth and death and rebirth of various laws criminalizing bribery and corruption and setting up anti-corruption institutions and mechanisms for combating corruption. There is nobody in this conference room who is not aware and familiar with the Commission for Human Rights and Administrative Justice, and the Economic and Organized Crime Office (EOCO) as some of the anti-corruption institutions in Ghana today.

As Deputy Attorney General for the Republic of Ghana, I supervised the birth and establishment of the Serious Fraud Office which sadly died and gave birth to the EOCO. In the same capacity, upon the coming into force of the 1992 Constitution, I supervised and championed through Parliament the Commission on Human Rights and Administrative Justice Act, 1993(Act (456) which has since been amended and added to and subtracted from by other anti-corruption legislation.

The 1969 and 1979 Constitutions of Ghana both established the Office of an Ombudsman. The Consultative Assembly of Ghana, 1991, midwived and gave birth to the current Fourth Republican Constitution of Ghana, 1992. I was not only the Deputy Attorney General at the time; I was also the Chairman of the House Committee of the Assembly representing the Greater Accra Region Committees for the Defence of the Revolution at that time. The 31st December Revolution under whose values and norms Ghana was governed at the time was in both theory and practice anchored in eradicating corruption, lack of transparency and accountability in governance and restoring economic power to the mass of ordinary Ghanaians. And the Consultative Assembly was mandated to craft a Constitution that will make corruption history in the prospective new Constitutional dispensation.

The solution which the Consultative Assembly found to minimize, once and for all time, the scourge of corruption and abuse of power in Ghana was to create a Commission for Human rights and Administrative Justice with extensive anti-corruption functions in the 1992 Constitution. This was in addition to the Serious Fraud Office which the revolutionary regime had already established and operationalized. The Constitution was approved without any dissent at a referendum of Ghanaians in April 1992 to come into force on 7th January 1993.

Twenty-six years down the line the majority of the people of Ghana have again confirmed in the last elections that corruption has over the years since the coming into force of the 1992 Constitution been on the ascendancy and not the decline. Like it or not, corruption and the

perception of corruption has cost Governments the loss of political power in Ghana and was clearly manifest in the last Presidential and Parliamentary Elections in 2016. Governance and political analysts appear to agree that corruption, the fight against corruption, and promises to tackle the canker of corruption played a major part in the change in Government at the 2016 Elections in Ghana.

Before the advent of the current Fourth Republican Constitution, 1992 and the latest change in Government in Ghana on 7th January 2017 Ghana had since independence on 6th March 1957 experienced military coups in February 1966, January, 1972, June 4, 1979, and 31st December 1981 – the 31st December Revolution. In all these unconstitutional upheavals and changes in Governments, corruption or the perception of corruption in governance, lack of accountability and transparency in governance and the looting of the public purse have always been justification for the military interventions in overthrowing each experiment in Ghana's Constitutional democracy.

The Office of the Special Prosecutor Act, 2017 (Act 959) is thus the latest attempt from Ghana's political and Constitutional history to establish a more efficient and effective mechanism in the fight against the canker of corruption which is perceived to be pervasive within the body politic. The Act contains the standard anti-corruption provisions, enhanced protections and indemnity for the Office of the Special Prosecutor and for the first time the ceding of those portions of the Attorney General's prosecutorial powers affecting corruption and corruption related offences to the Special Prosecutor.

Objects of the Office of the Special Prosecutor

Religious bodies in Ghana cannot play any meaningful role in supporting the Office in the fight against corruption and corruption-related offences without understanding the anti-corruption objects of the Office.

The Act establishes the Office of the Special Prosecutor as a body corporate with perpetual succession with the attendant attributes of legal personality and spells out three main objectives for the Office, namely:

- (i) investigate and prosecute alleged corruption or suspected corruption and corruption related offences,
- (ii) recover the proceeds of corruption and corruption related offences, and
- (iii) take steps to prevent corruption.

