CURBING CORRUPTION AND BUILDING SUSTAINABLE PEACE AND DEVELOPMENT IN NIGERIA

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Abstract
The phenomenon of corruption has become a lifestyle of the Nigerian society. This has deepened poverty, impeded development and exuberate socio-political conflicts. The politics of patronage, criminalization of politics, politicisation of crime, bad governance, weak institutions, dysfunctional legal system and lack of respect for public good have all combined to lubricate the scourge of corruption in Nigeria. Unfortunately, corruption in Nigeria has defied all known remedies. The persistence of corruption and its implication on building sustainable peace and development motivated this study to examine the issues, challenges and options of combating the monster. Findings reveal that these institutions have engaged in arraigning fraudsters, persons locked in financed crimes and other public functionaries who have declared false assets, yet the slow pace of checkmating corruption has led to the general belief that culprits can go unpunished. This has therefore led to diversion of resources meant for social infrastructure, development and curbing insurgency, making it increasingly difficult for government to achieve sustainable peace. The conclusion is that although the anti-graft institutions have made considerable inroads in fulfilling their mandates, the efforts are insignificant. Fighting corruption therefore must be courageously and vigorously fought, sparing no one, whether ‘big’ or ‘small, high or low’. The paper therefore recommends that to address corruption, government should go beyond the government setting up the anti-graft institutions but allowing them to operate independently.

Keywords: corruption, criminalization of politics, politicisation of crime, sustainable peace, weak institutions

Introduction
That corruption in Nigeria is endemic, complex and dynamic in nature is not disputable. Almost in every academic and professional gathering the pervasive consequences are brought to the fore, yet this malady is ingrained in the society. Most Nigerians have lost their sense of rationality with the ‘kick back’ and ‘kick front’, ‘settlement mentality’ and ‘anything for the boys’ indoctrination over the years. Unfortunately, most societal institutions have completely decayed especially during the long years of military rule. Such that by the time the military had left the stage, all arms of government including the judiciary had been intimidated. Agbu (2003) averred that “there was subversion of due process that the manipulation of the civil society and the bastardization of democratic values and institutions, access to political power became a means of primitive accumulation, whilst productive initiatives were stifled and ridiculed”. To address the pervasiveness of corruption, the Nigerian government embarked on a host of initiatives and programmes including setting up several panels of inquiries and establishment of anti-graft agencies. One of the earliest was the promulgation of the Public Officer (Investigation of Assets) Decree No. 5 of 1966 that mandated the
forfeiture of corruptly acquired assets by some public officers. Though each successive regime made attempts in one way or the other, efforts nearly amounted to nothing because corruption has defied all known recommendations.

The administration of President Olusegun Obasanjo (1999-2007) particularly embarked on series anti-corruption campaigns and establishment of two nationally anti-graft bodies namely Independent Corrupt Practices Commission (ICPC) in 2000 and Economic and Financial Crimes Commission (EFCC) in 2004. He also participated in the founding of Transparency International (TI) an international non-governmental agency dedicated to combating corruption, and instituted fiscal and economic reforms. Inspite of the presence and activities of the anti-graft agencies, there are still cases of corruption reported daily on the print and electronic media with allegations and counter allegations on these institutions charged with the responsibility of its control. It is in this context that this study assessed critically the Anti-Graft agencies in their bid to curb corruption in Nigeria between 1999 and 2012.

The objective of this study is to examine ways and means for moving from rhetoric to action in the war against corruption in Nigeria and how this would translate into building sustainable peace and development.

Theoretical Underpinning

Most scholars theorizing on the causes of corruption in Nigeria have tended to emphasize the failure of the postcolonial state in Africa. They argue that that the state have failed to protect the interest of the generality of the masses but has turned out to be instrument of a privileged few who exploit and oppress the people. For this, the people tended to withdraw their allegiance from the state and investiture of same on the primordial or community realm where they are appreciated and catered for, and to this primordial public, the people give their loyalty and willingness to obey and serve. This is what Ekeh (1975) articulated in his theory of the ‘Two Publics’. To Ekeh, two publics are discernible in African states with two different imperatives. The primordial or community realm was guided by moral imperative which makes stealing from it a taboo, an act that was practically unimaginable. The people attach immense loyalty to it because it meets their welfare and protection. The civil public however, does not enjoy the same loyalty and confidence of the people because it has failed to transform itself from a coercive and oppressive institution to an institution meant to protect and cater for the people’s welfare and well-being. The people’s perception of and relation with the state remains as in colonial era, Ekeh observed:

The line of distinction between allegiance to alien ruler and the new African bourgeois ruler was a thin one in the mind of the lay African. Given the historical context of colonialism in Africa, it is the case that the African bourgeoisie had no basis of legitimacy independent of the colonial.

