CORRUPTION IN NIGERIA: AN EXAMINATION OF FAILED NATIONAL ASSEMBLY PROBES

Richard A. Onuigbo
Department of Political Science, Enugu State University of Science and Technology
Email: ifeifeonuigbo@yahoo.com

Abstract
Nigeria is a country reputed for its high corruption index, the activities of the multinational oil companies have always been reported to be in shortfall of globally accepted best practices and transparency. Matters are not helped by a perceivably corrupt agency in charge of supervising the oil and gas industry, the Nigeria National Petroleum Corporation (NNPC). The Nigeria Extractive Industry Transparency Initiative (NEITI) has had cause in the recent past, to accuse the oil majors of irregularities in their financial operations and non-conformity with the statutory laws. The Mbeki report is therefore, only saying the obvious from other quarters. But that is not to foreclose the fact that there are multinationals in other sectors of the economy besides oil and gas. The legislature who supposed to serve as a watch dog is involved in the act. The seventh National Assembly ended its tenure in early June without resolving majority of the huge mis-governance and corruption issues that characterised the out gone administration. Under the former dispensation, the oversight power of the legislature was not judiciously exercised to guarantee Nigerians the dividends for electing their representatives. There were clear cover-ups and lack of political will to bring a lot of the cases to closure. Even when it issues reports on certain important national issues, such as the fuel subsidy scam, the National Assembly lacked the firepower to compel the executive execute its recommendations. As nothing almost always get done after individuals, agencies and corporations are indicted by either the House of Representatives or the Senate, the billions spent yearly on either public hearings and oversight functions have turned out to be mere drains on national resources. This paper addresses these issues.

Keywords: National Assembly, Corruption, Anti graft agencies, Fraud, Corruption Perception Index, Illicit Financing, Governance, Transparency, Bribery, Embezzlement
Introduction

The Corruption Perceptions Index 2013 has just been released by the Transparency International and shows that corruption remains a global phenomenon, while Nigeria now ranks 31 among the most corrupt nations. The Corruption Perceptions Index 2013, according to the TI, serves as a reminder that the abuse of power, secret dealings and bribery continue to ravage societies around the world. “The index scores 177 countries and territories on a scale from 0 (highly corrupt) to 100 (very clean). No country has a perfect score, and two-thirds of countries score below 50. This indicates a serious, worldwide corruption problem,” TI said in the report. The global anti-corruption crusader therefore calls for urgent renewal of anti-graft war by building transparent public institutions. “The world urgently needs a renewed effort to crack down on money laundering, clean up political finance, pursue the return of stolen assets and build more transparent public institutions. It is time to stop those who get away with acts of corruption,” TI said. Countries that are rated the best 17 in zero tolerance for corruption are Denmark, New Zealand, Finland, Sweden, Norway, Singapore, Switzerland, Netherlands, Australia, and Canada. Others are Luxembourg, Germany, Iceland, United Kingdom, Barbados, Belgium and Hong Kong in that order. Both Denmark and New Zealand scored 91 per cent, Finland and Sweden 89 per cent, Norway and Singapore 86 per cent, Australia and Canada 81, Germany and Iceland 78 while Barbados, Belgium and Hong Kong scored 75.

However, while no African country made the first 17, they dominate the first 10 while Nigeria ranks 31 on the list. To be sure, this is an improvement on the previous situation. But there is still a lot to be done in the effort to rid the country of graft. In our view, being 31st most corrupt out of 177 countries is just not good enough. It is disheartening that those who are supposed to review and examine the damning report and formulate and implement strategies to tame the menace of corruption either ignore or condemn such reports. This suggests a lack of a genuine commitment to fighting corruption in the country. Nor is the menace limited to the public sector alone. Corruption is at all levels and in every sector of the political economy. All levels of the education sector, for instance, are sadly entangled in massive corruption. Indeed, it is so widespread these days that it is almost like an official policy of the state.

Corruption also generates economic distortions in the public sector by diverting public investment into capital projects where bribes and kickbacks are more plentiful. Officials may increase the technical complexity of public sector projects to conceal such dealings, thus further distorting investment. Corruption also lowers quality of standards of compliance with construction, environmental or other regulations. It reduces the quality of government services and infrastructure and increases budgetary pressures on government. This may be the reason the federal government still finds it quite difficult to balance its annual budgets, despite the unprecedented surge in oil revenues following hikes in oil prices over time. In the private sector, corruption increases the cost of business through illicit payments, high cost of negotiating with officials and the risk of breached agreements or detection. Although some claim corruption reduces costs by cutting red tape, an emerging consensus holds that the availability of bribes induces officials to contrive new rules and perpetrate delays.

Where corruption inflates the cost of business, it also distorts the playing field, shielding firms with connections from competition and thereby sustaining inefficiency. Political corruption, probably the worst part of the malady, is widespread in many countries, and represents a major detriment to the well-being of their citizens. Political corruption means that
government policies tend to benefit the givers of bribes, not the general public. Another example is how politicians would draft laws that protect large corporations while hurting small businesses. These “pro-business” politicians are simply returning favours to those commercial enterprises that contributed heavily to their election campaigns to the detriment of the larger population. The establishment of the Independent Corrupt Practices and other Related Offences Commission (ICPC), the Economic and Financial Crimes Commission (EFCC) as well as the Code of Conduct Bureau and its Tribunal is a laudable step in the war against corruption.

