

# CHALLENGES IN COMBATING CORRUPTION IN NIGERIAN DEMOCRATIC DISPENSATION AND ITS POSSIBLE SOLUTIONS

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## ABSTRACT

Corruption is a great disaster that destroys socio-economic development and political prosperity of any nation. In fact, debasement has caused developing countries to fall behind in terms of national and international development. This culminated both state actors and international organisations to wage war against corruption through multiple strategies. The Nigerian fourth republic follows the race in combating corruption and enhancing national development through anti-corruption institutions (EFCC&ICPC) so as to sanitise the political economy of the state. This article elucidates the challenges in combating corruption with aim of offering solutions. Despite the existence of anti-graft institutions, corruption is still going on due to the lack of political will by the government, political interference, lack of autonomy, paucity of funds among others. The qualitative method was duly adopted via in-depth interviews for the purpose of data collection in this study. The study recommends that there is dire need for government political will in combating corruption. Besides that, institutions must become independent with adequate funding in order to meet their target in combating debasement.

*Keywords: Corruption, Strategies, Challenges, Democratic dispensation, Possible solutions.*

## 1. INTRODUCTION

Corruption is a worldwide wonder, justifiably just in its societal settings. Its existence gives rise to sporadic advantages as opposed to legitimate and moral standards and dissolves the ability to secure the welfare of a nation (Osoba, 2006; Aluko, 2007). The annals of corruption is as old as the world itself, in light of the fact that the antiquated civic establishments have hints of common "wrongness and debasement" (Dike, 2005). Corruption has really affected all nations across the globe especially the developing states in Africa, Nigeria included. It has affected both the developed nations and underdeveloped states (Eugene, 2013).

Nigeria is at a critical stage since independence. The country faces a severe crisis in its economic, social and political development that is not unconnected to the problem of pandemic corruption. The manifestation of the crises is clear, the remedies much less so (Ogundiya, 2009). Corroborating the above assertion, former chairman of anti-graft agency (Economic Financial and Crimes Commission) Malam Nuhu Ribadu hinted that the top Nigerian officials have squandered or wasted almost \$380 billion - \$440 billion between 1960 and 1999 (Ribadu, 2009; Human Right Watch, 2010; Mohammed, 2013). Furthermore, Nigeria lost \$4 billion - \$8 billion due to corruption each year from 1999-2007 (Human Right Watch, 2010). However, the figure has been increasing from 2007-2015.

Accordingly, the country was rated as the 136<sup>th</sup> corrupt state out of 175 nations within the context of the Corruption Perceptions Index reported by Transparency International in 2015. Corruption continues to occur despite anti-graft measures taken by new civilian

administration of President Buhari which have led to the reduction of debasement and corrupt tendencies.

Several measures have been taken by each government ranging from the first republic, second republic and military regimes towards advocating various strategies, programs and measures against corruption. Indeed, each administration is affected by a certain degree of corruption and also possesses a number of strategies for combating it. In the fourth republic, the civilian administration has introduced anti-graft institutions (Economic Financial and Crimes Commission (EFCC); Independent Corrupt Practices and Other Related Offences Commission and Economic and Financial Crimes Commission (ICPC); and their components such as, Nigeria Extractive Industries Transparency Initiatives (NEITI), Bureau of Public Procurement (BPP) and Technical Unit on Governance and Anti-corruption Reforms (TUGAR). In fact, these institutions were established in order to strengthen public accountability, probity, transparency and to combat the gravity of corruption in both public service and private sector management (Waziri, 2010; Enweremadu, 2012; Justine & Okoye, 2014).

Above all, these institutions face some critical challenges in combating corrupt practices in Nigeria. These agencies suffer some bottlenecks such as absence of autonomy, paucity of funds, unequal treatment, institutional factors, lack of judicial power, inadequate database, and lack of political will towards combating the menace of corruption (Waziri, 2010). These challenges have hindered the attainment of goals of the anti-corruption crusade from bringing future development and prospects to the Nigerian democratic system. This paper is an attempt to ascertain the challenges in combating corruption and its possible solutions.