To steal from the civic public is not considered as morally wrong by those in the primordial realm. But the same act is regarded as condemnable and frowned at, in the primordial realm. Corruption has become a way of life. It is no longer shocking when cases of embezzlement are mentioned. The society feels such a person is smart. Such individuals are celebrated while those who do not want to soil their hands are derided. Today, corruption is the order of the day and a way of life. Before an individual will get his letter of appointment, the line manager or the human resources manager will have his/her palm greased (Osaghae, 1994), but the collective resolve to fight the menace is not strong enough. That is why the number of cases against state officials which at onset show much enthusiasm by state authorities but later die down and subsequently remain in the cooler for several years.

Conceptual discourse

Like several other social concepts, varied definitions are advanced for the phenomenon of corruption (Odofin and Omojuwa, 2007).For instance, the United Nations Global Programme against Corruption (GPAC) defines corruption as “abuse of power for private gain”. Similarly, Transparency International (TI) in its 2000 Sourcebook says, it as “misuse of entrusted power for private benefit”. Three elements are identifiable in the definition namely ‘a misuse of power’, ‘power that is entrusted’ and ‘for public gain’. The presence of these elements is antithetical to society’s growth and peaceful development.
The World Bank expanded this by saying that corruption occurs “when a public office is abused for private gain and when an official accepts, solicits or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets or the diversion of state revenue” (World Bank, 2000). Public office is abused according to Adelegan (2009) when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. One point raised here is that corruption undermines the collective interest and promotes a few using assigned public trust for their own private gain. This brings to mind, the age long assertion by traditional political scientists that power tend to “corrupt, and absolute power corrupts absolutely”.

Corruption is an age long destructive phenomenon and is anti-development. It is not limited to any particular region, or any given environment, whether developed or developing. It is a dangerous global phenomenon and a problem for all countries of the world as no country is immune from its dangerous grip. It presents itself in diverse ways ranging from bribery and graft, through extortion and robbery, patronage, nepotism, to embezzlement and kickbacks. It also comes as pay-offs, fraud, swindling, favouritism, political profiteering, graft, misappropriation, misapplication, self-serving divestment, skulduggery, conflict of interest, insider trading/abuse of privileged information and abuse of power(Olaopa, 2016; UN ECA, 2013; Akhakpe, 2011; Adefulu, 2007; Okwu and Adegun, 2007; Alemika, 1999). Its major facilitators are the tyrannical, despotic and oppressive systems employed by leaders and their cronies to “abolish or steal the mandate of the masses.

What constitute corruption is not in doubt. Agbu (2003) aptly captures highlight that abuse of public office may not be limited only to the occurrence of bribe, patron-clienteles, theft of state assets, or diversion of state resources but in general connotes any behaviors that deviate from an established norm with regards to public trust. It also involves theft of public trust whether the person concerned is elected, selected, nominated or appointed and it does not matter whether the persons affected holds office or not since anybody can be corrupt.

Unfortunately, the damaging effect of corruption is that dishonest public officers dent the credibility of governance institutions. It also undermines trust in the private sector. Indeed all sectors whether public or private are negatively affected. Other negative consequences of such misuse of entrusted power are that it hinders development resulting in stunted economic growth, mainly because of the diversion of funds and because of the investment that does not occur. Thus, poverty is perpetuated because the resources to reduce it vanish. Its pervasive nature has made the World Bank to declare corruption to be the single most damaging obstacle to development, both economic and social. Agbu (2003) highlights four serious implications of corruption as:

1. Corruption affects adversely the quality of governance and social structure in Nigeria.
2. Corruption has eroded government’s ability to provide the needed social amenities like water, sanitation, healthcare, education and other areas.
3. It retards economic development and precipitates deterioration of public infrastructures and amenities (roads, refineries, dams, plants, telecommunication networks) and
4. At the political level, untamed corruption in the polity, entrenches bad governance in Nigeria despite the various legislations promulgated to check this despicable phenomenon.

