

## BREAKING THE CYCLE OF CORRUPTION IN NIGERIA: THE MYTH AND REALITY

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### Abstract

*Corruption is been the restriction to legitimacy, democratic stability, socio-economic and political development in Africa and indeed in Nigeria. Several political regimes had contributed to the spread of corruption and its various manifestations in Nigeria. In curbing the menace, several institutional mechanisms were invented by various governments. These instrumentalities have their impacts in Nigeria but there is yet more to be done. Therefore, how can Nigeria be free from wide spread corruption? Prebendal theory is used to explain the trend of corruption in Nigeria. The methodology utilises afrobarometer data to show the reality and the way forward from the menace. The paper concludes that the war against corruption can be successfully fought from both the public (prosecution) and private (psyche) realms.*

**Keywords:** *Corruption, Development, Equality, Prebendal and Rule of law*

### 1. INTRODUCTION

Corruption is the bane of any country. It prevents the country from developing to a reasonable extent. The resources which are needed for the development of the people are diverted for personal uses. In such cases, a few people will be growing richer at the expense of the whole country. This will result into the masses wallowing in abject poverty. Many developing countries in Africa and elsewhere are in this state of socio-political and economic corruption affairs (Sanka, Malima and Mbogo, 2018). Their growth rate is impaired and the sustainability of development will not be achieved at a faster rate.

Africa is much more affected with a high level of corruption. This makes the credibility of the governance process to be bereaved of substantial political, economic and social development. Nigeria is one of the countries which are rated very high by Transparency International on the corruption index (Transparency International, 2019). It is about the one of the ten highest or most corrupt countries in the world (Aluko and Aderinola, 2019; Aluko, 2018). Corruption is so entrenched that at all levels of governance, which include: the executive, legislature and the judicial arms of government, there are substantial corruption impasse. However, ever since the country returns to democracy in 1999, the government had begun to put some institutional mechanisms in place to curb the menace of corruption in the country (Ahmed, 2018; Smith, 2018). This include; the Economic and Financial Crime Commission (EFCC), the Independent Corrupt Practice Commission (ICPC and The Code of Conduct Bureau CCB, its corresponding Code of Conduct Tribunal (CCT) and Treasury Single Account (TSA) among others internal institutional mechanisms.

This implies that there are political and institutional frameworks to curb the menace of corruption in Nigeria at all levels of governance. These efforts yet appear to be a myth than a reality in corruption embattlement and management in Nigeria. The challenge is, why are there enormous corruption perpetuated in Nigeria governance system at all levels despite the institutional frameworks against it. One may ask, can Nigeria be ever free of such enormous levels of corruptions? What are the ways out of this menace? Are the ways a myth or reality?

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This paper utilizes the prebender theory to analyse the extent and pattern of corruption perpetuated in Nigeria.

## **2. CORRUPTION CONCEPTUALISED**

The concept of corruption is a broad term which numerous scholars have defined using various terminologies and ideas. It has political, social and economic conceptual faces. Basically it is a practice, perception and attitude to abuse or wrong usage of public or governmental power or public trust for illegitimate private advantage. It is the use of the public privilege and access to the public to defraud the public realm of its common good. It is an effort to secure wealth or power through illegal means for private benefit at the expense of the public. Etymologically, the word corruption is derived from the Latin word, “rump ere” meaning “to break”. This connotes the breaking of normal or societal norms in practices (Ifesinachi, 2003; Enofe, Afiangbe, and Agha, 2017). The term corruption is more widely used to describe any use of official position, resources or facilities for personal benefit, or possible conflict of interest between public position and private benefit. This involves offences of misconduct in public offices and is also covered by a variety of internal regulations. Nye (1967) defines corruption as a form of behaviour which deviates from the normal duties of a public role because of private status gains. Such behaviour includes bribery, nepotism and misappropriation among other mishaps.