Unfortunately, though some successes have been registered by these bodies, the general impression is that they have gone after the tail of the monster of corruption rather than its head. Former British Foreign Secretary, Jack Straw why speaking with the median in Nigeria corruption and lack of transparency among the political class have become a great problem that have permeated all cadre of administration in Nigeria. Straw said that for the war against corruption in the country to be decisively fought and won by government and the people, there must be transparency in governance at all levels as well as incorruptible judiciary to give appropriate penalties to apprehended corrupt officials.

The former British Secretary who stated this recently in an interaction with Senators on the platform of the All Progressives Congress, APC, stated that though opposition may not be in government, they can use their voice in a democracy to bring about good governance. He urged Nigeria to copy the British model by meting out stiffer penalties to corrupt officials, adding that allowing for transparency in governance and having clean courts to handle corruption related cases in the land, would go a long way in reducing corruption in the country. He said, There’s need to raise the penalty for corruption in Nigeria. You have anti-corruption laws, you have great laws and you jail people on corruption and you ensure proper transparency; then, it’s safe to say that people would stop being corrupt. You’ve got to change the quality of your public administration. One of the encouraging signs about Nigeria is the fact that you have effective and viable opposition because democracy requires that there’s change. In democracy, there are alternatives. What message can I give you about opposition? Well, first of all, you can change the weather in opposition. Although you’ve not got the votes, you’ve got the voice. As you make the better use of the voice, you get public support then you start to unnerve the government (Eme, 2015).

Straw however, challenged the opposition lawmakers to get quality manifestos and should not mistake the quantity of policies for quality of policies just as he described the 2011 elections as better than the rest but that it didn’t meet international standards. He further stated, “The second thing is that you cannot just wait for the government to be unpopular...you have to fight crime, tackle health problems, deal with immigration and ensure transparency in government. He added.
Leadership is about character, but if you don’t have the right leaders, who have the right characters, the right backbone, then, it won’t work. He won’t have the qualities to bring out the best in people who would work with him. Of course, elections are fought through the prisms of leaders…don’t mistake quantity of policies for quality of policies (Eme, et al, 2015).

Present at the interactive meeting were about five out of the 11 Peoples Democratic Party Senators, Senators Bukola Saraki, Danjuma Goje, Ali Ndume, Abdullahi Adamu and Umaru Dahiru, who had written to the senate to announce their defection to the APC. They have maintained that they are already in the APC as they participated actively in the registration exercise of the APC and they proved this yesterday by openly aligning with the opposition lawmakers. Speaking on behalf of the opposition Senators, the Senate minority leader, Senator George Akume said the country was under siege due to the rising wave of insecurity in the North East and some parts of the country. Akume stated that lack of transparency was one of the major causes of insecurity and corruption in the country adding that the government had failed in its primary duty of protecting the citizens of the country. He told the former foreign secretary that as the nation was preparing for the 2015 elections, it was pertinent that the elections must be free and fair. The Senate Minority Leader said, “you are coming at a time when there are many problems in the country. On a positive note, you are coming when the country is celebrating its centenary. Every country has its history. You are also visiting at difficult circumstances in our dear country. The objective of this chapter is to examine the linkage between corruption and administration using Nigeria as a case study. To achieve this objective, the first part of the papers discusses conceptual issues. The next section explores the various forms of corrupt theses. The third part uses concrete examples to support issues raised in the paper. The final part offers recommendations and concludes the paper.

Theoretical Definitions of Corruption

To date, three major approaches to the systematic enquiry of corruption have emerged. Historical studies which has widely been used in Britain; inquisitional studies – a specialty of the United States of America and some African and Asian countries and sociological studies which have dealt with corruption only incidentally (Leys, 1965:212). Specifically, these studies have yielded three schools of thought on the subject: the moralistic/traditional, the functional and the legalistic approaches.

The Traditionalist/Moralistic Approach

This approach treats corruption in a moralistic manner. Causes of corruptions were seen as the gaining of positions of power and trust by evil and dishonest means. Corruption was therefore incidental to the working of society which might be self guarded by appropriate laws and exhortation (Caiden and Caiden, 1977:302). This approach is rather problematic. The different moral codes in different societies make moral judgments culturally determined. For example, an aberrant behaviour in one culture may be normal and acceptable in another. Thus, if corruption is to require moral censure, it will have to be culturally conditioned. Consequently, an act is corrupt if the society in which the act occurs condemns it so. This observation denotes patterns of action which derive their relevance from the role of value system in social behaviour.
Simpkins and Wraith (1963:12) concludes that an act is presumably corrupt if society condemns it as such, and if the doer is afflicted with a sense of guilt when he does it.

But in both Africa and Asia continents, the man who uses his official position to obtain jobs for his relations is not considered immoral. He is only doing what he is traditionally expected to do. This point is strongly made by a British social worker in these utterances:

“… for villages have kickbacks, scams, palm greasing are non-issues… corruption is so well embedded, part of everyday life itself, no one’s eyebrow’s would ever get raised on the issue…” (Simpkins and Wraith, 1963:12)

One thing, which all corrupt acts have in common, is that someone not involved in the act regards each act as a wrong thing. However, those who are involved in the corrupt acts do not regard such acts as a bad thing. Although the proponents of the moralist school accept this, they posit that such behaviour is at all times against the public interest.

