

CORRUPTION IN NIGERIA: A CHALLENGE TO SUSTAINABLE DEVELOPMENT IN THE FOURTH REPUBLIC

Usman Mohammed

Department Of Political Science, Faculty Of Social Sciences, Ahmadu Bello University,
Zaria, Nigeria

Abstract

The United Nations Global programme against corruption (UNGPAC) defines it as “abuse of power for private gain”. The paper examines corruption as a challenge to sustainable development in the fourth republic. In this research work, attempt was made to conceptualize corruption and sustainable development .With regards to the methodology, the paper was based on systematic qualitative content analysis .We also used historical and cultural theory of corruption as the tool of our analysis. A cursory observation into the Fourth Republic in Nigeria reveals that corruption was perpetrated with impunity with little or no effort at bringing the perpetrators to justice. Despite the establishment of the anti-graft commissions by the Obasanjo Administration, corruption has continued to escalate like wildfire. Therefore, this paper attempts to extrapolate the factors that were responsible for this high profile corrupt practices in Nigeria and this were traceable to historical and cultural factors of the components that make up the country. The amalgamation of Nigeria in 1914 by Sir Frederick Lugard placed the three major ethnic groups in the country advantaged over the minority ethnic groups. The minorities, who felt insecure in the hands of the major ethnic groups therefore, resorted to manipulations just as the major ethnic groups attempt to maneuver their ways. It is this suspicious attitude of the people that make up the country for one another, and for what a person in position is likely to be, that results in corrupt practices. It is therefore, the contention of this paper that unless this phenomenon is fought with every decorum it deserves by the Federal government of Nigeria, sustainable development will be a mirage with dire consequences on the economy, the citizenry and on our collective image globally. The anti-graft commissions should therefore be empowered to work assiduously without being molested or interfered with by the government. The paper contended that unless good

governance is in place with accountability carefully observed, sustainable development cannot be realized.

Keywords: Corruption, sustainable development

Introduction

One of the greatest threats to economic and political development of any nation is corruption. Therefore, the challenges of corruption remain a major devastating issue facing Nigeria since the colonial period, although, this phenomena has become a cankerworm that has eaten deep into the fabrics of our system. Nevertheless, its solution rests in our hands and cannot be put off to another day. That is why many countries have put in place different mechanisms for checkmating the spate of corruption. In Nigeria for example, the menace of corruption has been discussed at different levels, yet this ugly incidence keeps surviving with us at all facets of our endeavours.

Since the return of the country to civil rule on May 29, 1999, the Nigerian government has taken a number of measures to address the problems of corruption and bad governance in the country. These measures include public service reform (monetization to reduce waste and reduction of over-bloated personnel, reform of public procurement); establishment of anti-corruption enforcement agencies (such as the Economic and Financial Crime Commission, Independent Corruption and other Practices Commission); and the on-going sanitization of the financial services sector by the Central Bank under Governor Sanusi, which have revealed mind bulging levels of bare faced theft by the management of several banks in Nigeria.

Despite the successes attained by these measures, the situation remains unacceptable as corruption continues to permeate and pervade every facet of national life in Nigeria (CLEEN Foundation Monograph Series, 2010). Against this backdrop, this paper will attempt to expose some acts of corruption in the Fourth Republic and state its dire consequences on sustainable development in Nigeria. The central theme of the argument is that corruption has been responsible for our economic, social and political under-development in Nigeria. Therefore, corruption, which has come to survive despite all efforts at curbing it, is at the center of our discourse in this paper.

The paper is divided into seven sections. Section one deals with the on-going introduction. Section two conceptualizes corruption and sustainable development. Section three is concerned with theoretical framework while section four deals with methodology. Section five extrapolates the perspectives of corrupt practices in the fourth republic and

section six analyses the challenges of corruption to sustainable development in the Fourth Republic. Lastly, section seven deals with conclusion and recommendations.

Conceptual Clarification

The themes of this paper are: corruption and sustainable development. Therefore, it is necessary to give these concepts operational clarifications.

Corruption

According to Olugbenga (2007), Odofin and Omojuwa (2007) the word corruption cannot easily be define. Similarly, Ajibewa (2006), Faloore (2010) and Igbuzor (2008) cited in Egwemi (2012) maintains that corruption is not an easy task to define. Indeed, defining corruption is a daunting challenging venture. However, Andrig and Fjelstad (2001:4) view corruption as a “complex and multifaceted phenomenon with multiple causes and effects, as it takes on various forms and contexts”. According to them, one of the major difficulties in conceptualizing corruption is that while it is difficult to disappear it has a capacity to take on new forms (Andrig and Fjelstad, 2001). In a similar fashion, Tanzi (1998) maintains that while it is difficult to define corruption, the crisis associated with corruption is not difficult to recognize.

At the opening remarks on conference proceedings titled “Corruption and Governance Challenges in Nigeria” organized by CLEEN Foundation Monograph Series (2010), the chairperson, Ms. Farida Waziri, posits as follows:

Etymologically, the word “corruption” comes from the Greek word “corropius” meaning an aberration or we may say a misnomer.