It is from such definition, one would understand that Nye sees corruption as behaviour that abuse societal legal and social standards as regarding public role in the use of resources for private benefits. Also, corruption often facilitates criminal enterprise such as drug trafficking, money laundering and criminal prostitution. It is not restricted to those organized criminal activities. Corruption also entails the abuse of formal rules of the game by actors for their private gains. Any individual who deliberately refuses to follow the due process in an assigned responsibility is engaging in corrupt practices.

El-Rufai (2003) views corruption as covering a wide range of social misconducts including fraud, extortion, embezzlement, bribery, nepotism, influence peddling, bestowing of favour to friends, rigging of elections, abuse of public property, the leaking of government secret, and sale of expired and defective goods to the public for private gain. This implies that corruptions transcend the public realm to the private realm. The use of public resources to strengthen the private agenda is a form of corruption.

The World Bank (1997) defines corruption as an abuse of public office for private gains when an official accepts edicts or 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 to divert state assets or resources (World Bank, 1997). According to Transparency International (TI) (2012), corruption is the misuse of entrusted power for private gains. Transparency International opined that corruption “according to the rules” is the facilitation of payments—bribe paid to receive preferential treatment for something that the bribe receiver is required to do by law and corruption “against the rule” is the facilitation of payments—bribe paid to obtain services the bribe receiver is prohibited from providing.

## **3. THEORETICAL FRAMEWORK**

### **3.1 Prebendal Theory**

Prebendalism is the primitive acquisition of material gain from public domain. Joseph Richard (1996) used the concept to depicts the politics of corruption in Africa (Nigeria) where cronies or members of an ethnic group are compensated whenever an individual from the group acquires political power or where; state offices are regarded as prebends that can be appropriated by office holders who use them to generate material benefits for themselves and their constituents

and kin groups (Joseph 1996). The attribute of prebendalism are greed, selfishness, aristocracy, circulation of elites, ethnic chauvinism and religious bigotry. The theory reveals the extent of self-inflicted under-development and hardship that developing country imposes on the political system and how it can be mitigated. The limitation of the theory includes the excessive focus on corruption as the sole reason for backwardness in governance. However, the theory as adopted typifies the nature of African society and reasons for political, economic and social stagnancy.

Prebendalism explains how the nature of politics and the role of the ruling class contribute to the problem embedded in governance and development, particularly the problem of state centred corruption in many developed and developing countries (Ogundiya, 2009). Prebendalism is the phenomenon whereby state offices are regarded as prebends that can be appropriated by office holders, who use them to generate material benefits for themselves and their constituents or kin groups. The prebendal nature of Nigerian politics is fundamental to the problem of political corruption which translates into both the social and economic corruption. The allegations against some political leaders in the Nigerian fourth republic include; falsification of records, bribery, nepotism, cronyism, award of phony contracts, inflation of contract sums, embezzlement, misappropriation of public fund, electoral fraud and abuse of office are indicative of prebendal politics (Aluko, 2018).