The Office of the Special Prosecutor Act, 2017 (Act 959) does not speak in terms of bribery and corruption. It combines the two concepts in creating the concept of corruption and corruption-related offences. But it narrowly defines corruption and corruption-related offences to mean

specifically the following offences under the Criminal Offences Act, 1960 (Act 29) and other existing offences under the laws:

Section 146 of Act 29 deals with dishonestly receiving property that a person knows to have been obtained or appropriated by a criminal offence punishable under the chapter

Section 151 of Act 29 which deals with a person who extorts property from any other person by means of threat committing a second degree felony

Section 179C of Act 29 dealing with using public office for private profit or benefit as a criminal offence

Section 239 of Act 29 deals with corruption of and by public officers as a misdemeanor

Section 252 of Act 29 deals with accepting or giving bribe to influence public officer or juror as a misdemeanor

Section 253 of Act 29 deals with corrupt promise by judicial officer or juror as a misdemeanour

Section 254 of Act 29 deals with corrupt selection of juror as a misdemeanour

Section 256 of Act 29 deals with corruption, intimidation, and personation in respect of elections as a misdemeanor

Section 258 of Act 29 deals with falsification of returns at election as a second degree felony, and

Section 260 of Act 29 deals with withholding public money by public officer as a misdemeanour

Section 92(2) of the Public Procurement Act, 2003 (Act 663) deals with offences constituted under the Act for which jurisdiction is given to the Office. Surprisingly it fails to mention Section 93 dealing with corrupt practices.

The Primary Object of Prevention of corruption

I have stated the object and definition of the corruption and corruption-related offences which the Office of the Special Prosecutor has jurisdiction to fight. One major and important arsenal in the fight against corruption is often overlooked in interactions on the discourse on how to fight corruption and corruption related offences. We often tend to forget the saying that “prevention is better than cure.” In medicine a shift has been made from curative to preventive medicine as the best way not to fall ill let alone to need treatment. Corruption is similarly best fought by preventing its manifestations that resorts to investigating, prosecuting and recovery and managing assets of those who commit the offences.

This explains why like other anti-corruption institutions the Office of the Special Prosecutor has as one of its three mandates the power to prevent corruption. “A stich in time” they say “saves nine”.

It may be that Act 959 does not expatiate on the corruption prevention functions of the Office in the Act and this has led many to forget of its existence. This apparent defect, if a defect it may be called, has been cured by subsidiary legislation. The Office of the Special Prosecutor (Operations) Regulations, 2018 (LI 2374) which was passed by Parliament on 22nd December 2018 contains in Regulation 31 thereof for schemes the office may use in the prevention of corruption.

HOW CAN RELIGIOUS BODIES ASSIST THE OFFICE IN THE FIGHT AGAINST CORRUPTION IN GHANA

What is religion, what are religious bodies, and what do they do in society?

We cannot understand the role religious bodies can play in fighting corruption in Ghana without any appreciation of the concept of religion and what role it plays in human society and human social organizations.

The meaning of the word religion is a contentious word for me to attempt to define within the short space of time allotted to me in this discourse. Suffice it to say that one can say from mere observation that religion is an important part of the lives of the people of Ghana. The role it plays in the daily lives of Ghanaians, however, may be said to vary from person to person, because ideas of religiosity vary enormously in the society and it means different things to different people. But the pervasiveness of religion in this country has made it a potent tool for the promotion of the moral and ethical conduct leading to the internalization of attitudes and behavioural habits of social and public discipline that impact on good governance, accountable and transparent public service and citizenship.

The paradox from mere observation is the fact that many people claim to be religious but do not practice the tenets of their religion in their everyday lives as an inspiration and motivator for doing social and public good.

Be that as it may, it cannot be contested that religious activities generally need some infrastructure for it to be conducted for which reason there exists religion-supporting organizations which manage the upkeep of places of worship such as mosques, churches, temples, synagogues, chapels and other buildings or meeting places. Religion-supporting organizations also manage the payment of salaries to religious leaders such as Roman Catholic priests, Hindu priests, Christian ministers, some imams and rabbis. They also have other responsibilities that include the formation, nomination or appointment of religious leaders, the establishment of a corpus of doctrine, the discipline of leaders and followers with respect to religious law and the determination of the qualification for membership. In Ghana religion-

supporting organizations are private organizations reflecting the separation of the church from the state.

The proliferation of religion-supporting organizations in Ghana led to the enactment of the now defunct Religious Bodies Registration Law, 1992 (PNDCL 221). The number of religious bodies registered under the law as at 1992 was reported to be 1,693. By April 1997, within five years of its enactment Ghana was reported to have 3,000 such bodies. Consequently my understanding of the religious bodies in Ghana about whose role we speak in fighting corruption has reference to religion-supporting organizations that possess the attributes and self-governance systems and the mechanisms I have attempted to outline above to organize their religious activities.