Friedrich (1966:112) regards corruption as that which arises:

Wherever a power holder… that is, a responsible functionary or officeholder, is either by monetary or other rewards not legally provided for, means to cause wrongful gain or wrongful loss amounts to corruption induced to take an action which favours whoever provides the rewards, and thereby does damage to the public interest.

This definition prejudices the result of corruption, is imprecise, (as the meaning of public interest is open to different interpretations), and may preclude recognition of corruption until after the event only when public interest can be clarified (Caiden and Caiden 1977:302). But even without looking into what the public interest is, there are some cases of corruption which imply that the public interest, sometimes, condones some corrupt acts. McMullan (1961) and Hoselitz (1963) have maintained that the early years of the life of a nation are dominated by those “persistent integrative needs of the society”. They further maintain that:

Much of the alleged corruption that western technical advisers and administrative services of Asia and African states encounter, and against which they inveigh in their technical inputs, with so little genuine success is nothing but the prevalence of these non-rational norms on the basis of which administration operates (Hoselitz, 1963:190).

**Functional/Tonic Approach**

This approach does not see corruption as a problem to be concerned about in so far as it has utilitarian manifestations (Van Roy 1970). According to Eze (1984:156), the consequential benefit of corruption as a social practice is believed to originate from the prevailing conditions in emerging countries. As Huntington (1968:69) rightly states “… since administration in these countries tend to be slow, costly and rigid, corruption may also be regarded as a solvent, to or lubricant to overcome and bypass excessive bureaucratic inflexibility, sluggishness and bungling”.

Put differently, about thirty years ago, some economists argued that corruption actually assisted economic development because it helps lubricate the wheels of otherwise obstructive bureaucracies. Today, no one seriously contends that corruption provides a net benefit. On the
contrary, it distorts economic development by rewarding the most dishonest rather than the most competent. High levels of graft make it harder to justify unconditional debt relief given to Nigeria by the international multilateral agencies.

As the former Vice – President of the United State, AlGore once noted: “corruption accelerates crime, hurts investments, stall growth, bleeds the national budget, and worst of all – undermines our faith in freedom” (Ngugu, 1999:19).

The Legalistic Approach

That some practices regarded as corrupt in some countries are tolerated in others makes the fight against corruption that much more difficult. Warioba and Werema gave the example of the American Foreign Corruption Practices Act (FCPA) which prohibits bribing foreign officials, but condones “good will payment to persons holding ministerial jobs for facilitation of paper processing on the basis that they are not based on quid pro quo” (Ngugu, 1998:18). Called “greasing payment”, such practices are not criminalized; in spite of the fact that they form bulk of public complaints and have adverse impact on social and economic development.

It is easy enough to find examples in Africa, with Late Mobutu’s Zaire and Abacha’s Nigeria merely the most extreme. Elsewhere, the use of political patronage to benefit a small number of presidential followers is too common. The written law may prohibit bribery, but everyday procedures are often very different, and businesses are caught in the middle.

Corruption is scarcely a purely African phenomenon and it is simplistic to say that it is just ‘part of the culture’. Former Nigerian President, Olusegun Obasanjo points out that there are many differences between “gifts” and “bribes”:

In the African concept of appreciation and hospitality, a gift is a token; it is a token, it is demanded. The value is in the spirit of giving, not the material worth. The gift is made in the open, never in the secret. Where a gift is excessive it becomes an embarrassment, and is returned (Bray, 1999:15).

According to Eze (1984), this approach, which is essentially a synthesis of the previous approaches, may give us the solution as to what corruption is. Adherents of this school perceive corruption as a violation of the legal boundaries, which guarantees and safeguards the prescribed standard of behaviour (expected of public officials and politicians), which has been determined by the polity through its legal, judicial, legislative and other institutions. In its simplest sense, the approach maintains that any act or action contrary to the cannons of honesty and integrity and the employment of unfair or irregular means to cause wrongful gain or wrongful loss amounts to corruption. Dwivedi and Bhargava (1967:1) describe a corrupt person as one whom:

Being or expecting to be a public servant accepts or obtains, or agrees to accept or attempts to obtain from any person, for himself or for any other person, any gratification whatever, other than remuneration, as a motive or reward for doing or bearing to do any official act, or for showing up, for bearing to show, in the exercise of his official functions, favour or disfavour any person, or for rendering or attempting to render any service or disservice to any person, with the central or state government or parliament or the legislature or any state, or with any public servant at such.
The above passage implies that, the use, abuse or misuse of official power, authority or discretion for persons or the other’s gratification is corruption. From the above theses corruption may be divided into three types: extortive, manipulative and nepotistic. The former refers to a situation where one is forced to bribe in order to gain or protect one’s rights or needs. The second refers to an attempt to influence decisions in one’s favour in any area of life. The last refers to preferential treatment of relatives and friends in appointments to positions, which can also include organizational nepotism that is, special favours given to political parties or organizations.

For our purpose, corruption refers to any behaviour that deviates from the formal rules of conduct governing the action of someone in position of public trust and authority because of private motives such as wealth, power or status. This definition is significant because it identifies corrupt acts to include fraud, bribery or other improper actions or transactions aimed at changing the course of events, judgments and positions of trust. The activity of PEF actors captures this descriptive definition of corruption.