Looking for a workable description, the United Nations Development Programme (UNDP) (2006) in her view says corruption is essentially a “governance issue and a failure of institutions and a lack of capacity to manage society by means of social, judicial, political and economic checks and balances”. This idea was further enunciated by Olaopa (2016) when he noted that what makes it worse, is that the whole dimension of the multifaceted concept manifest as part of our daily existential and institutional life. However, it lies at the centre of bad governance. It is equally tied with the pervasiveness of the underdeveloped nature of the African society in its social, political, economic and cultural aspects. Thus, when corruption meshes with bad governance it plays very prominent in the impoverishment of the masses and represents a profound
challenge to the alleviation of poverty. It very much aggravates bad feelings of the poor masses as being cheated by those who have massively amassed the collective wealth by a few now living ostentatiously amid mass poverty and extreme want.

Given that the phenomenon of corruption has been widely interrogated in the extant literature, what constitutes it is in no doubt. Unfortunately, the issue of corruption has become part and parcel of the larger socio-economic and political problem that the Nigeria state is grappling with. It has become ingrained and so pervasive in all sectors of society. In fact it is the greatest bane of development and peace today. The cankerworm of corruption has eaten deeply into the fabric of the society.

Prevalence of corruption in Nigeria

The Nigerian State since gaining independence in 1960 has been grappling with issues of corruption and graft in both its private and public sectors. This phenomenon has not only permeated the country’s bureaucracies but has also caught the attention in the international public opinion where Nigeria was once rated as one of the corrupt countries in the world. Government considers it proper to evolve several institutional mechanisms for combating the problem. Hardly an administration comes to power without an institution designed to eradicate corruption. However, it is curiously puzzling that given the numerous institutional mechanisms like the Independent Corrupt Practices and Other Related Offences Commission, Economic and Financial Crimes Commission and Code of Conduct Bureau, the spate of corruption is not abating.

According to Dibie (2007) corruption has become common tradition in Nigeria particularly for public leaders to behave as though the public service is a no man’s business sector. It is in this view that Nye (2009) associates this menace to behaviours which deviates from the normal duties of a public role because of private-regarding (family, close private clique), pecuniary or status gain; or violates rule against the exercise of certain types of private-regarding influence. Campbell (2010) also noted that corruption has been deeply embedded in the political culture and in the formal and informal economy.

Judging from the empirical evidence, corruption has eaten deep into the fabric of country and in order to tame the monster, several anti-corruption agencies have been established. According to Olaopa (2013) these are series of reforms meant to “administratively recalibrate the architecture of the state towards the needs and imperatives of democratic governance”. The ‘Great Purge’ of 1976 undertaken by the Muritala Mohammed/Obasanjo regime was one of such reforms. The process had involved sacking more than 10,000 public officials on account incompetence, malpractice and corruption as the regime had zero tolerance for graft, ineptitude and laxity. Even the anti-corruption crusades over the years have itself been marred by poor reputation. Unfortunately corruption breeds corruption.

The extant laws of the Federal Republic of Nigeria enacted in 2000 and 2004 by the Olusegun Obasanjo administration (1999-2007) have remained the visible instruments for fighting corruption in Nigeria even in successive administrations. Obasanjo stated copiously at his inaugural speech on May 29, 1999 that:

Corruption is inherent in all human societies and in most human activities. But it must not be condoned. That is why laws are made and enforced to check corruption so that our society would survive and develop in an orderly, reasonable and predictable way. No society can achieve anything near with the prevalence of this cankerworm called corruption....there will be no safe haven for them as the constitution shall be firm with them. Nobody no matter and where will be allowed to get away with the breach of law.

Lack of accountability in the polity easily leads to the entrenchment and institutionalisation of the culture of impunity and capturing of the state’s resources by the political-office holders. Specific example is the late Nigerian Head of State, General Sani Abacha, who alone diverted to personal coffer and those of his dependants an estimated sum of US $3.6 billion (Transparency International, 2004). The serious allegation of non-remittance of about $7 billion from Nigeria National Petroleum Corporation (NNPC) to Central Bank occurring from export of some 300,000 barrel per day, amounting to $900,000 a month to be refined and with refined products of only $400,000 returned. Again the water project for Port Harcourt, initiated by the
Federal Government, to be financed by African Development Bank is as now in the cooler because of the face-up between Governor Amechi and President Jonathan (Obasanjo, 2013).