## **2. RESEARCH QUESTIONS**

1. What are the challenges of the strategies in combating corruption?
2. Do you think that the lack of autonomy has hindered the strategies in combating corruption?
3. Does the lack of funds threaten the effectiveness of the strategies?
4. What are the possible solutions to combat corruption?

## **3. LITERATURE REVIEW**

### **3.1 Bad Governance**

The World Bank (1992) pointed out that one of the characteristics for bad governance is the failure to split between public and private sectors which create an opportunity for those who are in power to divert public resources for private use. They further argued that of the failure in establishing a predictable framework for law and government behaviour that is conducive for development or arbitrariness rules, regulations, licensing requirements and etc. would hinder the function of markets and motivate rent seeking, insider trading priorities that are constraints to development through the misappropriation of resources, lack of transparency and ill-decision making (World Bank Report, 1992). Corroborating this view, Obadan (1988) claimed that “when these symbols emerge together they create an environment that is inimical to the development, that the government authority over their citizens is been corroded”. In fact, bad governance necessitates corruption, absences of probity and transparency, creates room for well-connected groups of ruling elites to syphon a huge amount of public wealth to the detriment of the populace.

Developing countries are always plagued with underdeveloped constraints such as bad governance, corruption, and lack of visionary leadership among others. Achebe (1988) observed that the trouble with Nigeria is largely and squarely on the problem of leadership. This trend paved the way for prodigality and corruption in the Nigerian society. Very often, leaders are not able to manage their agenda to meet the desired objectives. This is in line with Shraeder's (1995) view where one of the symbols of democratic fragility is the government's inability to manage aspects of its agenda.

In Nigeria, policies are being implemented to fulfil the desire of the ruling elites. This has accelerated what some policy analysts describe as 'elites beneficial policies'. Policies and projects which enrich the elites can be a disadvantage for national development. These are among the challenges faced by all Nigerian public institutions, policies, and programs including the anti-corruption crusade.

### **3.2 Corruption**

Otite (2000) hinted that "corruption is the pervasion of integrity or state of affairs through bribery, favour or moral depravity". He further pointed out that "corruption takes place when at least two parties have interacted to change the structure or processes of society or the behaviour of functionaries in order to produce dishonest, unfaithful or defiled situations". This description by the African anthropologist is the common attitudes of most African elites and Nigerian power brokers. Indeed, they used to connive towards changing the reality to favour their self-centric mission to the anguish of societal and national development.

Corruption is perceived by the majority as a major factor that hinders the development of any effective system of administration (Dong, Dulleck & Togler, 2012). Corruption can be understood as a sign that something unethical is occurring to the administrative affairs of the state (Rose-Ackerman, 1999). Corruption is a challenge to good governance, interferes with public policy, and affects the equitable distribution of wealth and a setback to economic development (Bardan, 1997; Rose-Ackerman, 1999; Anan, 2004).

Corruption has affected all facets of human endeavours and is threatening the existence of developing countries by weakening control institutions, undermining the rule of law and good governance and destroying the economy. The most serious matter concerns the effects of debasement on state security, democratic governance and national development (Shehu, 2015). He pointed out this assertion with respect to the gravity of corrupt practices in the Nigerian fourth republic. Knucles (2006) mentioned that "Nearly all economists agree that corruption is a major cause of stagnation for much of Sub-Saharan Africa, and indeed much work has been done to combat its existence in many countries in this region. However, corruption still exists and in some cases continues to worsen".

Nigerian society is characterised by social malaise such as governance failure, economic downturn, insecurity of life, poverty, armed robbery, dilemma of development and all forms of corruption, moral degeneration, succession crises, and a general lack of accountability by those entrusted with governance (Achebe, 1988; Aluko, 2002; Egbue, 2007; Agubamah, 2009). This vindicates the fragile democratic governance and dwindling economy that would not cater for the betterment of its citizens and national development.