On the basis of the above definitions, the basic characteristic of corruption:
1 it is a deliberate or intentional exploitation of one’s position, status or resources;
2 it may be done directly or indirectly;
3 it is done for personal aggrandisement, whether it is a material gain or an enhancement of power, or prestige or influence;
4 it is done by violating legitimate or sanctioned of commonly accepted norms of behaviour; and
5 it is done against the interest of the community or other persons (Sharma and Sadana, 2005:770).

Theoretical Framework

The ontology of this study is shaped by the epistemological and philosophical assumptions of the theory of post-colonial state as originally developed by Hamza Alari (1972). The theory of post colonial state is an insiders’ inflection (Perspective) to the nature of the state in colonial societies. In other words, the theory of post colonial state is premised on the historical specificity of post-colonial societies. This specificity arises from structural changes brought about by the colonial experience and alignments of classes and by the superstructures of political and administrative institutions which were established in that context, and secondly from radical realignment of class forces which have been brought about in the post-colonial situation (Hamza Alavi, 1972).

Post-colonial theory is an engagement with the manner in which African have dealt with the institutions and practices initiated from their past, both pre-colonial and colonial (Ahluwulia, 2001:134). It is a radical critique and an advance over the earlier theorization about the nature of the state in Asia, Africa, and Latin America by modernization/political development and underdevelopment/dependency/world systems theorists such as Ander Gunder Frank, Samir Amin, Arighiri Emmanuel, Immanuel Wallerstein, among others. Post-colonial theory is thus a critique to the above Western models of analysis all of which failed to provide a proper analysis of the African problem (Chimuka, 2002:3), due to their inability recognize: (1) the significant change in power relations between the ex-colonies and metropolitan capitalists after decolonization, (2) the rise of indigenous bourgeoisie in post colonial societies, and, (3) the failure to situate third World States in the context of indigenous class struggles:
The central proposition of the post-colonial theory which captures the dynamics of the executive – legislative conflict in post-colonial societies in general, and, in Nigeria particularly is that:

*The state in the post-colonial society is not the instrument of a single class. The state is relatively autonomous and it mediates the competing interests of the three propertied classes (the metropolitan bourgeoisie, the indigenous bourgeoisie, and the landed classes while at the same time acting on behalf of all of them in order to preserve the social order in which their interests are embedded (Alavi, 1972:198).*

This relationship between class and state in third world social formations explains both the “unequal and hierarchical” nature of world capitalist systems, and the relative autonomy thesis of an “overdeveloped state bureaucratic oligarchy”, sub-serving the interests of a ruling class alliance.

Thus, due to the preservation of “embedded interests” by politicians “the nature of the state and of its role in contemporary society is neither its political history nor its institutional apparatus but the class struggle which takes various forms, of which executive – legislative conflicts is one of the class struggle. This is so because African societies and “parliaments” like all social formations are made up of more than one dominant class and several fractions within the latter.

Put differently, the colonial state is elitist, centrist and absolutist (Wunsch 1990:23). These essential elements of the colonial state is a transplant from the colonial administration which was characterized by the concentration of authority to establish, revise and interpret rules in a structure entirely removed from local, popular mechanism of control.

The contemporary African state system and administration is typical of the colonial administration, in the sense that the executive and the legislature form part of the structure removed from local mechanism of control, but which determines the fate of the people through allocation of resources. Thus, the African Post-colonial state has taken on more elements of the colonial state rather than of the pre-colonial state.

The African problem is therefore, explained in terms of political factors such as the historical evolution, the character of the state structure, the degree of internal political integration, and the “general nature of the relationship between the political executive and administration” (Theobald cited in Gero Erdmann 1982:559).

In addition, due to the weak vertical and horizontal integration of the African State is such that makes it disconnected from the citizens, there is dominance of power rather than authority and low-level of government accountability and responsiveness. As such the emphasis of the state seems to be on power to the exclusion of ethics and a reliance on Western conceptions of authority such as the legislature, executive, military etc. (separation of power causes conflict).

This low-level of accountability and responsiveness is characteristic of the attitude of the post independence African independence, only to appropriate the state as their personal property. As such “low state capacity has facilitated various rent- seeking and corrupt practices (Lewis 2001:55, 135) such that there is “mutually reinforcing pattern of neo-parimonial governance and
Africa’s permanent economic crisis. Hence, corruption, nepotism, tribalism or (ethnicity) and clientelism are constitutive elements of the underdeveloped state, or of politics in a post-colonial state (Medard, 1982:165).

Applying the theory, the thesis posits that the three traditional arms of government (i.e. executive, legislative and judiciary constitute the three propertied classes. Within each arm are individual with embedded interests. Though the underlying principle of competition and rivalry among the three arms or branches of government was to be a means of limiting and controlling government through “checks and balances”, the National Assembly (Parliament) becomes contested and contestable terrain once the state has already becomes an instrument for the achievement of personal interests. The fact that there is no one dominant class or that every member of national assembly (the Senate and House of Representatives) does not belong to one political party presupposes that every member of the national assembly will be using state power for achieving personal interest.