The United Nations Global Programme against Corruption (GPAC) defines it as “abuse of power for private gain”. The Transparency International has chosen a clear and focused definition of the term as “the abuse of entrusted power for private gain”. It can also be defined as a pervasion or change from the general accepted rules or laws for selfish gain (Farida, 2010). The World Bank however defines corruption as:

The abuse of office for private gains. Public office is abused for private gain when an official accepts, solicits or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public offices and processes for competitive advantages or profit.

In view of the above, Agbu (2003:3) observed that public office can be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state

assets, or the diversion of state resources. Given this development therefore, corruption connotes any behavior that deviates from an established norm with regards to public trust. It also means theft of public trust whether the person concerned is elected, selected, nominated or appointed and it does not matter whether the person affected holds office or not since anybody can be corrupt.

Sustainable Development

The Diploma of sustainable development online (2012) refers to the term as the type of economic growth pattern where the use of resources meets the needs of the human population while conserving the environment at the same time. Sustainable development means resources are used in such a way that both current and future human needs can be met.

The sustainable development guide online (2012) also describes the term as the development that meet the needs of the present, without compromising the ability of future generations to meet their own needs. According to Ukaga (2010) ask a sample of people about the term “sustainability” and you are likely to get a variety of answers representing diverse perspectives, experiences and circumstances. This confirms that a “one size fits all” approach to sustainable development is inappropriate, ineffective and unnecessary.

He stressed further, scratch below the surface, however, and you will find that while there is a diversity of viewpoints on the concept of sustainable development, as well as specific policy and practice options for achieving it, there is more agreement on some of its core principles such as: meeting basic human necessities fairly and efficiently; preserving options for both present and future generations to meet their needs; promoting community well-being based on broad participation and active citizenship; maintaining that diversity and productivity of nature; managing and utilizing resources with prudence and precaution; linking various aspects of sustainability (i.e. economic, ecological and social); assuring accountability for all; avoiding or at least minimizing waste having a long term view; maintaining a holistic perspective; and fostering cooperation and shared responsibility.

Adebayo (2010) also maintains that the concept of sustainable development is the efforts at improving the environment or natural resources for the purpose of improving the quality of human life in such a way that the needs of the future generation are not jeopardized. To this end, sustainable development is the ability to preserve the existing resources of the state for the collective use of the citizens while conscious efforts are made to conserve the resources for the use of future generations.

Theoretical Framework

In this research essay, we shall use the theory of history and culture as the tool of our analysis. Various theorists as well as many popular accounts attribute countries with different rates of corruption using historical and cultural traditions.

According to Grey Wint cited in Treisman (1998), in nearly all Asian countries there has always been a tradition of corruption. Public office means prerequisites (Myrdal, 1970). Also, Kohli (1975:32), observed that corruption in India has with the passage of time become a convention, a psychological need and necessity to say. According to Prince Bakunin cited in Sajo (1994), “there is stealing and corruption everywhere ... but in Russia I think there is more stealing and corruption than in any other state”. Within Western Europe, Southern Italy is the home of “amoral familism” – including the propensity to offer and accept bribes – and Spain is home to amiguismo, the use of contacts and intermediaries in dealing with the bureaucracy, and influence trafficking in political life” (banfield, 1958, Heidenheimer, 1994 and Heywood, 1996).

Further west, the Argentine playwright, Mario Diament cited in Little and Posada – Carbo (1996) asserts that “corruption in Latin America is not merely a social deviation, it is a way of life”.

Other scholars argue, more broadly that a culture of distrust and private – spiritedness foster high rates of venality than occur in communities where generalized trust and civic engagement are strong. Distrust and suspicion boosts the demand for corrupt services on the part of private agents. Therefore, there is perceived uncertainty of entering into partnerships with strangers, which may impede legitimate private business activity. The suspicion that competitors are getting is ahead through corrupt acts and that regulatory officials will impose predatory sanctions if not paid off may make a business strategy of keeping one’s hands clean seem counter-productive (Treisman, (1998).

At the same time, the lack of trust and civic engagement may increase the supply of corrupt services by reducing the danger to officials of being exposed and punished. Societal organisations to monitor and protest abuses will be weaker (Treisman, 1998). A related argument links corruption to ethnic polarization. According to Treisman (1998), the demand for corrupt services may be higher at any given price. For one thing, generalized trust is likely to be lower. Members of ethnic groups may feel that demanding favours from co-ethnics in office is the only effective way to obtain government services.

At the same time, the supply of concept services may be increased by the social leverage that ethnic leaders have over officials of their ethnicity, fear of social ostracism may

make them reluctant to refuse their co-ethnic demands (Treisman, 1998). Different scholars also argued that competition between different ethnic groups within the same state could also foster patronage politics and bureaucratic predation. In view of this, Easterly and Levine (1997) maintains that a relationship between ethnic fragmentation and growth retards public policies.

