



## Corruption, Anti-Corruption Agencies and the Nigerian Government

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### Abstract

Corruption has spread astronomically into all spheres of life in Nigeria. This unpleasant situation has resulted into a down turn of the economy. Relevant stakeholders in government have perpetrated this evil of corruption by diverting public fund for self interest. Monies meant for infrastructural development of the society are misappropriated and embezzled. These defective situations have induced the citizens to cast away moral values to engage fully in corrupt practices. In a bid to curb the menace of corruption, Nigerian government established anti-corruption agencies to fight corruption. Anti-corruption agencies such as Economic and Financial Crimes Commission (EFCC) and others have set out against the spread of corruption. However, the efforts of these agencies are queried because of the aggravated state of corruption in Nigeria. It is against this backdrop, that this paper examined corruption and the anti-corruption agencies in Nigeria. It also reflects the influence of Nigerian Government on both corruption and the anti-corruption agencies. The paper concluded that anti-corruption agencies in Nigeria can become effective if government and its officials are committed to fighting the menace of corruption.

**Key words:** Corruption, Anti-Corruption Agencies, Nigerian Government.

### 1.0 Introduction

Corruption has become the word on lips of many in the world today most especially in the developing countries where poverty, oppression, poor human relations, diseases and nepotism thrives. This has cut across various sectors like agriculture, trades and in areas such as sports; thereby becoming endemic to societal development in the world. Ibietan (2013) in his work on corruption and public accountability said that the issue of corruption is global, not necessarily restricted to an area. Osoba (1996) also agreed that corruption is not only associated with a continent. In Nigeria, corruption is the greatest challenge facing the nation (Mike, 2015). Right from the eighties several governments have come up with different strategies to curb this challenge by ensuring good governance.

In a bid to achieve this, Nigerian government enacted the anti-corruption Act and formed anti-corruption agencies to enforce the law and also persecute offenders. Despite government reaction to the menace of corruption, the questions are how come corruption in Nigeria seems to thrive stronger? What are the anti corruption agencies doing? Is government encouraging corruption? These are questions that this paper seeks to give answers to. This paper is segmented into introduction, conceptual clarification of corruption, growth of corruption in Nigeria, causes of corruption in Nigeria, effects of corruption and the Nigerian government, role of anti-corruption agencies and conclusion.

### 2.0 Concept of Corruption

Corruption is not a strange word to the ears of citizens of Nigeria, it has become a norm when discussing about the state of the nation. Scholars have proffered definition to explain what corruption entails, thereby concluding that there is no specific or universally accepted definition. Most definitions lay emphasis on the abuse of public office for personal advantage (World Bank, 1996; Oyinlola, 2011; Ogbeidi, 2012). The English Dictionary explains corruption to be the act of changing, or of being changed, for the worse; departure from what is pure, simple, or correct. In addition to this, Rotimi et al (2013) avers that corruption includes "bribery, smuggling, fraud, illegal payments, money laundering, drug trafficking, falsification of documents and records, window dressing, false declaration, evasion, under-payment, deceit, forgery, concealment, aiding and abetting of any kind to the detriment of another person, community, society or nation. It infers that corruption does not exist in isolation without causing a negative effect in the government. Raab and Gertrude (1953) posit that corruption falls into the category of social problem because it makes a substantial number of people to be displeased as well as threaten the peace of the society.

The World Bank cited Okoduwa (2006), defining corruption as:

The abuse of public 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 policies and process 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.

From this definition, it can be deduced that corruption entails

- i) the public office and the misuse of public office
- ii) private agents and offering of bribes
- iii) offering of bribes for the purpose of outwitting the intention of public policies
- iv) selfish interest from public officials

The issues of self interest is corroborated by many scholars like (Obayelu, 2007; Amuwo, 2005; Khan, 1996). In recent times, corruption has been viewed to be beyond just the public office to involve matters such as cybercrimes, thuggery, paid assassins, militancy and many more (Rotimi et al, 2013). It shows that corruption is all about wrong things

that negate the right things. In trying to clarify this, the World Bank proffered these four questions to determine what the right things are:

- i) Do I mind if others know or the press reports what I do?
- ii) Do I report my actions to others? Do they hold me to standards?
- iii) Would I feel hurt if others did the same thing?
- iv) Would it harm society if everybody did the same thing?