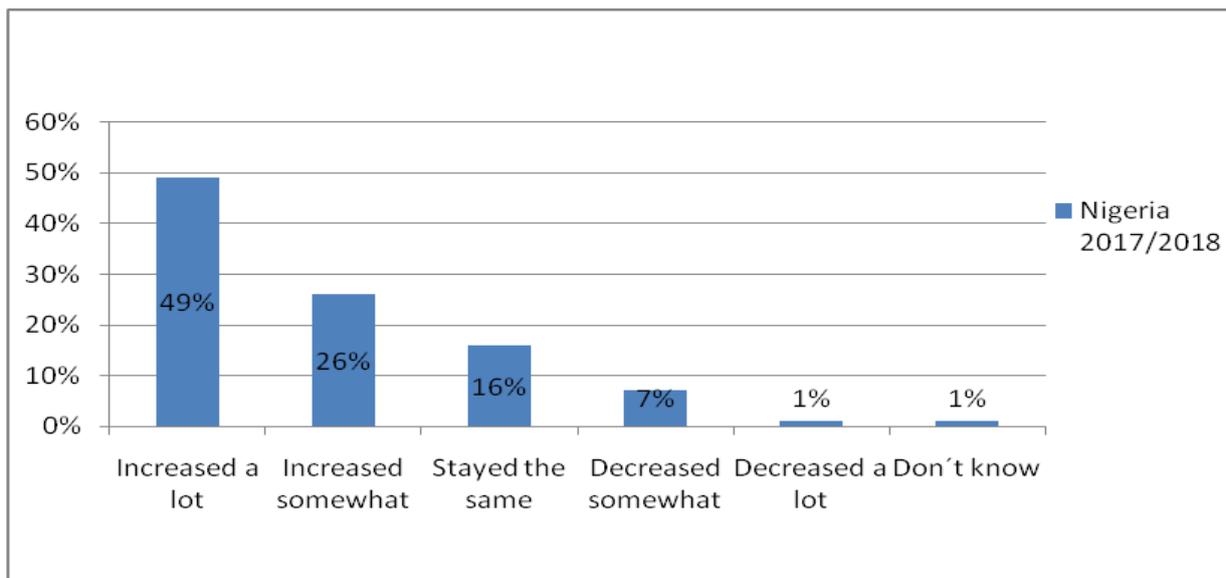
Moreover, the ruling class in Nigeria divert massive state resources especially oil resources into buying the psychology and thinking, loyalty and support of Nigerians so as to sustain their hold on power. Also, political appointments, contracts, promotions, jobs, cash, and other state resources are deployed to sustain network of relationship, maintain political support and patronage (Joseph, 1996; Omodia and Aliu, 2013). This continuous practice had led to poverty, inequality, unemployment, insecurity, political instability, and infrastructural decay prevalent in the Nigeria.

Basic democratic values such as respect for the fundamental human rights of citizens, the constitution and rule of law, institutional autonomy and accountability, freedom, credible and competitive elections, strong and vibrant civil society and opposition political parties are subverted by the prebendalist in the quest to satisfy his personal interests. Prebendalism deepens the connection between corruption and class formation. The relationship between the prebendal manipulation of politics, the role of the ruling elites in widespread corruption is a symbiosis. It works hand in hand and this has damaging effects on development, democratic values and processes in the country where such is obtainable.

In Nigeria, public realms had been used as a cushion for the private realm. Resources from the public offices are usually diverted into private cronies so that kickbacks will be paid to the public officer that issued it. Contracts are issued to cronies instead of the most qualified candidates, taxes are evaded by private firms that are owned or affiliated by public office holders and bribery is entrenched in public businesses before public services are rendered. The prebended largesse are used to maintain and sustain the prebendals' continuous occupation in the public space.