Given the above therefore, the Nigerian state which came into being in 1914 following the amalgamation of Northern and Southern Protectorates could be said to be built on a tripod stand. That is, North, East, and West. This tripod, which of course represents the major ethnic groups notably, Hausa and Fulani, Yoruba and the Igbo respectively, virtually dominates every facet of the Nigerian society. Therefore, it was this division and domination of the minorities by the dominant ethnic groups that brought about competition, anxiety and mutual distrust for one another by the groups that make up the country.

Therefore, corruption in Nigeria is endemic with cultural phenomena. Also, the Nigerian society is bedeviled with corrupt practices such that once a person is appointed into any political office the expectations from his people will be so high in terms of what the office will offer. Therefore, the people he/she represents are ready to teach him/her how to steal. Hence, corruption in Nigeria knows no bound irrespective of tribes or cultural affiliations.

Although, other theories such as economic development theory, political institutions theory and public policy theory respectively could have been used to analyse this studies, but none was sufficient in explaining the phenomenon of corruption in Nigeria better than the historical and cultural theory used in this context.

Methodology

In this research paper, the data for the study were basically selected from secondary materials such as textbooks, internet materials, newspapers and magazines, journals, articles, etc through a systematic qualitative content analysis.

Perspectives of Corrupt Practices in the Nigerian Fourth Republic

Although, there have been corruption in Nigeria right from the onset, the phenomenon became institutionalized under General Ibrahim Babangida military regime. In view of this, Ogunديya (2009) noted that during the Babangida regime, corruption was raised to a level of state policy and allegation of corrupt practices were treated with utmost levity thereby destroying all the efforts of the previous administration.

Chief Olusegun Obasanjo laid the foundation of his civilian administration on the belief that corruption would be eliminated in Nigeria. He signed the anti-corruption bill into

law. He established the Independent Corrupt Practices Commission (ICPC) and Economic and Financial Crime Commission (EFCC). However, corruption has continued to grow unabated. Some western diplomats had the belief that Nigeria lost between \$4 billion and \$8 billion per year to corruption during the eight years of Obasanjo's administration (HRW, 2007). Also, the 2008 Corruption Perception Index (CPI) released by the Transparency International revealed that the country was rated 121 out of 180 countries surveyed. On the scale of 10.0, Nigeria scored 1.6 in 1999; 1.2 in 2000; 1.0 in 2001; 1.6 in 2002; 1.4 in 2003; 1.6 in 2004; 1.9 in 2005; 2.2 in 2006; 2.2 in 2007; and 2.7 in 2008 (TI, 2008). This of course became a source of embarrassment to Nigerian officials travelling abroad and Nigerian nationals all over the world.

Ogundiya (2012) observed that the experience of the Fourth Republic indicated that corruption has become a norm. Therefore, it is no longer news that the back covers of our newspaper are always inundated with news about political and bureaucratic corruption. The popular saying by politicians of the Fourth Republic is "thou shall not be caught". By this, they meant that only those caught are corrupt. Therefore, they evolve different sophisticated methods of perpetrating this crime without being noticed.

All the three arms of government and other state institutions are immersed in corruption. For example, corruption creates serious setback in the nation's Assembly in the Fourth Republic. Chief Evans Enwerem, Chuba Okadigbo and Adolphos Nwabara were all impeached on grounds of corruption (Ogundiya, 2012). Senator Chuba Okadigbo found out among other things that he was involved in the inflation of the street light project to the tune of 173 million Naira; Okadigbo also authorized the payment of 372 million naira to furnish his residence with a sum estimated above 25 million naira and equally installed and commissioned a 100KVA generating set of the Senate President residence at an inflated amount of 15 million Naira (Ogundiya, 2012).

In another development, another Senate President, Adolphous Wabara, was also guilty of receiving bribe of 55 million Naira from Professor Osuji (the former Education Minister) to inflate the budgetary allocation to the Education Ministry. Senator Chimaroke Nnamani also faced 124 count charges of fraud, conspiracy, concealment and money laundering amounting to about 5.4 billion naira (Vanguard Newspaper, Saturday, 2008). In a related development, Madam Patricia Olubunmi Etteh, the first female speaker of the House of Representatives was forced to resign following an allegation of misappropriation of public funds in multiple contracts of 628 million Naira (US \$5 million) for the renovation of her official residence and purchase of 12 official cars. Likewise, the Senate Committee

pronounced the former Vice President under Obasanjo administration, Alhaji Atiku Abubakar, guilty of corrupt enrichment, having said to have diverted the sum of US \$145 million Petroleum Technology Development Fund (Ogundiya, 2012).

As a result of wanton corruption, the international community became so much concerned with the lack of good governance in the country. Consequently, the Obasanjo administration was placed under international pressure and threats of sanctions to implement measures against corruption and other forms of financial offences. The federal government of Nigeria was then promised some financial benefits if reforms were implemented. This included a possible debt cancelation, which eventually materialized when the Paris Club wrote off \$18 billion, representing 60% of Nigeria's debt in 2005 (Ademola, 2011).