As this becomes both a norm and a principle among the members of the national assembly conflicts become inevitable. Thus, the executive – legislative conflict in Nigeria emanates from this process. Understood this way, because the state power has assumed a major means for primitive accumulation of capital, the governing class to which the members of the executive and legislature belong while pursuing their economic and political interests between the members of the National Assembly often result to gridlock over major public policy decisions, thus, making government ineffective. Struggling in a climate of partisanship and distrust, the national assembly (Parliament) and the Executive Branch often appear paralyzed, locked in a permanent standoff. More often they relate to each other as adversaries, not as responsible partners in governing (National Academy of Public Administration, 1992:1).

The implication is that there have been multiplications of conflict to serve personal and sectional interest within the ruling class. Hence the tenets, or principle of separation of powers and the provisions of the constitution are disregarded. This is typical of the executive – legislative conflict, which, within national assembly in Africa, states generally and the Nigerian state in particular, attempt to overpower societal legislature, judiciary, executive police, and military institutions rather than accommodate them. As such, institutionally, there is a high concentration in the formal distribution of power and resources between the various branches and levels of government. Generally, there is a concentration of authority and resources within the executive branch to the detriment of other branches such as the legislature, the judiciary and even the civil service (Olowu, 1994:8).

Put differently, Nigeria’s colonial past characterized by colonialism and imperialism has helped create economic distortions, and distorted economically weak political leaders whose attitudes necessary for moderating the confrontational character of inter-branch relations among politicians.

The expression of the weakness of political institution in the peripheral capitalist societies is the weakness of the constitution itself. The Nigerian constitution, especially, the 1999 constitution written for the military regimes, but adopted by the civilian due to political scores that can be scored with it as a result of ambiguities and lack of clarity in its content pertain to the powers of the executive and the legislature.

These factors would in themselves lead one to expect an intense conflicts as actors in both executive and legislative branches seek to contest for power for other purposes. Once the
dominant philosophy of the members of the executive and National Assembly is oriented towards accumulation of wealth, an antagonistic relations between them becomes inevitable. Hence the relation between the executive and the National Assembly, therefore, essentially becomes relations of conflict based on competitive materialistic interest and personality clashes. These explain the reason why the domains of conflict between the executive and National Assembly has been fiscal management and the power of appropriation as well as other issue – domains that make private accumulation possible for the ruling class.

**Corruption in Government Institutions: Corruption Perception Index Rankings**

The hollowness of Nigerian’s much vaunted war against corruption was brutally exposed when Transparency International (TI), the global anti – corruption Watchdog, released its 2009 corruption perception index (CPI). The country’s ranking on the 180 – nation list fell to 130th position from 121st in 2008. Nigeria placed 32nd out of 147 countries that were assessed in 2007. Out of a possible 10 points for least corrupt, Nigeria was only able to make 2.5 points, compared to 2.7 in the 2008. Table 1 below examines worldwide corruption perceptions ranking of countries’ position from 2002 to 2012.


These depressing figures only confirm what many Nigerians had long suspected: the Yar’Adua administrations ostensible emphasis on rule of law and due process is more shadow than substance. Rather than being shown in clear motives and concrete action, the Federal Government has used the rule of law mantra to excuse its habitual slowness to act, and it’s downright inability to act decisively against those individuals and institutions that have ensured that corruption is still as strong as ever.

As TI’s reports indicate, Nigeria’s ranking and score are so abysmally low because the country has been unable to build the strong institutions and legal framework that would ensure that corrupt practices are so difficult to get away with; or that they will be reduced to the barest minimum. Vital agencies of law enforcement, such as the police, continued to under – perform; indeed, the Nigeria police force has regularly comes tops in polls of the country’s most corrupt institution as tables 11 and 11 below indicate

**Table 2: Assessment of levels of corruption in Nigerian institutions**

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<td>Political parties</td>
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<tr>
<td>Legislature</td>
<td>4.2</td>
<td>4.1</td>
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<tr>
<td>Police</td>
<td>4.8</td>
<td>4.7</td>
<td>4.9</td>
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<td>Judiciary</td>
<td>3.8</td>
<td>3.8</td>
<td>4.1</td>
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<tr>
<td>Tax Revenue</td>
<td>3.8</td>
<td>3.6</td>
<td>3.5</td>
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<tr>
<td>Customs</td>
<td>4.0</td>
<td>4.2</td>
<td>Not available</td>
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<tr>
<td>Military</td>
<td>3.9</td>
<td>3.8</td>
<td>3.7</td>
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<tr>
<td>Registry and Licensing</td>
<td>3.3</td>
<td>3.1</td>
<td>3.3</td>
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<tr>
<td>Utilities</td>
<td>3.5</td>
<td>3.6</td>
<td>3.8</td>
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<td>Educational System</td>
<td>3.8</td>
<td>3.8</td>
<td>4.3</td>
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<tr>
<td>Medical services</td>
<td>3.1</td>
<td>3.0</td>
<td>3.4</td>
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<tr>
<td>Business/private sector</td>
<td>3.4</td>
<td>3.2</td>
<td>3.7</td>
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<td>Media</td>
<td>3.0</td>
<td>2.8</td>
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Table 3: Assessment of levels of corruption in Nigerian institutions