In order to answer these questions governments of various countries including Nigeria came up with anti-corruption agencies to enforce rightness with the aim of curbing corruption in the society.

### Types of Corruption

The understanding of the word corruption and its types has been divided into classes by scholars. This paper views the types of corruption averred by Tolu and Ogunro because it is compassing and more importantly, it comes from scholars that understand the Nigerian terrain. Tolu and Ogunro (2012) identified the types of corruption as:

- i) Moral Corruption: this is exhibited in sexual pervasiveness, greed especially in inter- personal relationships, loose tongue i.e. uncontrollable tongue such that leaks secrets or slanders or busy-body, indecent dressing or appearance etc.
- ii) Economic Corruption: manufacturing fake drugs, adulteration of drinks, piracy i.e. copying another person's intellectual work to illegally enrich oneself (Plagiarism), fraud at all levels amongst others.
- iii) Political and Bureaucratic corruption: It is illegal, unethical and unauthorized exploitation of one's political or official position for personal gain. It has to do with public affairs – goods, fortunes, agencies and resources. It is therefore corruption against the state or its agencies by a person holding an official position in pursuit of private or personal profit.
- iv) Electoral Corruption: This has to do with electoral frauds such as election rigging, manipulations, ballot stuffing, registration of under age, and many others.

### 3.0 Growth of Corruption in Nigeria

All over the world both in developed and developing countries, several government officials have been accused of high handedness and mismanagement of human and financial resources in public service. This has deprived many nations of positive development most especially in Asia and Africa. Nigeria has been facing challenges for decades now; but the issue of corruption has become a bigger concern in recent times (Tanzi, 1998).

During the Shagari regime, corruption rose astronomically to a state of anarchy which led to a coup d'état that brought in General Buhari in 1983 as a Military Head of State. He came up with War Against Indiscipline (WAI) which is presumed to have helped in bringing in order to the society. However, this did not last long because of another coup d'état by General Ibrahim Badamasi Babangida. His regime promoted corruption and also worsened the situation to the extent that the world acknowledged the level of decay within the system involving government and its officials. The state of the nation became unbearable after the annulment of the election that was referred to as a free and fair. In the words of Babangida, "It is true that the presidential election was generally seen to be free, fair and peaceful. However, there was in fact a huge array of electoral malpractices virtually in all the states of the federation before the actual voting began. There were authenticated reports of the electoral malpractices against party agents, officials of the National Electoral Commission and also some members of the electorate". This prompted his decision to annul the election and created an environment for lawlessness and corruption such as looting of shops, homes and killing of innocent citizens. The acrimony came under control when the government was finally handed over to civilian government headed by President Olusegun Obasanjo. His second coming was heralded with support from Nigerians who believed that a man coming from prison would know what pain is and will be willing to remedy the situation. In his declaration speech, President Obasanjo said that it will no longer be business as usual. This precipitated the establishment of Independent Corrupt Practices and Other Related Offences Commission (ICPC) in year 2000 to mainly prosecute erring public officials. Due to the clamour for corrupt practices to be totally curbed, the government went ahead to establish the much dreaded Economic and Financial Crimes Commission (EFCC) in 2004 to prevent, investigate, prosecute and penalise economic and financial crimes. The step taken by the administration showed the commitment of government to resolve the problem of corruption in the country (Ribadu, 2004).

### 4.0 Causes of Corruption in Nigeria

Corruption in developing countries is associated with vices such as lack of values and poverty. The high cost of living experienced in Nigeria brought about loss of values in families, offices and the society as a whole. People are not interested in how you make your money; they are more concerned about making money at all cost. Nwankwo (–) explained that the high level of religiosity in Nigeria has not deterred Nigerians from engaging in unlawful practices such as taking of bribes and embezzling of public funds. In furtherance to this, he decries the moral decadency that is affecting both churches and mosques. He said that these institutions hail, honour and give recognition to the wealthy even when the source of their wealth is questionable.