Many past governors within the Fourth Republic have at one time or the other been investigated for allegations of corrupt enrichment from public treasury (Tell, 2012). These include former governor of Enugu state Chimaroke, Nnamani; Gbenga Daniel of Ogun state; Alao Akala of Oyo state; Akwe Dorme of Nasarawa; Bola Tinubu of Lagos; IkediOhakimof Imo state; Joshua Dariye of Plateau state; Saminur Turaki of Jigawa; Jolly Tanko Nyame Taraba state; Orji Uzor Kalu of Abia state; Peter Odili of Rivers State and Lucky Iginiedion of Edo state (Chukwuemeka, Ugwuanyi, & Ewuim. Other high profiles that have been investigated are Wamako Aliyu of Sokoto State, Ibrahim Idris of Kogi State, Timipriye Sylva of Bayelsa State, Boni Haruna of Adamawa State, Michael Botmang of Plateau State, Rasheed Ladoja of Oyo State and Ononefe Ibori of Delta State (Derin, 2007).

Other high profile cases of corruption include the ones involving Femi-Fani Kayode, former Aviation minister, over the fraudulent handling of N19.5 billion Aviation International fund, Senator Iyabo Obasanjo Bello and former Health Minister, Adenike Grange over misappropriation of N300 million meant for the ministry, former Senate president, (late) Mr. Evans Ewerem, for improper contract award, former Senate President, (late) Dr.Chuba Okadigbo for improper contract award up to the tune of N22.9 million, former Senate President, Adolphus Wabara, for his involvement in a contract bribery scandal, Professor Fabian Osuji, former Minister for Education for bribing the members of the National Assembly to tune of N55 million to approve the inflated budget of his ministry (Ouwpele, 2015).

Even, Sunday Ehinduru, former Inspector General of Police and Mr. BrodericksBoumi, former Minister of Police Affairs, were interrogated for misappropriation of N577 million donated to the police by the Bayelsa state government for the purchase of arms and ammunitions to enable the police tackle the militants in the Niger Delta. Unfortunately, the anti-graft agencies have not been able to successfully prosecute high profile cases except for very few ones such as the conviction of former national vice chairman of the People’s Democratic Party (PDP) Chief Olabode George; former Governor of Edo State, Chief Lucky Igbinedion; former Inspector General of Police, Mr. Tafa Balogun and former Governor of Bayelsa State, Chief Diepreye Alamiyesigha who was alleged of money laundering to the tune of about 1.8 million pounds and said to be arrested by the British Police in London after he jumped bail in 2007. It has been said at many fora that the anti-graft agencies are ineffective and only target, investigate and prosecute individuals who are out of favour with the leadership of ruling government of the day; while those that are in favour continue their corrupt activities with impunity (Nigerian Newsworld, 2012).

**Strategies of curbing corruption and building sustainable peace in Nigeria**

To be sure, attempts have been made in the past and present not only to identify but to curb this virus that has eaten deep into the fibre of the Nigerian society. The various governments have displayed burning desire by way of creating institutions that will curb corruption as it poses great danger to its citizens and has drastically been reducing the capacity of its rapid development. But, unfortunately, the efforts are not backed with the required political will to drive through the intentions.

Those involved in high level corruption are well rooted in the government circles. Combating corruption has emerged as a major issue in the international development agenda. In Nigeria several institutional frameworks are in place, intended to checkmate the phenomenon, as government have expended energy and resources in the fight against corruption. Some of these include Ethical Revolution under President Shehu Shagari, National Orientation and War Against Indiscipline under Generals Mahamadu Buhari/Tunde Idiagbon dispensation, Mass Mobilization for Self-Reliance and Economic Recovery (MAMSER) introduced by General Ibrahim Babangida, War Against Indiscipline and Corruption by General Sani Abacha. Other bodies include the National Committee on Corruption and Other Economic Crimes that led to an enactment that resulted to the Corrupt Practices and Economic Crimes Decree of 1990.

The Nigerian government has established several institutional frameworks designed to combat the monster that has negatively impacted on social development. These frameworks are administered by agencies of government. Each of them responded by implementing programme calculated to put it in check. Efforts were
made but as a result of lack of sincerity and dedication, no meaningful/noticeable success was recorded. The list of attempts further includes:

1. The public Officer (Investigation of Assets) Decree No. 5 of 1966. That Decree led to the forfeiture of corruptly acquired assets of some public officers.
2. The Corrupt Practices Decree in 1975 by General Murtala Mohammed/Olusegun Obasanjo. This regime was the architect of the 1979 Constitution that provided for the Code of Conduct Bureau and the Code of Conduct Tribunal in 1979.
3. Public Complaints Commission in 1975
4. The Public Officer Investigation of Assets Decree in 1976
5. The Ethical Revolution of the Shehu Shagari administration in 1981 was also an attempt in that direction during that democratic dispensation.
6. War Against Indiscipline in 1984
8. Corrupt Practices Decree and Economic Crime Decree of 1990. Though it was still-born at the draft stage in 1990 was General Ibrahim Babagida administration’s approach in solving the problem
11. War Against Indiscipline and Corruption (WAIC) in 1994
14. Foreign exchange Decree in 1995
15. Money laundering Decree in 1995
17. Economic and Financial Crimes Commission (EFCC) in 2004
18. Advance Fee Fraud, Corrupt, Practices and Money Laundering Act in 2004
19. Advance Free Fraud and Other Related Offence Act in 2006
20. Fiscal Responsibility Act in 2010
22. Money Laundering Prohibition Act in 2011