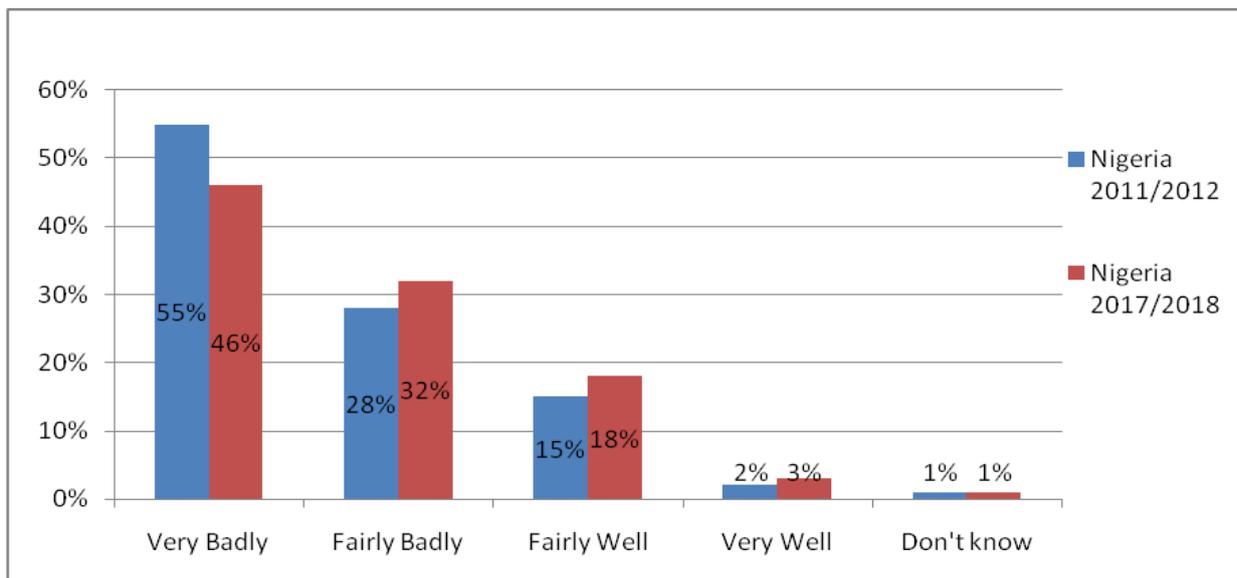
#### **4. METHODOLOGY**

The methodology adopted in this study utilises qualitative research method to obtain data. Secondary data from Afrobarometer repository data were obtained, analysed and interpreted. A descriptive research design and technique were adopted to analyse the data. The Afrobarometer repository data consists of two thousand four hundred (2400) respondents in Nigeria. The use of bar charts and percentages were used to present and explain the data. Issues analysed include; the level of corruption, handling fighting corruption and the most effective way to combat corruption in Nigeria.



**Figure I. Level of Corruption in Nigeria**

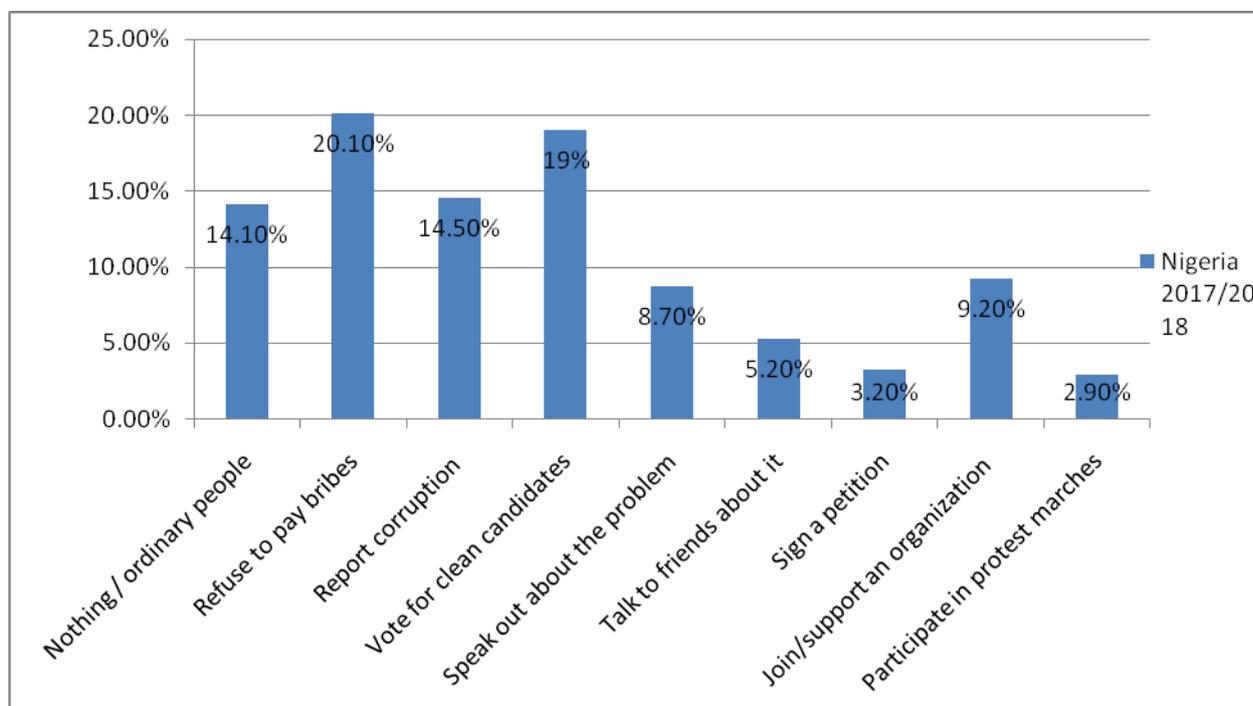
The figure I reveals that forty nine percent (49%) of Nigerians acclaimed that the level of corruption has increased a lot in Nigeria. Twenty six percent (26%) revealed that somewhat increased. This implies that about seventy five percents (75%) (increased a lot and increased somewhat groups) of Nigerians noted that corruption has increased in the country. A very low percent of sixteen and seven percent noted that the corruption level had been stagnant and decreased respectively. While an insignificant one percent (1%) remarked that the corruption level had decreased substantially. This are evidences of backdoor politics which had promoted poverty and decline in the application of the rule of law (Aluko, 2020a). This finding corroborates what El-Rufai (2003) refers to as endemic nature of corruption in Nigeria.