<table>
<thead>
<tr>
<th>Institution</th>
<th>Percentage affected by the corruption</th>
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<tbody>
<tr>
<td>1. Political Parties</td>
<td>25%</td>
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<tr>
<td>2. Police</td>
<td>32%</td>
</tr>
<tr>
<td>3. Churches</td>
<td>1%</td>
</tr>
<tr>
<td>4. Business/Private Sector</td>
<td>1%</td>
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<tr>
<td>5. Ministry/Parastatals</td>
<td>1%</td>
</tr>
<tr>
<td>6. Government Hospitals</td>
<td>1%</td>
</tr>
<tr>
<td>7. Traffic Police/FRSC</td>
<td>1%</td>
</tr>
<tr>
<td>8. Financial Institutions</td>
<td>2%</td>
</tr>
<tr>
<td>9. Educational Institutions</td>
<td>2%</td>
</tr>
<tr>
<td>10. Public Official/Civil Servants</td>
<td>3%</td>
</tr>
<tr>
<td>11. Judiciary</td>
<td>4%</td>
</tr>
<tr>
<td>12. Federal States Executive Council</td>
<td>6%</td>
</tr>
<tr>
<td>13. Power Holding Company (PHC)</td>
<td>9%</td>
</tr>
<tr>
<td>14. Parliament/Legislature</td>
<td>15%</td>
</tr>
</tbody>
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Source: Business Day, Monday 02 November 2009:1

The Guardian Editorial of Tuesday, November, 24; 2009 stated that “corruption is everywhere now, from school to churches, to traditional institutions, to political parties and it continues to spread. We run a political system that lacks legitimacy so that it should not come as a surprise that corruption has become endemic” (Fadipe, 2010:27). A communiqué issued by the Christian Association of Nigeria at the end of its 6th National Assembly, summarises the problem of corruption thus:

Corruption today is still a deadly disease in Nigeria. Corruption has been responsible for the collapse of our economy, the infrastructure and the collapse of educational and health sectors and other areas of life. Many Nigerians are yet to be free from it. The Christian Church in Nigeria cannot claim to be free from it. Where is corruption not present in Nigerian society? Is it in the Executive Arm of our Government, the Legislative-the Senate, house of Representatives, the State Assemblies, Local Governments, the Judiciary-courts, the uniformed establishment-military, police, Immigration Services, Customs, the Prison, the Civil and Administrative Services, the Education (Schools, colleges) and Health Sectors and Private Sectors and Mercantile House, where? Unless we want to deceive ourselves, the whole nation is sick. Our road are bad because of it, armed robbers, smugglers are everywhere by the grace of corruption. The church and all Nigerians must decide to eradicate corruption in Nigeria at
all cost. But first the physician must heal himself. The Christian Church and her leaders must be alive to their responsibilities to her people. (Emenyeonu, 2007:17).

Just recently, a damning report detailing how Ministries Departments and Agencies (MDAs) of the Federal Government have circumvented the rules and engaged in sharp practices in recruitment into the public service emerged at the weekend with indictments on the Federal Civil Service Commission, Federal Character Commission (FCC) and Office of the Head of the Civil Service of the Federation for failing to enforce the rules. Also indicted were the Nigeria Customs Service (NCS) and Nigeria Immigration Service (NIS), which were found wanting in their less than transparent recruitment processes.

The report, exclusively obtained by New Telegraph, is the outcome of an investigative hearing which was undertaken by the House of Representatives’ Joint Committee on Public Service Matters, Labour Employment and Productivity, Anti-Corruption, National Ethics and Values. The document has some “startling and disturbing” revelations on how MDAs have adopted recruitment procedures that were prone to easy manipulation and underhand dealings rather than complying with the standard procedures stipulated in the Public Service Rules.

The House had, on November 7, 2012, passed a resolution mandating the joint committee to conduct a comprehensive probe into the alleged employment racket in recruitment into the public service. In order to deliver on the mandate, the committee identified key sectors in the public service that are representative enough of the over 500 MDAs and how they fared in terms of staff recruitment between 2007 and 2011. The sectors covered were the civil service, armed forces, paramilitary institutions, education, economy and regulatory agencies.

According to the report, during the period under consideration, only a few of the agencies sampled advertised their vacancies consistently. “The whole situation presents very strong evidence that recruitments were done behind the scene and were shrouded in secrecy,” it added. The report showed that only a few agencies had clear-cut procedures for staff recruitment. The implication is that many qualified Nigerians were not given the opportunity to compete for the available positions in the public service. In addition, the MDAs had no proper records and statistics of their staff recruitment between 2007 and 2012 and where records existed, they were often in pieces and difficult to reconcile.

There is complete lack of co-ordination of recruitments into the public service by the Office of the Head of the Civil Service of the Federation, the report stated. The report said a federal circular dated February 21, 2012, issued by the Office of the Head of the Civil Service was consistently and flagrantly ignored by most of the agencies. The circular had directed that MDAs desiring to recruit must secure a waiver from the Office of the Head of Service. Worse still, the Federal Character Commission usurped the powers of the Office of the Head of Service by acting outside its constitutional powers; issuing waivers to the various agencies of government. For example, in 2013, the Federal Character Commission gave waiver to the Nigeria Customs Service to recruit 5,595 officers without advertisement and no waiver from the office of the Head of Service was obtained.