Following this development, the former Delta State Governor, James Ibori, was arrested on 129 count charge by the EFCC of laundering over N9.1 billion. Another notable case of alleged corrupt practice was by Orji Uzor Kalu, the former Governor of Abia state. He was accused of using his loot of N3.1 billion to fund SLOK Airline and two banks in the Gambia and Sierra Leone. He also owned some houses in the U.K. and U.S.A. (Ademola, 2011). Another ex-Governor, Saminu Turaki of Jigawa state was accused of spending N36 million of public funds to acquire oil blocks from the federal government. Ex-Governor Reverend Jolly Nyame of Taraba state was charged with stealing N1.6 billion belonging to the state. Other former Governors charged for various financial crimes are Edo states Lucky Igbinedion, Ekiti's Ayo Fayose, rivers Peter Odili and Chimaroke Nnamani of Enugu state. Ex-Governor Nnamani and two of his former Commissioners, Peter Mba and Spine Ejiofor were alleged of stealing N5.6 billion while some companies were also linked to him (Ademola, 2011).

Apart from the above, the former President's daughter, Iyabo Obasanjo Bello, a senator of the Federal Republic was involved in two separate scandals. In December, 2007, Iyabo Obasanjo Bello was involved in a contract scandal amounting to N3.5 billion involving her and an Australian firm. According to the EFCC, the senator used her mother's maiden name, Akinlawon to hide her identity in the contract (The Punch, March 19, 2008).

Senator Iyabo Obasanjo, was again involved in another financial scandal of mismanagement of funds in the Ministry of Health. It was this scandal that led to the resignation of Mrs. Adenike Grainge and her Deputy, Architect Gabriel Aduku. Iyabo Obasanjo was later arraigned in court over N300 million unspent budget scam (Thisday, August, 6, 2008:9).

In another development, the resignation of Dr. Ngozi Okonjo Iweala barely 24 hours after she was sworn in as the Finance Minister was an indictment on the government's efforts at eradicating corruption. It was reported that she had a disagreement with the leadership style of the President, Chief Olusegun Obasanjo (The Sunday Sun, July 20, 2003). Other than the removal of the budgeting function to the Presidency, she was not comfortable with the Clearing Regime at the Nigerian Ports. About the same year, the Revenue Mobilisation, Allocation and Fiscal Commission (RMAFC) called for explanation from the Presidency about what happened to N35 billion meant for local government monthly in addition to repeated allegation that several billion Naira of oil revenue were missing from the Federation Account (Ademola, 2011).

In view of the details of this rule and mismanagement that had characterized Nigeria and which has plunged the country into economy misery, Mallam Nuhu Ribadu, the former EFCC chairman maintains that the over \$400 billion that had been looted from the Commonwealth by the leaders is "six times the total value of resources committed to rebuilding Western Europe after the Second World War (Ademola, 2011). The New York Times (2008) and the EFCC Magazine (2008) as well as the ICPC Monitor (2008) exposed some corruption indications in the first eight years of Chief Obasanjo administration. These are as follows:

- i. June 1999: In a special closed session, the National Assembly debates whether to increase their housing allowances to ₦18 million (US\$140,000) per year. The debate comes shortly after a divisive campaign by teachers and civil servants to institute a ₦4,000 (US\$30) – per month minimum wage.
- ii. July 1999: Ibrahim Salisu Buhari, the first Speaker of the House under Obasanjo, resigns when it is discovered that he lied about his academic background and age. Buhari pleads guilty to forgery and perjury and is fined ₦2,500 (US\$20) but is pardoned the following year.
- iii. June 2000: The National Assembly passes legislation to create the Independent Corrupt Practices and Other Related Offences Commission (ICPC), which is inaugurated in September.
- iv. July 2000: A government investigation finds evidence of inflated procurement contracts in the National Assembly, some awarded to companies in which legislators had a financial interest. High – level officials are implicated, including Senate President Chuba Okadigbo and Senate Deputy President Alhaji Haruna Abubakar.