**Figure II Handling- Fighting Corruption in Nigeria**  
 Source: Afrobarometer, 2018

The time series data of 2011/2012 and 2017/2018 presented in the table II revealed that the handling and fighting against corruption in Nigeria had been very bad. Fifty five percent (55%) and forty six percent (46%) respectively observed that handling of corruption in Nigeria is very bad. Twenty eight percent (28%) and thirty two percent (32%) of Nigerians opined that the fight

against corruption had been fairly bad as well. This cumulates that about eight three percent (83%) and seventy eight percent (78%) (Very badly and fairly badly) of 2012 and 2018 respectively gives a very significant affirmation that fighting corruption in Nigeria is not effective. Fifteen (15) and eighteen (18) percent of Nigerians in the two periods opined that the fight against corruption is fairly well. This still shows an insignificant attitude to corruption management in Nigeria. This finding justifies what Aluko (2018) refers to as permissive will in tackling corruption in a selective manner in Africa.



**Figure III Most effective way to combat corruption**  
Source: Afrobarometer, 2018

The table III reveals that the most effective way to combat corruption is refuse to pay bribes. Twenty percent (20%) of Nigerians believed this notion. Nineteen percent (19%) of Nigerians believed that voting for clean candidates will be the most effective way of combating corruption. About fifteen percent (15%) of the population opined that reporting corruption is the most effective way of curbing the menace in Nigeria. Speaking out about corruption in the public space (media among others), telling friends, relatives and family and joining an organization that is fighting corruption are other options that about nine percent (9%), five percent (5%) and nine percent (9%) of Nigerians respectively believed will be the most effective ways of curbing the menace of corruption. Other Nigerians, three percent (3%) each believed in a radical means such as signing a petition and participating in a protest march against a corrupt official respectively are the most potent way of fighting corruption. Generally all this refers to the ways that corruption can be managed until it fades out in any country, developing countries and indeed in African Continent.

## 5. CORRUPTION CYCLE IN NIGERIA

Corruption is endemic and so much entrenched in Nigeria. The cycle shows a motion of corruption manifestation from the public realm to the private realm. At the same time, in other cases, the private realm leads the flow to the public realms. The political and public spaces of Nigeria have a constant increasing trend of corruptions. None of the three arms of government are left out in this menace. The organised private sectors are also guilty of this mishap and the media is not left out in this ordeal. The origin of corruption in Nigeria is easily linked with the

politicking in the first republic. The first republic collapsed due to excessive loyalty to regional governance other than the national interest. Each leader was amassing wealth for themselves and their regional kinsmen. This dove tailed into the military interregnums which expand the scope of corruption to a 'national cake syndrome'.

This implies that the military leaders in governments saw politics as Wealth Empire and eternal bliss. Due to the long military rule, there emerged a deeply entrenched institutionalised poverty in both psychic and developmental stages in Nigeria. Therefore, in the Nigeria's fourth republic, most Nigerians therefore perceive politics and public office as a means to offset the age long poverty streak and to cater for their generations to come due to the uncertainty in the political and economic landscape in Nigeria (Hope, 2017; Sule and Sani, 2017; Mchopa and Jeckoniah, 2018; Malombe, 2018).