The obvious implication of these waivers is that MDAs should not advertise for any vacancies before recruiting staff. “It is a sad commentary to note that unemployed youths desiring to secure paid jobs are being directed to pay application and or processing fees to
consultants in order to be employed by their own government. More worrying is the fact that even with these payments, they may not even be employed,” it added. For example, the Federal Ministry of Interior appointed a consultant to recruit about 4,500 new staff and the applicants were expected to pay N1,000 each. So far, over 700,000 applications were received, implying that the consultant would have made about N700 million from this singular programme. The report said it was regrettable that the job was contracted out to a consultant when the Nigeria Immigration Service has a well-established Administration and Human Resources Department to execute the task.

New Telegraph investigation revealed that in the Corporate Affairs Commission (CAC), there were no advertisements for recruitment into the commission for three consecutive years (2007-2009) and employments were done secretly. According to the report, a total of 35 temporary staff was converted to permanent and pensionable staff between 2004 and 2011. The findings of the above studies asserts that Nigerians are denied basic services by the various institutions in the society, except they are willing to offer incentives to obtain what they are entitled to.

Under the present dispensation, the oversight power of the legislature was not judiciously exercised to guarantee Nigerians the dividends for electing their representatives. There were clear cover-ups and lack of political will to bring a lot of the cases to closure. Even when it issues reports on certain important national issues, such as the fuel subsidy scam, the National Assembly lacked the firepower to compel the executive execute its recommendations. As nothing almost always get done after individuals, agencies and corporations are indicted by either the House of Representatives or the Senate, the billions spent yearly on either public hearings and oversight functions have turned out to be mere drains on national resources.

Below are just a few of the scandals the National Assembly may not resolve before the end of the 7th Assembly as documented by (Akinwumi, Olufemi and Ugonna, 2015):

1. **The Maina Pension Scam:** There was a probe into pension funds that affected about 141,790 pensioners. Abdurasheed Maina, the Chairman of Pension Reform Task Team, was accused of looting N195 billion.

   The Senate set up a committee to investigate the matter. During investigation, Mr. Maina alleged that Aloysius Etuk, representing Akwa Ibom State, demanded $100,000 dollars from him as bribe. A former director of pension in the office of the Head of Service of the Federation, Sani Shuaibu Teidi, who was prosecuted along with 31 others, also alleged that Mr. Etuk and other members of the committee collected a bribe of N3 billion from him. Although the Senate seemed furious about the allegation, it did not take decisive steps to investigate. The National Assembly also did not push the executive hard enough to implement its report on the pension scam and punish offenders.

2. **Kerosene subsidy scam:** The kerosene scam is considered monumental fraud by the average Nigerian. Kerosene, which is supposed to be sold for N50 to consumer, sells for between N100 and N120 per litre. Many years after a presidential directive ended subsidy for kerosine, the NNPC claimed it had continued to subsidise the product. Yet, Nigerians are not benefiting from the subsidy as the product sells for far above the official price at the pumps. Several billion naira are believed to have been stolen under the guise of kerosine subsidy. The National Assembly made a feeble attempt to get to the root of the matter.
But it issued no indictment and did not take concrete steps to resolve the matter. No official of the Nigerian National Petroleum Corporation, and the petroleum ministry have been sanctioned over the matter.

3. Police Pension Fund Fraud: Five people, including former Director of Police Pension Fund, Esai Dangabar, were accused of misusing N32.8billion from the Police Pension Fund. Mr. Dangabar accused some committee members of the Senate of benefiting from the loot. The senate denied the allegation without ordering an investigation. The world may never know whether indeed the Senate joint Committee on Establishment and Public Service Matter, and State and Local Government Affairs indeed took bribes from the pension thieves.

4. Stella Oduah: Before her removal as Aviation Minister, Stella Oduah was embroiled in a N255 million armoured car scandal. She was accused of abusing her office by compelling an agency under her ministry to buy her expensive cars. The House of Representatives has so far failed to release a detailed report of its investigation into the matter. Although Ms. Oduah was later dropped as minister, other officials involved in the matter remained untouched till date.

Recently, a Federal High Court in Abuja granted Media Rights Agenda (MRA) leave to apply for an order to compel the House to furnish it with transcripts of the proceedings of the House Committee on Aviation at the hearing of the Committee on the procurement of the two bulletproof BMW cars by the Nigerian Civil Aviation Authority (NCAA) through Messrs Coscharis Motors Limited.

5. Missing N20billion Naira oil money: In 2013, a former Governor of the Central Bank of Nigeria, Lamido Sanusi, alleged that the NNPC failed to remit billions of naira in oil proceeds to the state. This caused a huge rift between the CBN governor and President Goodluck Jonathan, leading to the president suspending Mr. Sanusi from office. The National Assembly investigated the matter but was unable to bring it to closure.

6. $15million private jet/arms scandal: A private jet conveyed $15million in cash to Johannesburg for a purported arms deal between Nigeria and a South African firm. That deal seriously embarrassed Nigeria, but the National Assembly failed to investigate. Attempts by lawmakers of the All Progressives Congress to table the matter at the House of Representatives were frustrated by their Peoples Democratic Party’s counterparts.