- v. August 2000: Okadigbo was impeached for corruption and misappropriation of funds. After his impeachment, Okadigbo is indicted for spending public money on cars and car furnishings and resigns in October. The indictment is eventually dropped.
- vi. October 2000: President Obasanjo is accused by eight House members of bribing them to help oust Speaker of the House Ghali Na'Abba, who Obasanjo attacked for corruption. The legislators dramatically unload the alleged bribes on the House floor.
- vii. October 2000: Construction begins on one of Obasanjo's pet projects – a modern sports stadium in Abuja. The estimated cost of ₦49 billion (US\$380 million) eventually goes hundreds of millions over budget.
- viii. February 2002: A government Anti-corruption Commission issues its first indictment of a high-level official, accusing Justice Garba Abdullahi of demanding a ₦1.2 million (US\$9,000) bribe from a businessman to reverse an adverse ruling.
- ix. April 2002: The House unanimously strikes down a measure signed into law that would have outlawed the information of new political parties ahead of the 2003 Presidential election, claiming Obasanjo had inserted new language into the bill after it was submitted to him.
- x. August 2002: The National Assembly accused Obasanjo of 17 separate indictable offences including incompetence, disregard for the rule of law and corruption.
- xi. September 2002: The ICPC obtains its first conviction, sentencing local government chairman Emmanuel Egwuba to three years in prison for awarding a contract without budgetary approval.
- xii. January 2003: Auditor General Vincent Azie's report covering the 2001 financial year chronicles corruption, including a number of suspicious payments and honoraria to politicians, and criticizes all branches of government. Obasanjo fires Azie in February.
- xiii. February 2003: The National Assembly passes a bill replacing the ICPC with a less powerful anti-corruption entity, which Obasanjo subsequently vetoes. The Assembly's attempt to override the veto in May is ruled illegal by the Federal High Court.
- xiv. April 2003: Obasanjo wins re-election in the first civilian – run Presidential elections since the end of military rule. International observers note serious irregularities during balloting.
- xv. November 2003: A government report details the systematic looting of the once – prosperous Nigerian Airways Airline and implicates 90 people in its downfall. The report recommends prosecution of several individuals and pursuing the ₦51 billion Naira (US\$400 million) looted by companies and government officials including also the trial

of one Makanjuola who was in the dock for stealing ₦500 million as Permanent Secretary in the Ministry of Defense.

- xvi. September 2003: Nasir El-Rufai the Minister for the Federal Capital Territory alleged that two Senators close to the President, Deputy Senate President, Ibrahim Mantu and Majority Leader, Jonathan Zwingina, asked him for a bribe of ₦54 million (US\$418,000) to secure approval for his appointment.
- xvii. December 2003: After the ICPC announces it is probing a bribery scandal involving French firm Sagem SA, Obasanjo fires Labour Minister Hussaini Zannuwa Akwanga. Sagem won a ₦27 billion (US\$214 million) contract to produce national identity cards. At month's end, prosecutors charge five people, including Akwanga and two other former ministers, with taking up to ₦128 million (US\$1 million) in bribes from Sagem.
- xviii. June 2004: Shell, one of the largest oil contractors in Nigeria, admits it has inadvertently contribute to the country's poverty, environmental degradation, violence and corruption through its business activities but spurns calls for the company to leave. As a good faith gesture, Shell contributes millions of dollars to support various community development projects and formulates "13 big rules" to make sure those contributions are not misappropriated. It also claims to have fired 29 employees in 2003 for corruption.
- xix. March 2005: Education Minister Fabian Osuji was fired for allegedly bribing the National Assembly to secure more funds for his ministry. He formally protests that such behavior is common at all levels of government. In April, Senate Speaker Adolphus Wabara resigns after President Obasanjo accuses him of accepting Osuji's ₦51 million (US\$400,000) bribe.
- xx. April 2005: President Obasanjo fires Housing Minister Alice Mobolaji Osomo after it is alleged hundreds of properties were sold below mark value to top officials instead of going on public sale.
- xxi. November 2005: The European Commission approves €24.7 million (US\$31 million) to support the Economic and Financial Crimes Commission (EFCC) and other Anti – Corruption agencies. By August 2006, the EFCC in its three years of operation will have arrested and investigated more than 5,000 people, secured 82 convictions and recovered ₦641 billion (US\$5 billion) in looted assets.
- xxii. November 2005: Former Chief of Police Tafa Balogun is convicted and sentenced to six months in jail for extorting more than ₦13 billion (US\$100 million) during his three year tenure.

- xxiii. December 2005: Environmental Minister Iyorcha Ayu resigns after lawmakers raise concerns about various procurement deals he handled.
- xxiv. December 2005: Diepreye Alamieyeseigha, Governor of the oil – rich Bayelsa state is arrested on 40 counts of corruption and money laundering. In July, 2006 the British authorities return about €1 million (US\$1.9 million) of the allegedly illicit gains that he stashed in British banks. Six months later, the EFCC proclaims that at least 24 state governors will face corruption charges at the end of their tenures in May 2007 when their Constitutional immunity from prosecution expires.
- xxv. April 2006: Record high oil prices enabled Nigeria to be the first African country to pay off its debt to the Paris Club, an informal group of financial officials from the world’s richest countries.
- xxvi. May 2006: The Senate rejects a proposed Constitutional Amendment that would have allowed President Obasanjo to run for a third term in 2007
- xxvii. August 2006: Switzerland’s ambassador to Nigeria announces the ₦90 billion (US\$700 million) looted by former President Sani Abacha and deposited in Swiss Banks has almost completely been repatriated to Nigeria. A remaining ₦900 million (US\$7 million) is still being held in the account of an unnamed Nigerian who seeks to prove that the money was honestly earned by Abacha.

One other case that requires attention, but yet to be resolved is the Halliburton bribe case. Though Halliburton and its former subsidiary Kellogg Brown and Root (KBR) agreed to the largest corruption settlement ever paid by a US company under the US Foreign Corrupt Practices Act (FCPA) - \$579 million – their historic guilty plea was only the latest in a string of high level bribery cases to secure contracts in Nigeria (This Day, March 19, 2007; The Punch, March 19, 2009).