The use of financial inducements by the executive have often manifested not only in the cause of passing appropriation bills but also in the process of general law-making including the proposed amendment to the 1999 constitution in 2005. Indeed, there were insinuations that some members of the NASS were given \$50,000 each to support the amendment which will serve as harbinger for tenure elongation (Punch, 2005). Other trend of corruption as common in the executive arm of government is lobbying the legislatures to screen-in the ministerial nominee of the president and in the swift passage of executive bills including the budget for the country.

In the legislative chamber in early 2004, a sitting senator, Uche Chukwumerije alleged that his colleague, Senator Arthur Nzeribe, gathered some other colleagues at his official residence on 14 January with an offer of five million Naira for each to mobilize and support the declaration of an emergency rule in Plateau State. However, not convinced that the allegation is worth a hearing, other senators waved it off and asked Senator Chukwumerije to apologize to the house (National Assembly Catalogue, 2004). Reinforcing the notion of high level corruption in the legislature is the declaration by Honourable Haruna Yerima at a public gathering that some committees in the house go about collecting bribe from ministries and parastatals to induce members into taking favourable decisions. He alleged further that the Chairman, House committee on communications does facilitate distribution of money from MTN to honourable members (National Assembly Catalogue, 2004).

In virtually all the institutions in Nigeria, corruption rears its ugly head as the hallmark of official business. Corruption permeates all facets of governmental institutions and structures in Nigeria. The privatisation of government properties such as telecommunication, electricity sector and the allocation of oil blocs were not transparent but grossly manipulated to favour some perceived prebendal sentiments (Sule and Sani, 2017). The manufacturing and construction sectors are also involved in severe contract cost inflation. Other trends as seen in the judiciary sector include; the manipulation of electoral tribunals adjudicating over series of electoral disputes, Judges involving in partisan politics and receiving of bribes for favourable judgment adjudication.

The public officers in government ministries and other establishments coin ways of amassing wealth by issuing of private receipt in place of official receipt to convert revenue collected to private use among the revenue officers, siphoning of public funds by retaining the names of dead or retired staff by bursary personnel, illegal toll collection at several thousand check points and to secure appointment depends on the applicant's relationship and connection with those at the helms of affairs (Das, 2018).

Not only that, another level of corruption is within the education sectors, admission racketing, monetization of grade, selling of question papers by examination bodies and sexual harassment of students by lecturers. The religion organizations and traditional rulers are not also immune in the web of corruption in which the larger society is currently trapped. All the above mentioned scenarios are indicatives of how high corruption has permeated into the Nigeria society.

However, the reality of the cycle of corruption in Nigeria is that its existence permeates from the public realm to the private realms. Most public office holders got unaccountable riches through the power of the office they hold and use it to finance their private realms and as well entrench cronies into other public sectors so as have a good track to cover up corrupt practices. Such public realms controllers continue to make most of the largesse from ill-gotten contracts and manipulations of public account so as to finance the private realms.

The reality of the public realm corruption is that it finances the private realm. The private realm on the other hand also engages in corruption through tax evasion, money laundry, aiding and abetting of crimes and other local or international crimes. Whenever the private realm is becoming weak, the public realm comes to its aid through the award of over blotted public contracts which may eventually become unexecuted or abandoned. The reality of corruption continues in the cycle of interaction between the private and the public realms.

## **6. INSTITUTIONAL MECHANISM WAR AGAINST CORRUPTION**

The way corruption had been handled in Nigeria is not adequate enough to crush the scourge of the menace. Successive governments in Nigeria have put in place several anti-corrupt measures and strategies such as Ethical Reorientation Campaign of Shagari's Second Republic, War Against Indiscipline (WAI) of the Buhari/Idiagbon regime and Babangida's Committee on corruption. Other efforts include setting up of probe panels, commission of enquiry and tribunal (e.g. Failed Bank Tribunal) to try corrupt individuals (Hope, 2017; Aluko, 2018).