Corruption has created a legitimacy crisis between leaders and their followers and had caused a number of citizens to establish their own religious militancy, tribal or regional warlordism in order to challenge the state power through the withdrawal of their limited legitimacy from the state. A classical illustration is the militants' activities of the Niger Delta region and the menace of religious warlords of "Boko Haram" in the North eastern region of the country. In fact, such episodes emerge due to the absence of equity, justice and transparency in governance.

### **3.3 Challenges of Combating Corruption in Nigeria**

Lumumba (2013) pointed out that the greatest challenge for anti-corruption commissions in Africa is centered on political interference due to lack of political leaders and officers to fight corruption. The challenges which plague anti-corruption institutions in Nigeria include the lack of adequate funding, political interference and judicial bottlenecks.

In this respect, Waziri (2010) postulated that anti-graft agencies are also ill-equipped to combat corruption in the country due to the absence of autonomy, unequal treatment, institutional factors, lack of judicial power, inadequate database and lack of political will towards the fight against corruption (Waziri, 2010). The fact is that they are good in publicising the names of corrupt individuals instead of punishing them. The anti-corruption institutions are simply inefficient in carrying out their responsibilities.

These anti-graft agencies were unable to persecute an adequate number of top public officials. This is the main deterrence to campaign against corrupt practices in Nigeria. It demonstrates that there are exceptions or untouchables among Nigerian citizens that the long hands of the law cannot get to or capture (Justine & Okoye, 2014). Beside these measures, the country has consistently occupied the most corrupt position among all countries in the global arena. This is due to inadequate institutional approach, socio-economic reforms as well as poor political will to implement anti-corruption laws (Ogundiya, 2009).

In fact, the general challenges for the anti-corruption strategies encompass the lack of institutional framework and autonomy for anti-graft institutions to prosecute the culprit in accordance to the extant regulations. A weak judicial system, absence of severe or soft punishment, and government interference into the activities of anti-graft institutions are among the other challenges which exist today. Moreover, other contributing factors include bad leadership, paucity of funds, absence of a comprehensive database, lack of autonomy and needs to reform the public sector (Waziri, 2010; Justine & Okoye, 2014). These hurdles are the great ailments that interfere with the strategies set out by anti-graft institutions in fighting against corruption in the country.

## **4. METHODOLOGY**

This article is in agreement with exploratory research that seeks the position of the respondents or informants on the known situation of the phenomenon in order to generate comprehensive data on the phenomenon in order to develop a viable theoretical framework (Sekeran & Bougie, 2013). This could be done through in-depth interviews and focus group discussions as required by qualitative research. The researchers duly analysed the data through manual analysis after transcribing the data provided by the informants. The data were collected from 12 informants who represent the public officials of anti-corruption agencies, politicians, civil societies and members of the academia.

## 5. DISCUSSION OF THE FINDINGS

This section analyses the findings of this article based on the proposed research questions. The researchers have raised the questions in sequence in order to get reliable information from the informants while their views will be supported with some literature as predicated by previous researchers. In addressing this portion, the researchers interviewed the informants on the challenges of the strategies for combating corruption and its possible solutions. The informants have responded as follows:

**What are the challenges of the strategies in combating corruption?** In this regard, the informants were of the opinion that there are some challenges that are affecting anti-corruption strategies such as the lack of autonomy, political interference, weak judiciary and inadequate funding for anti-graft institutions. Accordingly, the respondents were optimistic that if these challenges were seriously addressed, it would enhance the anti-corruption strategies to attain positive results. The informants pointed out that political interference has hampered the strategies to discharge their basic responsibilities as enshrined in their mandate due to the fact that political interference by the ruling elites on the affairs of anti-corruption agencies has eroded the independence and autonomy of the institutions and made them vulnerable to the decisions of the elites. The first challenge is the issue of political will. When Nuhu Ribadu, former chairman EFCC, was given the power to prosecute corrupt officials, he did it well. To combat corruption, it has to come from our political leaders. But after his removal, nothing has been achieved in combating corruption in Nigeria. They further pointed that the problem of these anti-graft agencies is that they dance to the tunes of the power that made them and that is why people do not have confidence in them (they lack political will). Indeed, as long as political will is absent, there will be no autonomy, adequate funds and a sense of belonging in executing their functions effectively and judiciously.