Other cases like the Siemens \$1.6 billion settlement scandal, Sillbros Inc’s \$32 million, Panalpina’s case in the Nigeria’s National Identity Card Scheme with Segem going to about \$200 million as bribe to senior government officials cannot but be mentioned. These cases equally draw concern about the unremitting level of official corruption in Nigeria, despite the claims of successive governments that they show “zero-tolerance” for corruption (The New York Times, Dec. 15, 2008, see also EFCC Magazine, 2008:48 and ICPC Monitor, 2008:34).

Anti-Corruption Efforts in Nigeria

The menace of corruption and the lack of effectiveness of the existing institutions to fight corruption prior to 1999 led to the establishment of the ICPC (2000) and EFCC Act

(2004) and the Money Laundering (Prohibition) Act, 2004. These Acts made comprehensive provisions to prohibit the laundering of the proceeds of a crime an illegal act, provide appropriate penalties and expands the interpretation of financial institutions, it also provides scope of supervision of regulatory authorities on corrupt activities among others (Ademola, 2011). The establishment of these institutions has contributed significantly in combating those activities to the extent that the scorecard assessing both the ICPC and the EFCC as at 2006/2007 revealed as follows:

Table 1.1: Showing Effort by the Anti-Graft Commissions at Combating Corruption in Nigeria

ISSUES/AGENCIES	EFCC	
Number of persons arraigned	(300+)	(185)
Number of persons convicted	(145)	(20)
Value of Assets/Funds Recovered	(N725 billion)	N3.9

Source: ICPC Monitor, vol. 1, Issues, August to October 2008 and EFCC Magazine, vol. 3, No. 2, August, 2008

In addition, since 2004, Nigeria has taken significant steps towards complying with the Extractive Industries Transparency Initiative (EITI), including conducting comprehensive audits of the petroleum sector (World Bank, 2006). The Yar'adua/Jonathan administration also added the Public Procurement Act and the due process office, i.e. the E-payment (since January, 2009) and the e-procurement (since 2008) to improve transparency in public procurements (Ademola, 2011).

Table 1.2: Showing Economic and Financial Crimes Commission (EFCC) Profile Cases 2000 – 2010

S/N	Name	Case Status	Amount Involved	Status Suspect(s)
1	Ayo Fayose (former Governor of Ekiti State)	Arraigned on 51 counts	N1.2 billion	Case pending, granted bail
2	Adenike, Grange (former Minister of Health)	Arraigned on 56 counts	N300 million	Discharged and acquitted
3	Joshua Dariye (former Governor Plateau state)	Arraigned on 23 counts	N700 million	Case pending, Granted bail since 2007
4	Saminu Turaki (former Governor Jigawa state)	Arraigned on 32 counts	N36 billion	Case pending, Granted bail since 2007
5	Oji Uzor Kalu (former Governor Abia state)	Arraigned on 107 state counts	N5 billion	Case pending, Granted bail since 2008
6	James Ibori (former Governor Delta state)	Arraigned on 170 counts	N9.2 billion	Case pending, Granted bail since 2008
7	Iyabo Obasanjo (former Senator)	Arraigned on 56 state counts	N10 million	Case pending, Granted bail since 2008
8	LuckyIgbinedion (former Governor of Edo state)	Arraigned on 191 state counts	N4.3 billion	Case determined, ordered to pay \$25 million as fine
9	Gabriel Aduku (former Minister of Health)	Arraigned on 56 state counts	N300 million	Discharged and acquitted
10	Jolly Nyame (former Governor of Taraba)	Arraigned on 41 state counts	N1.3 billion	Case pending, Granted bail since

	state)			2008
11	Chimaroke Nnamani (former Governor of Enugu state)	Arraigned on 105 state counts	N5.3 billion	Case pending, Granted bail since 2007
12	Michael Botmang (former Governor of Plateau state)	Arraigned on 31 state counts	N1.5 billion	Case pending, Granted bail since 2008
13	Roland Iyayi (former MD of FAAN)	Arraigned on 11 state counts	N5.6 billion	Case pending, Granted bail since 2008
14	Prof. Babalola Borishade (former Minister of Aviation)	Arraigned on 11 state counts	N5.6 billion	Case pending, Granted bail since 2008
15	Boni Haruna (former Governor of Adamawa state)	Arraigned on 28 state counts	N254 million	Case pending, Granted bail by court since 2008
16	Femi Fanikayode (former Governor of Adamawa state)	Arraigned on 47 state counts	N250 million	Case pending, Granted bail since 2008
17	Bode George (PDP Chieftain)	Arraigned on 68 state counts	N100 billion	Jailed in October 2009
18	Rasheed Ladoja (former Governor of Oyo state)	Arraigned on 33 state counts	N6 billion	Case pending, Granted bail since 2008
19	Senator Nichola Ugbane; Hon. Elumelu and others	Arraigned on 158 state counts	N5.2 billion	Case pending, Granted bail since 2009
20	Hamman Bello Hammed (Ex CG Customs)	Arraigned on 46 state counts	N2.5 billion	Case pending, Granted bail since 2009
21	Adamu Abdullahi (former Governor of Nasarawa state)	Arraigned on 149 count charge	N15 billion	Case pending, Suspect on court bail
22	Attahiru Bafarawa (former Governor of Sokoto state)	Arraigned on 47 count charge	N15 billion	Case pending, Granted bail by court
23	Hassan Lawal (former Minister of Works)	Arraigned on 37 count charge	N75 billion	Case pending, Granted bail by court
24	Kenny Martins (Police Equipment Fund)	28 count charge	N7,740 billion	Case pending, Granted bail since 2008
25	Esai Dangabar, Atiku Abubakar Kigo, Ahmed Inuwa Wada, John Yakubu Yusufu, Mrs. Veronica Ulonma Onyegbula and Sani Habila Zira	16 count charge	N32.8 billion	Case pending, Granted bail by court