7. Abba Morro Immigration Scandal: Despite the death of over 15 individuals who went to write entrance examinations into the Nigerian Immigration Service on March 13, 2015, the Minister of Interior, Abba Morro, has remained in office. Before the entrance test, candidates were made to pay N1,000 for application forms. A private company, Drexel Nig Ltd, was also implicated in the recruitment scam.

Although federal lawmakers commenced investigation into the incident, nothing has been heard of the matter ever since. Nigerians suspect cover-up, especially because the minister involved, Mr. Morro, is a core loyalist of David Mark, the President of the Senate, who doubles as the Chairman of the National Assembly.

8. Malabu Oil Scandal: This was one of the biggest oil scandals that did not receive the kind of attention it deserves. It involves a former Petroleum minister, Dan Etete, who was convicted in France for money laundering.

His illegal company, Malabu Oil, received an illegal $1.1million from the Nigerian government as proceeds for the sale of an oil block. Upon receipt, the money was immediately disbursed to certain individuals.
The National Assembly is yet to bring this matter, which involves officials of the presidency, ministers and business people, to closure. There appears to be attempts to cover up the matter.

9. Ekiti Gate: A leaked tape of the alleged electoral malpractices during the gubernatorial election in Ekiti State caused a major stir in the country. Four principal characters were heard discussing how to manipulate the election. The voices were those of former Minister of State for Defence, Musiliu Obanikoro; the Minister of Police Affairs, Jelili Adesiyan; former Deputy governor of Osun state, Iyiola Omisore, and the eventual winner of the election and current governor of Ekiti state, Ayo Fayose. Despite the huge evidence in the public domain, the Presidency said it would not investigate the matter.

The National Assembly has failed to investigate the matter, which is clearly a major assault on our democracy. Mr. Obanikoro indeed went ahead to receive a National Assembly approval for ministerial appointment.

10. Farouk Lawan: House of Representatives member, Farouk Lawan, was caught on tape collecting $620,000 out of a $3million bribe while his committee investigated the fuel subsidy scam. He was seen collecting the money from oil mogul, Femi Otedola.

The House of Representative referred the bribery allegation to its committee on ethics. But no report has been issued till date.

Recommendations

Corruption in the democratic governance of Nigeria cannot fully be eradicated but can be reduced to an acceptable minimum (Effiong 2001:222). For this country and indeed its component states and local governments, realize its objectives of reducing the epidemic of corruption, these suggestions below and its implementation are necessary.

1. There should be a corrupt free value re-orientation in Nigeria. This border on moral regeneration of the social norms and mores of the Nigerian people towards materialistic life as well as greediness. This can be done through the use of governmental and non-governmental bodies like the National Orientation Agency (NOA), Campaign for Democracy (CD), etc.

2. The poverty level within the local government and the country at large should be alleviated. Good and implementable policies should be embarked upon to generate employment for the masses, adequate social service provided and adequate compensation for employment for the masses, adequate social service provided and adequate compensation for employed citizens in line with the economic condition and living index as well as massive development of the rural areas with facilities and infrastructure.

3. The fight against corruption should require direct, clear and forceful support of the highest political authority.

4. Transparency and accountability should be introduced in financial transactions especially in government functions.

5. The slow judicial system of prosecuting corrupt officials in Nigeria should be looked at once more. Thus, judicial reform is necessary for faster prosecution of corrupt offenders in order to deter others.

6. Provision of adequate personnel and technological capacity for fighting corruption in the various anti-corruption institutions in Nigeria is agent.
7. Stiff and enforceable punishment should be fully applied upon offenders such as long jail terms, life ban from political activities, forfeiture of assets of officials who have been found guilty etc.

8. A free press and electronic media should be encouraged to report to the public, corrupt practices in the society.

9. The curriculum of all section of educational institutions from Nursery to primary should be re-organized by relevant bodies, to reflect anti-corruption studies, good ethical practices.

10. Organized civil societies should also play active roles by monitoring government officials, programmes and policies with a view to reviewing their activities and know if any unethical practice has taken place.

11. Religious institutions should also reject unexplained funds and if possible, should go ahead and excommunicate, ostracize and rebuke member who have perpetrated one form of corruption or the other.

Conclusion

Corruption is well and thriving well in Nigeria without signs of letting up because it seems to be everywhere, indeed encouraged; and Nigerians are a greedy people with an insatiable appetite for material possessions fueled by a desire to follow their corrupt leaders’ footpath. As a way of remedying the situation, the report recommended that the Federal Public Service must develop and adopt a standardised procedure for recruitments into the service. For instance, it is not advisable that agencies in the same public service continue to adopt different procedures in recruitment into the service. “It should be mandatory on all MDAs to advertise all vacancies for employment in at least two national dailies, to give every Nigerian the opportunity to apply for the positions existing in its own government. It said henceforth, no agency of government should request applicants to pay fees before being give jobs.

According to the report, agencies that believe the cost of processing huge applications for employment would be high should properly provide for such costs/ charges in their annual budgets as it is “immoral” to levy a charge on applicants whose employments are not even guaranteed. It also demanded that the consultant recruited by the Federal Ministry of Interior to hire 4,500 immigration officers should be further investigated to establish its existence and capacity to undertake the task. Again, Nigeria stands at the threshold of history, and therefore the crucial need to rethink her public service in terms of historical dynamics, institutional capacity and transformation.
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