Poor remuneration in the public service is indeed sprawling corruption. The meagre pay received by public officials cannot take care of their families and other dependants. Unfortunately, these salaries are not regular. States in Nigeria such as Oyo, Osun, Kogi and Imo owe their workers. For instance, the State of Osun In Nigeria owes the workers five months salary and the months paid by the Governor were half of their meagre salaries. How do we expect them to survive? These have culminated into a situation of 'do what you can do to survive'. The public servants now see it as a necessity for them to collect bribe in order to pay their transport from their homes to work and to maintain their homes. Lack of self control by citizens, especially public servants is a problem to the public service. In a training organised by Independent Corrupt Practices Commission (2015), the agency mentioned that lack of self control manifesting in the area of living above their means, lack of moral values, greed for wealth and position, spendthrift and backsliding in religious

faith have led to corrupt practices in Nigeria. There have been instances where public servants own houses worth a billion naira in choice areas of Nigeria.

Another area that has promoted corruption in Nigeria is the insensitivity of Nigerian leaders to the plight of the populace. The Nigeria populace are neglected by the leaders. A good number of Nigeria leaders amass wealth by embezzling money meant for the constituency and they deprive the electorates from benefitting from government. The representatives of the electorate sit in the Federal Capital Territory, Abuja engaging in social events rather than concentrating on making laws to ameliorate the sufferings of their people. These same leaders are not willing to sacrifice anything for the betterment of the nation. They are not asked to give account of what they have done or are doing to better the lot of their people. These have made the politicians voracious when it comes to public funds. They are less concerned about being honest or having integrity.

Corruption in Nigerian experience has shattered the walls of religiosity and the faith of many is shaky because majority of worship centres are now centres of trade. The leaders in a few of these places have quest for personal gratification and not the integrity of faith. The political office holders and religious leaders now compete with one another on acquisition of wealth.

## 5.0 Effects of Corruption and the Nigerian Government

The effect of corruption on the economy of Nigeria is cancerous; it has eaten deep into the marrows of the economic viability of the nation. The epileptic power supply is still far from revival, despite the billions of naira spent by past regimes. In recent times the Buhari administration have claimed to increase the Megawatts of electricity but this is not reflecting in the homes and offices of citizens, rather the situation has become worse. The politicians themselves came into office through elections that were marred with violence and irregularities in results. The political terrain has now become a habitation for hoodlums and unjust consideration for the public interest. Majority of the politicians go into offices for selfish interest. A former Governor of Delta State is in jail in the United Kingdom for corruption. Other colleagues of his are either facing corruption charges or under investigation. This is why it is presumed that the government is just paying lip service to fighting corruption because quite a number of these corrupt politicians are walking free in the society without being charged to court and convicted for their offences. Table 1 shows a case of 55 people that stole public funds. 35% of whom were political office holders and public servants.

**Table 1**  
**What 55 People Stole (2006-2013)**

Category	Number of Cases	Amount Involved
Ex-Governors	15	146,840,800,000.00
Ex-Ministers	4	7,050,000,000.00
Ex-Legislators	5	8,350,000,000.00
Ex-Public Servants (Federal)	7	6,906,600,000.00
Ex-Public Servants (State)	5	7,275,000,000.00
Banking Industry	8	524,560,000,000.00
Businessmen	11	653,150,000,000.00
<b>Grand Total</b>	<b>55</b>	<b>N1,354,132,400,000.00</b>

**Source:** The Nation Newspaper Tuesday January, 2016

The height of corruption has crippled the economy of the country. The Federal Government is complaining of lack of funds to execute policies that will benefit the people because previous governments have misappropriated the funds. This made the Buhari administration to introduce Treasury Single Account (TSA) where all government funds are kept in a single account and any withdrawal will follow a due process. It is sad to note that public institutions are now wallowing in acute shortage of funds due to delay in accessing needed funds.