Despite the efforts of these administrations to bring down the level of corruption, it has defied and defiled the mechanisms put in place by the government to combat it. It was this situation that prompted Chief Olusegun Obasanjo to come up two agencies through legislation as legal instrument to address corruption. Hence the establishment of Independent Corrupt Practices and Other Related Offences Commission (ICPC), Economic and Financial Crimes Commission (EFCC) and strengthening of Code of Conduct Bureau (CCB) to fight corruption through prevention, enforcement of laws against defaulters, to sanitize the business environments and maintain a high standard of public morality among Nigerians. And to ensure that actions and behaviour of public officers conform to the highest standards of public morality and accountability in day to day business transactions.

The creation of anti-corruption laws and anti-graft agencies does not in itself guarantee any impact on the level of corruption; therefore it is worthwhile to examine the anti-corruption framework and strategies. It is important to note that frameworks have two focus; preventive and enforcement. Preventive framework develop regulations, codes and rules and aim to enforce such through sanctions, while enforcement framework provides deterrent effect of actions like investigating possible criminal activity, prosecuting offenders and confiscating proceeds of crime (Tsingou, 2005).

The core function of these commissions is to investigate. A good and thorough investigation determines the success or successful prosecution. The anti-graft agencies receive increasing number of petitions which compel the commission to swing into operations. The petitions are filtered. Those within the statutory power of the agency, that have prosecutorial value are thoroughly investigated and accordingly filed in court.
Those petitions outside the purview of the commission it was sent, are referred to other law enforcement agencies for further processing. And those found lacking in merit are rejected and the petitioners advised accordingly.

The agencies of government for curbing corruption if well managed could exert pressure on Nigerians, particularly the leadership to make better use of resources, improve extractive capacities and pressure rapid growth. Through these agencies, the government have been able to set up the Budget Monitoring and Price Intelligence Units (Due Process Units) and enactment of fiscal responsibility laws to check possible abuses and excesses of public officers as well as those engaged in the private sector (Adelagan, 2009).

Njoku (2005) looking backwards at fights against corruption in the annals of Nigeria and concludes that anti-corruption efforts by some of the previous administrations concluded that they had been mere cosmetics shows. This may the attributed to why corruption is still going on unabated particularly at the leadership level.

Concluding Remarks

The anti-graft institutions had made considerable inroads in fulfilling their mandate but the contributions are quite infinitesimal compared to the spate of corruption. These are related to lack of political will on which other factors hinge on, lack of funding and lack of autonomy to enable these institutions to improve the performances. Although the institutions had made appreciable progress in addressing and fulfilling their mandate, the issue of political will among others had made them not to exploit opportunities before them. The government promises of tackling corruption decisively have not translated into action. Government committed support is not seen yet, therefore no clear road map for reforms.

There is still poor legislation which hampers attempt by these agencies to mitigate against corruption. The government should realise that corruption remain a daunting challenge. As of now the legislative response to corruption is insufficient to address corruption. There are loopholes, lapses and weakness. To effectively combat it, the initiatives of these agencies must be backed up by law. Therefore the government should properly and adequately empower and support these institutions to ensure that they fulfil their mission. The Nigerian situation is still redeemable, only if:

1. There is transparency and accountability by all public office holders including rigorous prosecution of offenders are carried out.
2. All Nigerians including the anti-graft agencies must have zero-tolerance for corruption and corrupt persons should be brought to book irrespective of who is involved.
3. There is interagency institutional collaborations in fighting corruption. All should serve the responsibility of playing the role of watchdog and whistle-blowers against corrupt practices.
4. The state must take up the social and economic responsibilities assigned to it without shelving obligations to her citizens. The campaign against corruption in whatever way and manner it rears its ugly head, must be courageously and persistently fought. No sacred cows should be held anywhere no matter the circumstances.
5. Going beyond the government setting up the anti-graft institutions but allowing them to operate independently. The government functionaries should not be the ones dictating the tunes on how corruption fight should be conducted.

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