Source: Drawn from: Economic and Financial Crime Commission (EFCC) EFCC.org

It should be noted that in all these cases none of the culprits is currently being detained or serving jail term apart from Chief James Ibori, the former Governor of Delta state who is currently being jailed in the United Kingdom. Giving this scenario where these offenders are allowed to go scot free in what is presently referred to in Nigeria as ‘plea bargaining’, corruption therefore is a lucrative business in the country. Also, in a situation

where people steal billions of naira and after their arrest and prosecutions such persons are only jailed for three or six months make corruption in Nigeria the most lucrative business in the world.

Shortcomings of the Nigerian Anti-Graft Commission

The shortcomings in the efforts at curbing corruption had been prevalent. The record of success at various levels of government including states and local government had been short of expectations, considering the proportions of funds the country lost to swindlers, contract scams and money laundering (Ademola, 2011).

The Acts establishing the Anti-Corruption Agencies (ACAS) had been weak and ineffective. The agencies had been poorly funded and there were evidences of lack of political will by the crusaders to actualize an objective anti-corruption campaigns apart from this, the fight has been of sided,, vindictive, selective, biased, one-sided and meretricious/falsely attractive (Ademola, 2011). The effect has not yielded the desired results. Rather than abating it, it is festering uncontrollably. The campaign has been the instrument of the Presidency and his cohort 'deal' with opposition in order to serve as a deterrent to others who may want to go against the will of the state (the men in power). The point here is that his double standard, these warped treatments are in themselves acts of corruption (Ademola, 2011).

The EFCC has not done anything about ₦84 billion Naira that was missing at the Nigerian Ports Authority (NPA). Also, nothing has been done about the ₦311 billion Naira that was missing at NNPC. In addition, about ₦50 million bribe was given to pro-third term legislators, during the tenure elongation debate in the National Assembly, yet, the Anti-Graft agencies did not do anything to bring offenders to justice. It was also noted that Senator Ibrahim Mantu mismanaged the sum of ₦400 million in the Failed Hajj Operations in 2005. Nothing was done to bring him to book by the anti-graft agencies (Ademola, 2011).

All the aforementioned were aided by the fact that the agencies are not independent of the government who funds and appoints its leaders. With the power to hire and fire, the Commissions could hardly perform their duties without fear or favour. The Yar'adua/Jonathan administration did not only inherit corruption from the previous administration, they also inherited the weak and ineffective campaign against graft.

The Anti-Corruption Agencies (ACAS) were unable to perform their noble duties. Even when the National Assembly held public hearings into allegations of corruptions that they fail to pass progressive legislations that could help track offenders including freedom of information bill (Ademola, 2011). In December, 2007 for instance, Nuhu Ribadu, the then

Chairman of the EFCC took the bold step of indicting the former Delta state Governor, James Ibori. Two weeks later the Nigerian Police Chief, ordered Mr. Ribadu to resign and proceed to attend a year ordered Mr. Ribadu to resign and proceed to attend a year-long training course, because there were many things to cover for loyal party faithful and financiers (Ademola, 2011).

In recent times also, the financial scam involving the former speaker of the House of Representatives, Honourable Dimeji Bankole was treated under dubious condition and swept under the carpet. Likewise, the financial scam involving Honourable Farouk Lawan over the petroleum subsidy funds did not receive any good treatment.

The Challenges of Corruption to Sustainable Development in the Fourth Republic

Frederick cited in Alemika (2012) links corruption to “damage of public interests” which includes security. Likewise Osoba (1996) cited in Alemika (2012) suggests that corruption may undermine society’s capacity to provide opportunities for citizens to meet the basic necessities of life. Other writers on corruption argue that corruption has beneficial effects (Alemika, 2012). Such benefits according to him, includes circumscribing bureaucratic red-tapism, redistribution of income; promotion of capital formation; etc.