In my understanding, religious bodies have both spiritual and temporal roles in the affairs of human society on this earth. It may not therefore be enough in the fight against corruption for religious bodies to emphasize the ritual and symbolic characteristics of religion. Religious bodies must inculcate the tenets of each religion in their followers such that they are internalized to play moral and ethical roles in their life.

Religious bodies must incorporate into their teachings cultural specific factors like religion, family ideals, upbringing, education, social status, and socialization throughout their religious endeavours. There has grown the perception that corruption in Ghana has become widespread and is corrupting our culture. In spite of our claim to being religious our cultural values of honesty and integrity appear to have been eroded and resulting in personal agendas replacing the public good at all levels of our lives. In traditional and modern religions, religion has been an indispensable agent of socialization, in the building of values and norms systems which when properly internalized makes the individual a moral and ethical being who takes part in and contributes selflessly to the development of his society and nation. When properly inculcated, religion teaches the highest standards of integrity and honour in public life.

In spite of this religion is considered by many as a discredited entity as a result of disillusionment with some Spokesmen of God who are considered unfit for their roles or over emphasize ritual and fanaticism rather than the “true spirit” of religion.

At the same time there is in our society a deep-seated faith in the potential of various religions to enrich value systems and popular sentiment of accountability and transparency that if religion is properly galvanized could be a powerful force in fighting corruption should the true essence of religion be understood.

It is important that the religious leaders and priestly class have moral influence over citizens if religious bodies must play a critical role in the fight against corruption. Unfortunately such influence seems to be waning amongst young men and women who express disdain of religious leaders who preach accountability while they themselves remain unaccountable. The “do what I preach and not what I do” syndrome has had an adverse effect on the ability of some religious

bodies to serve as moral compass and gate keepers of the attitudes and behaviour of their followers to be guardians of public goods against corruption.

There are a number of religious bodies in Ghana today who are perceived to follow the well beaten path of corruption instead of the path of righteousness thus giving credence to “a view that those who run temples may themselves be fundamentally corrupt.”

There has, consequently, been a lamentation that it is the moral decay of the present epoch brought about by lack of proper religious teaching and practice that has given rise to the spread of corruption in this country. It is argued that in times of old, when there were only few orthodox religions and the traditional religion, spiritual training and value based training infused from childhood in the family and in mission schools made a difference in the levels and perception of corruption.

The liberalization of education, the secular control of the educational system, and the restriction on religious studies in basic schools are said to be pointers to today’s galloping corruption in the Ghanaian society. The role of the family as indispensable in the internalization of religious values, and the promotion of morality and ethical conduct, it is argued, have been weakened by liberalism. Thus it is suggested that religious education and text must be made more accessible to children from an early age that must be taught the utility of accepting high moral and ethical standards as the foundation of a good society.

It can be said from the foregoing that depending on their nature and organization religious bodies can be both a facilitator and a hindrance in the fight against corruption. Speaking from a Christian theological perspective one author took the view that corruption has been a persistent feature of human society through time and space and affects not only the administration of state but also every societal organ including the church. The virus of corruption in his view has penetrated the functioning systems of the various stakeholders both local and globally with little success achieved in curbing it at different levels from a secular perspective. To him: “To the contrary and from a theological point of view, the long-lasting solution in curbing corruption are realized through engaging the main root cause of the problem, which in this case is the heart of man.” [Qeko Jere, Public role of the Church in anti-corruption: An assessment of the CCAP1 Livingstonia Synod in Malawi from a *Kenosis* perspective]

He contends that:

“Theologically, *kenosis* as a theological framework and solution goes beyond the gist of secular approaches as it addresses issues of the heart of men which in turn produces reformed systems...”

He proceeds to look “into *kenosis* of the synod operational system in relation to the incarnate work of Christ” to highlight “the critical areas that add value in the synod’s public engagement in anti-corruption.”

I came across a Master Thesis on “*Diakonia* and Christian Practice” published online titled “Christian identity and the Fight against Corruption: Reflection on the need of a diaconal approach in the eradication of corruption in Cameroon” written by one Wobilla Shei Leonard in which he argues that “the action of the church against this scourge [corruption] is part of *Diakonia*, which aims at transforming the word of god into social structures, promoting justice and peace.” The author points out that “*Diakonia* is a Christian duty but perceived in different ways by different denominations at the dogmatic level and at the implementation level or context.

Admittedly religious bodies have different approaches from the scriptures and dogmas to the fight against corruption and this affects their practical teachings and admonishing to their followers on issues of integrity and honesty in the public domain.