A major landslide attempt was made in the fourth republic. This was the passage of the bill that established the trio of Independent Corrupt Practices Commission (ICPC), Economic and Financial Crime Commission (EFCC) (These two bodies were empowered by law to investigate, arrest and prosecute suspected corrupt office holders and political appointees) and Code of Conduct Bureau (CCB) with its Code of Conduct Tribunal (CCT). The introduction of Due process in all the Federal Ministries and parastatals under the leadership of Olusegun Obasanjo in 1999 was also novel. It is noteworthy to mention the Treasury Single Account (TSA) orchestrated by the Jonathan's administration in 2011 which was utilised by the Buhari's administration in 2015.

Independent corrupt practices and other related offences commission was inaugurated on September 29<sup>th</sup>, 2000 as the hub of Nigeria's fight against corruption with the following functions: to examine practices systems and procedures of public entities, supervise, direct and parastatals actions. Also, it investigates and prosecutes cases of corruption and other related offences. It also summons person for examination and information gathering, include power to demand disclosure of information even of a privilege nature. It also has power to enter or building to search and seize property known to have been corruptly acquired. Similarly, it also examines documents of all sorts and the commission is also expected to educate Nigerians against bribery, corruption and related offences.

The Economic and Financial Crime Commission is the second anti-corruption agency set up by the President Obasanjo government. The commission is empowered under the Commission's Establishment Act 2004, the Money Laundering Act 1995, the Money Laundering (Prohibition) Act 2004, the Advance Free Fraud and other Fraud Related Offences Act 1995, the Failed

Banks (Recovery of Debts) and Financial Malpractices in Banks Act 1994, the Banks and other Financial Institutions Act 1991, and Miscellaneous Offences Act. Its focus is to combat financial and economic crime. The commission is empowered to prevent, investigate, prosecute and penalize economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to economic and financial crimes. This include; Economic and Financial Crimes.

The Code of Conduct Bureau (CCB) with its Code of Conduct Tribunal (CCT) were institutionalised to ensure that public servants and politicians in public offices declare their assets to the government before they assumed office for financial monitoring and transparency. This is to ensure that the salaries earned are commensurate with the assets acquired during the public official assignments. Any false asset declaration will be investigated by the bureau and apportion the appropriate judgment by the tribunal. Many political office holders in the past have not declared their true assets before assuming office and the bureau have never queried such corrupt acts. The few public office holders quizzed by the bureau so far have not been convicted.

The Due process Anti-corruption institutional mechanism situated in all the Federal Ministries and parastatals were to ensure that contracts awarding process follow the laid down procedures. The bidding process for public jobs, vacancies and appointments, promotion, discipline and transfer of public officials are done in consonance with the laws guiding them. Also budget spending and money transfers are ensured to be with due process and the signatories will be held responsible for any mishap.

The Treasury Single Account (TSA) mechanism was instituted to ensure that monies leaking off the government purse are mop-up into a single account of the government. The unspent budgets which usually vanish before the new budget is approved were repatriated back to government's account (Abodunrin and Omole, 2017). All transactions are done using the single account provided by the government. These ranges from government's tertiary institutions general budgets, school fees payments and salaries of staff among other transactions. Other agencies of the government as well have all their transactions paid directly into the single treasury account instead of the institutions 'or organizations' private account. This was accompanied with the use of Bank Verification Number (BVN) for all bank users to link all multiple account holders to a single account identification (Nwadinobi and Peart, 2018).

## **7. PERFORMANCE, MYTH AND CHALLENGES OF THE ANTI-CORRUPTION INSTITUTIONAL MECHANISM**

The figure III indicates that several institutional and societal measures can be adopted to curb the menace of corruption. The establishments of the various institutionalised measures to curb corruption in Nigeria have moved Nigeria from 'the most corrupt nation in the world' to 'one of the corrupt nations in the world. There is no much difference in the corruption trend in Nigeria but the citizenry and the international community knows that Nigeria is fighting war against corruption to some extent. There is no more an outright unrestricted free will to enrich oneself with government's largess by public office holders and to unduly influence financial transaction openly. However, the myth is that public officers and cronies have derived other means to circumvent these institutional mechanisms. Such means include the use of the private realms and firms as surrogates in awarding contracts and other financial clearing largesse. This cumulate into the challenges that the various institutional mechanism to fight corruption have to face.