However, the balance of the consequences of corruption is largely on the negative side. Corruption widens inequality, aggravates mass poverty, militates against efficient resource planning and allocation, undermines economic growth by discouraging investment; compromises economic efficiency; results in high governmental expenditures as a result of inflation of contracts and cost supplies. There is no doubt that corruption is poisonous to long term development and democracy (Alemika, 2012). The Nigeria’s 2011 Corruption Index by the EFCC maintains that Nigeria is certainly not immune to corruption. The damage of the scourge to the economy and the fabric of the society is seen in the schools that are not built, the hospitals without medicines, the roads that are not passable and the failure of our citizens to be inspired.

In Nigeria today, the greatest threat to corruption is impunity. Because of its sheer scale and level, corruption is no longer secret, it is celebrated (The Nigerian 2011 Corruption Index). According to Alemika (2012), corruption in Nigeria has endangered social, economic and political problems among others. The following are some of the ways corruption has threatened sustainable development in the Fourth Republic.

- i. Non-institutionalisation of democracy, rule of law, human rights and economic development

- ii. High incidence of prevalence of conflict, violence, crime, insecurity and instability due to antagonistic competition, inequality, poverty and lack of access to basic necessities of life.
- iii. Erosion of values of hard work and integrity
- iv. Lack of access to productive opportunities and diverting energies of youth to crime, deviance, violence and sundry forms of anti-social behavior
- v. Low foreign investment because of corruption induced bureaucratic and other obstacles
- vi. Lack of investment in the real sector by both foreign and domestic investors because of high profitability of contracts in service and supplies motivated by corruption.
- vii. Dependence on foreign sources for goods and services resulting in under development of indigenous technological and productive capabilities
- viii. Leakages of national assets to foreign countries through money laundering and conspicuous consumption
- ix. Misallocation of resources towards programmes and projects amenable to corrupt practices
- x. Perpetuation of patron – client relationships that undermine democracy, efficiency in public and private sectors
- xi. High cost of doing business and low investment in productive sectors resulting to widespread poverty and unemployment, high prices of goods, low purchasing power resulting in low capacity utilization by producers and manufacturers which in turn result to retrenchment of workers
- xii. Political ethno-religious and communal conflicts and violence as different groups in the society struggle to control state power as avenue for corrupt enrichment and ability to disperse patronages to their cronies, relatives and associates
- xiii. Loss of public trust and legitimacy by the government
- xiv. Poor social welfare conditions as indicated in the table below

Table 1.3: Socio-Economic Welfare Indicators

Social Welfare Services	Total	Rural	Rural Poor	Urban	Urban Poor
Secure housing scheme	61.2	54.9	41.0	73.5	56.9
Secure housing tenure	85.2	80.9	63.6	93.6	81.2
Access to water	51.4	40.0	19.2	73.4	53.4
Safe Water Source	43.4	42.9	30.9	44.5	36.5
Year – Round Water Source	11.3	9.7	6.6	14.5	6.9
Safe Sanitation	57.6	47.6	21.9	77.0	49.2
Improved Waste Disposal	16.1	4.8	1.6	37.9	24.6
Non-wood Fuel used for Cooking	26.6	11.3	1.9	56.3	24.6
Has electricity	55.2	38.9	12.6	86.6	60.5
Adult literacy in English	54.5	45.6	33.4	72.1	49.8
Health access	48.4	61.1	37.1	73.1	45.9

Access to Primary School	75.9	71.9	41.2	86.7	68.4
Access to Secondary School	47.3	37.5	9.9	69.3	42.1
Household Monthly Income ('000 Naira)					%
0 – 20					62.3
21 – 40					24.5
41 – 60					7.5
61 – 80					2.6
81 – 100					1.6
101 and higher					1.5

Source: National Bureau of statistics, Annual Abstract statistics (2009)

In view of the above data as outlined in the table, it is evident that many Nigerians, both in urban and rural areas are living below poverty line as a result of high corrupt practices. Therefore, a radical approach at sanitizing this ugly trend is desired.

Conclusion and Recommendations

Without good governance, there can be no accountability. Good governance plays a critical role in ensuring collaborative, peaceful, coexistence and progressive process of democratic culture and socialization. It also attracts investment to a country, improving productivity and competitiveness, promoting political stability and enhances rapid socio-economic development. There is therefore, a critical link between corruption and leadership. The experience in Nigeria in the present times is a top – down approach. In every direction and segment of government, the scale, manner and impunity of “junior – officer” corruption is directly connected to the scale, manner and impunity of the boss or “senior officers” corruption.

Therefore, the leaders have a lot of role to play by shunning corruption so that the junior officers too can avoid this. The on-going reform in the public and private sectors should be handled with seriousness and that the anti-graft agencies should not be used as an instrument by the ruling People’s Democratic Party against opposition or perceived enemies. Rather, the Commission should be empowered to carry out its constitutional duties without any interference from the government. The focus and the best way to tackle corruption is to prevent it from happening. We also recommend that all the public loots should be thoroughly investigated and the offenders, once found guilty should be prosecuted and the loots taken back on the face value of what has been stolen.

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