Nobody can, however, deny the fact that amongst the social dysfunctions seen in the scriptures is corruption. It constitutes a moral and ethical problem addressed severally in the Bible, Koran, and other religious source text. The existence of almost every religious body is intended to be in the service of God or Allah. God or Allah created a good world and not a corrupt world. Thus in Genesis: 1.31 it is written that: “God saw all that he had made, and it was good”. It is man who corrupted the world to the disappointment and dissatisfaction of God: “God saw how corrupt the earth had become, for all people on earth had corrupted their ways” (Genesis: 6:12).

In Exodus 23:8 Moses instructs: “Do not accept a bribe, for a bribe blinds those who see and twist the words of the righteous” and Solomon tells us the effect of bribes on justice when he says, “a wick man accepts a bribe in secret to pervert the course of justice” (Proverbs: 17:23).

Time will not allow me to state many of them but the bible in both the old and new testaments is full of admonishment of the true religious Christian against bribery and corruption should one really wish to live a Christ life on this earth.

Religious bodies which are true to their faith must teach and preach honest and righteous living. As former President Olusengun Obasanjo of Nigeria put it in a speech he made on “The Role of the Church in fighting against Corruption in Nigeria”:

“To preach that one can acquire wealth without labour is not only deceitful; it is a call to corruption. It is false preaching and it is sinful. We must be careful in believing and celebrating everything of miraculous blessing, hence we end up being hoodwinked into celebrating corruption. The power of faith must be developed as an instrument of social change.”

Speaking for the Office of the Special Prosecutor, the role of religious bodies in fighting corruption and corruption-related offences in Ghana encompasses both the religious, spiritual and material activities of churches, mosques, temples, and other religious organizations in Ghana that seek not only the spiritual wellbeing of the citizen for the hereafter but all those

activities that impact on creating good governance and strong public and private institutions through religious rituals and practices that enable citizens internalize a commitment to preserve public goods through accountable and transparent governance.

The role of good religious bodies in the fight against corruption and corruption-related offences in Ghana

No true Ghanaian can deny that good religious bodies have played important roles in the fight against corruption and have continued to play a pivotal role in that fight. By their nature good religious bodies win souls for God or Allah or whatever deity they serve and are enjoined to socialize their followers not only for the hereafter but also to be their brother's keeper morally and ethically here on earth. Because of their function in society good religious bodies have over the centuries specialized in winning souls for God, Allah, etc by preventing or recuing man from sin.

Being moral and ethical compass of social and political organizations they are better adapted to the preventive role and have over the years effectively served as corruption prevention social organizations. The Catholic Bishops' Conference of Ghana has year after year in hard or good times fearlessly advocated against greed and avarice in public life. The Christian Council of Ghana has also spoken out against the vice of corruption. So has the Association of Pentecostal Churches and the various Muslim Councils.

The contribution of the various religious bodies in the events leading to and during the enactment of the Office of the Special Prosecutor Act, 2017 (Act 959) constitutes ample demonstration, if demonstration be needed, that good religious bodies in Ghana serve a positive corruption prevention role in the fight against corruption.

It has not been by mere chance that much of the role of good religious bodies in the fight against corruption has been fought in the prevention of bribery and corruption in the first instance. This is because by their nature good religious bodies are to win souls for God or Allah and ensure that their followers practice to live in accordance with scriptures which require utmost integrity and honesty in public life. The separation of the religious from the secular realm has removed from religious bodies any ability to enforce criminal law. Consequently, the investigation and prosecution of corruption and corruption-related offences have been apportioned as the responsibility of the executive arm of government through laws enacted by the legislature. The judiciary has responsibility to hold the balance between the citizen and the state when accused of the commission of corruption and corruption-related offences.

This apportionment of the secular power in dealing with investigation, prosecution and trial of corruption and corruption-related offences does not totally remove good religious bodies from playing a supervisory role in policing the three arms of government in the manner in which they conduct the duties entrusted to them by the Constitution and the law. Consequently good religious bodies continue to have an obligation to speak out against any form of abuse of public

office for private profit or benefit and interference with impartial application and enforcement of the laws on corruption.