A major challenge facing the effectiveness and the efficiency of these wars against corruption mechanism in Nigeria is that the political leaders deal with perceived enemies in other political

parties thereby leaving out the corrupt persons within their political parties. This has made the targets or victims from the perceived opponent political parties to cross carpet to the ruling parties and thereby shielded from the investigation of the anti graft agencies. This implies that the government still engage in selective investigation and prosecution at the expense of equity, equality before the law and national development.

Another challenge of these commissions that makes them ineffective is the examination and investigation of “reported cases” of crime which involved individuals, corporate bodies, or group. This simply means that if any acts of financial crimes are not reported the commissions will not act promptly. This is common where the criminal acts are perpetrated by a family member, friends and benefactor. Aluko, (2019, 2020b) opined that there is a need for technological innovation which will enhance the transmission of facts about crimes to the appropriate quarters before they become distorted or under covered. Inadequate independence of operation is also identified as another problem facing the commissions and other instrumentalities. It could be said that the commission are handicapped in performing most of their function since they must liaise with the office of the Attorney General of the Federation; therefore the Attorney General of the Federation can order the anti-corruption agencies to hand off any case(s) he/she is not interested in or that will demands his integrity.

Poor capacity and inadequate investigation tools such as analysis tools, software among others to pin down corruption. These are major challenges facing the Code of Conduct Bureau (CCB), Treasury Single Account (TSA) and Bank Verification Number (BVN) instrumentalities in fighting against financial crimes and criminal syndicate. This poor capacity to investigate is coupled with a relatively slow judicial system which serves as a major obstacle to the anti-corruption war effectiveness. The dispensation of justice takes longer time hence the anti-corruption agencies find it difficult to prosecute multiple crime suspects due to the delay.

## **8. CONCLUSION AND RECOMMENDATIONS**

The war against corruption in Nigeria and indeed Africa at large is reality but the manifestation on the country is a myth. Corruption did not start in one day and it is certain it cannot be overcome in a single course of action. Corruption is a cankerworm that eats the developmental fabric of a country and renders it perpetually backward among the comity of nations. The economic resource meant to advance the development of such country will be prebend and diverted for private and personal uses. This corrupt act creates social classes of inequalities and developmental polarity in the country. This is evident in Nigeria and other developing countries of the world.

A number of things are expedient to be done by both the government and the general public so as to reduce the rate of free flow of corruption in Nigeria and other countries with such scourge. The psyche and the education curriculum of Nigeria state must be addressed as the combat with the outright manifestation commences. This implies that the war against corruption can be won if it is fought in two publics. These are; the psyche public and the prosecution public. The psyche public deals with the reorientation of the juvenile and adults in Nigeria about the havoc of corruption on the future development of the country. The prosecution public deals with the act of punishing the convicted corrupt public officers.

The roles of civil society, religion bodies in the war against corruption for a virile civic society and general empowerment of the citizenry is also important. Such empowerment may take the form of access to information about activities of government agencies. Also, the price of corruption should be made to be higher than the gains. Severe punishment should be attached to corruption at all levels of governance and equality before the law must be entrenched. No Nigerian or non-Nigerian leaving in the territory of Nigeria should be seen as above the law.

Government and international agencies can as well intensify on funding the anti-graft agencies and as well be upgrading the other instrumentalities such as the Code of Conduct Bureau (CCB), its corresponding Code of Conduct Tribunal (CCT) and Treasury Single Account (TSA) to step up evidence base prosecution of corrupt persons. This will enable them to keep up to date with the tactics of corrupt practice offenders in both private and their public practices. In line with this, adequate equipment that will make the war against corruption easily and faster should be provided for the commissions and other agencies.

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