## 6.0 Anti-Corruption Agencies

The government of Nigeria has established agencies to see to the issue of corruption in the country. The following are notable agencies used by government in Nigeria to fight the menace of corruption.

### Independent Corrupt Practices and Other Related Offences Commission (ICPC)

The aim of this commission is to prohibit and prescribe punishment for corrupt practices and related offences. The Commission is backed with ICPC Act 2000 where the lines of duties are stated in Section 6 of the Act as follows:

- i) to receive and investigate complaints from members of the public on allegations of corrupt practices and inappropriate cases.
- ii) to examine the practices, systems and procedures of public bodies and where such systems aid corruption, to direct and supervise the review.
- iii) to instruct, advise and assist any officer, agency, or parastatal on ways by which fraud or corruption may be eliminated or minimized by them.

- iv) To advise heads of public bodies of any changes in practice, systems or procedures compatible with the effective discharge of the duties of public bodies to reduce the likelihood or incidence of bribery, corruption and related offences.
- v) To educate the public on and against bribery, corruption and related offences.
- vi) To enlist and foster public support in combating corruption.

ICPC have criticised and said to be an ineffective agency because they are known to have performed the first (i) objective from the list of objectives. Majority of offenders are charged to court but nothing is done in the area of seeing to justice. Other objectives of the Commission are not also carried out effectively though it is presumed to have been as a result of underfunding by government. In all, the commission is not performing well to its full capacity which makes some people to advocate that it should be merged with Economic and Financial Crimes Commission (EFCC).

### **Economic and Financial Crimes Commission (EFCC)**

The agency is well known due to its numerous activities as well as the prosecution of high profile offenders and others. The agency also has a program on national television called 'Eagle Watch' which shows its activities to the public. It has a legal backing called Economic and Financial Crimes Commission Establishment ACT of 2004 giving it power to investigate and prosecute economic and financial crimes. However, despite many high profile cases against political figures since inception, there have been only a few convictions. This led to what is now known as plea-bargain where the offender is compelled to bring a certain amount of stolen money in exchange for freedom. This shows that EFCC has not been able to achieve fully its objective of prosecuting offenders which may be due to political influence from government quarters.

EFCC is often used by some Government officials to witch-hunt political enemies. However, corrupt officers are being prosecuted, whether EFCC is sincere or not. The arrest and prosecution of these corrupt people serve as deterrence to others.

### **Public Complaints Commission**

The Public Complaints Commission is the Nigerian Ombudsman. It was established by the Federal Government of Nigeria in 1975 by the then military Head of State General Yakubu Gowon through Decree Number 31 of 1975, amended by Decree 21 of 1979 and has been validated in Section 315 Sub-section 5 of the 1999 constitution. This means that it can only be amended when the 1999 constitution of Nigeria is amended. This makes it difficult for either the commission or government to cover any lapses that the law has. The Public Complaint Commission has the sole mandate of addressing administrative injustice in the three tiers of government. The Commission is however known more on paper than in reality. The government at some point failed to encourage the Commission by not appointing any Commissioner for a period of thirteen years (1999-2012). This would have dampened the morale of workers of the Commission and make them poorly committed to the mandate of the Commission. In the words of the former Speaker of House of Representatives, the Public Complaints Commission has failed Nigerians (Vanguard Newspaper, 2014).

## **7.0 Conclusion**

The fight against corruption should be total, through the anti-corruption agencies. Unfortunately, the anti-corruption agencies are more like toothless dogs that can only bark but cannot bite. The level of corruption in Nigeria has reached a height whereby it can only be curbed when these agencies rise up to the occasion to prosecute political offenders irrespective of their political affiliations. The efforts of the agencies are heard and seen on the newspapers but in actual sense they are yet to prosecute offenders according to the dictates of the law, rather they engage in plea-bargaining which does not bring offenders to book. Therefore, the Nigerian Government should painstakingly support Economic and Financial Crimes Commission, Independent Corrupt Practices and Other Related Offences Commission (ICPC) and other relevant bodies through provision of necessary authority and funds to see to convictions of offenders. These will help to promote a more secured environment and also make the economy of the nation to be viable.

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