The continued existence and independence of the Office of the Special Prosecutor which is just one year old and still in the stage of operationalizing its mandate and functions due to delays in enacting subsidiary legislation, composing its Board, and employing the core staff of the Office is dependent on the continued advocacy and support of civil society which has as its leading participant and activist religious bodies. The Office has been given permission to employ about 249 staff of different grades of competences to enable it operationalize the Act and the subsequent subsidiary legislation. This object cannot be attained without sufficient accommodation to house the various divisions and the Secretariat of the Office for it to work effectively and efficiently. Religious bodies have a role to play in actualizing this in support of the fight against corruption.

I dare say that in spite of the efforts by religious bodies, other civil society organization and the electorate generally in ensuring the establishment of an independent anti-corruption agency which I lead, perceptions of corruption have increased rather than decreased. Almost no day passes without some allegation of corruption or the other being made either by the Government against its predecessor or by its predecessor now the largest opposition political party against the Government.

The historical truth however is that both political parties are more interested in seeing their opponents investigated and prosecuted than seeing their own investigated and prosecuted for corruption. This is in spite of the fact that the President has made a commitment to the Office of the Special Prosecutor to give it a free hand to treat crime as crime regardless of one's political affiliation. The lived experience is that very few in the Governing and the opposition political parties subscribe to the President's commitment.

The Office of the special Prosecutor therefore still needs the active support of religious bodies not only in the prevention of corruption but also to protect its independence and have the free room to treat corruption and corruption-related offences as purely criminal offences without fear or favour, affection or ill will. The continued advocacy and open condemnation of any form of interference in the work of the Office by religious bodies and the public will strengthen the Office to make a success of this latest endeavour to fight corruption.

CONCLUSIONS

This discourse on the role of religious bodies in the fight against bribery and corruption in Ghana has been presented from the perspective of the role good religious bodies may and can play in assisting the Office of the Special Prosecutor which is the latest attempt by the Government and people of Ghana in setting up an independent anti-corruption agency mandated to eradicate the virus of corruption that has eaten into the fabric of the body politic before and after our independence as a nation.

It has been shown from a general examination of the concept of bribery and corruption under the laws of Ghana from a historical perspective, under the Criminal Offences Act, 1969 (Act 29) as amended, and the defunct Corrupt practices (Prevention) Act, 1964 (Act 230) and other laws that corruption and corruption-related offences are secret practices which are mutually beneficial to the giver and the taker who are accomplices who will scarcely report the offence. It has been demonstrated using the example of the Corrupt Practices (Prevention) Act, that Ghanaian Governments generally scarcely investigate and prosecute their own members and associate who come under suspicion for committing these offence. The challenge then is that good religious bodies and other civil society organization have to support the Office of the Special Prosecutor to treat crime as crime and prosecute any citizen who is suspected of its commission without fear or favour.

In exploring the objects of the Office of the Special Prosecutor and its jurisdiction in the fight against corruption and corruption-related offences it has been shown that the prevention of corruption object is necessary and the most important tool in the fight against corruption by all anti-corruption bodies and this role has been played by good religious bodies with success over the years and constitutes the strongest role such bodies can effectively play in supporting the fight against corruption.

This discourse has attempted to focus on the role of good religious bodies and how good religious bodies may support and assist the Office of the Special Prosecutor to make a difference from past efforts to fight corruption and corruption-related offences in Ghana. This discourse concludes with the perspective that one of the factors militating against the fight against corruption and corruption-related offence in Ghana today is the historical and present truth that political parties that end up forming our Governments are more interested in seeing their opponents investigated and prosecuted for corruption than seeing their own investigated and prosecuted for corruption. This is in spite of the fact that the present President has made a commitment to the Office of the Special Prosecutor to give it a free hand to treat crime as crime regardless of one's political affiliation. The lived experience is that very few in the Governing and the opposition political parties subscribe to the President's laudable commitments against corruption.

The discourse ends with the perspective that the Office of the Special Prosecutor therefore still needs the active support of religious bodies not only in the prevention of corruption but also to protect its independence and give it the free room to treat corruption and corruption-related offences as purely criminal offences without fear or favour, affection or ill will. The continued advocacy and open condemnation of any form of interference in the anti-corruption objects and functions of the Office by religious bodies and the public will strengthen the Office to make a success of this latest endeavour to fight corruption. It is my belief that good religious bodies cannot afford to let this last experiment in fighting corruption and corruption-related offences in Ghana be captured again by the political elite just for political point scoring. Good religious bodies have a spiritual and temporal obligation to ensure that the wellbeing of the nation is put

above the greed and avarice of the political elite as good religious bodies have tenaciously demonstrated in Ghana over the years.

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