The above position of the informants complies with the views of Adeniyi (2011) and Mikail (2016) where they have pointed out that “the removal of Malam Nuhu Ribadu as chairman of EFCC by President Yar’adua is due to Ibori’s corrupt scandal which manifest the political interference of the political elites against combating corruption” (Adeniyi, 2011; Mikail, 2016). Furthermore, the removal of the Director of Kenyan anti-corruption agency, Professor Lumumba, Makasi of South Africa, the disbanding of his Scorpion team as well as the leaders of other anti-graft agencies in Malawi and Zambia were due to the political interference (Lumumba, 2013). Moreover, the political interference in the course of investigation and prosecution had an immense effect on the war against corruption in Nigeria specifically for President Jonathan’s government which lasted within 2010-2015 (Shehu, 2015).

**Do you think that the lack of autonomy has hindered the strategies in combating corruption?** In responding the above quest, the informants unilaterally responded that the government should also give those agencies a free hand (autonomy) to perform their duties effectively. The main challenge is political interference in their activities. The agencies should be allowed to carry out their duties independently. They are not as independent as they should be now. They further pointed out that the heads of the anti-graft agencies are appointed by the President. They are always afraid to step on the toes of the President. Unless their appointments are done by the National Assembly, these strategies would not be as effective as expected. In fact, the informants contended that the institutions are not autonomous and thus distract them from carrying out their duties effectively and judiciously.

These factors resulted in the anti-graft agencies not being fully independent. Conversely, these issues are in compliance with the clarion call of several previous studies as pointed out below. There is a dire demand for making all the institutions independent without any interruption (Idris, 2011; Waziri, 2011; Sunday, 2012; Shehu, 2015; Bello-Imam, 2015; Mikail, 2015). The autonomy of any organisation would enable it to operate effectively and judiciously. The autonomy of these institutions is mandatory in such a way they have strong power in discharging their duties.

Meanwhile, the autonomy of these institutions would allow them to have their own special courts or tribunal for treating the cases of debasement instead of taking those cases to the state high court or federal high court as contained in the mandate of both ICPC and EFCC respectively. Therefore, these courts are under the jurisdiction or power of the state governor or the president may use their executive power to control these courts. This is in line with the perception of Idris (2011), Bello-Imam (2015) and Shehu (2015) that the corruption cases shall be treated at higher level and must be independent to ensure autonomy of the judiciary.

**Does the lack of funds threaten the effectiveness of the strategies?** The informants presented that the major challenge has to do with funding. They do not have enough money to carry out their activities. They further argued that the major challenge is the issue of inadequate funding of the agencies. This is connected to the dwindling fuel revenues. There is also the issue of funding. These impediments have affected both EFCC and ICPC with inadequate offices across the states as well as the offices at geo-political zones. This conversely affects the said agencies with inadequate logistics, shortage of manpower and the lack of training and re-training for capacity building to boost the morale of their staff. Accordingly, Bello-Imam (2015) lamented that the paucity of funds is a great bottleneck for ICPC and EFCC Nigerian anti-corruption agencies. This assertion resonates with the views of Adagba (2012) and Shehu (2015); the lingering underfunded system has hampered these institutions to have adequate staff, offices, logistics and professional training in discharging their basic duties. In the same vein, Shehu (2015) pontificated that the money earmarked to ICPC in comparison with Hong Kong and what their government invested in anti-corruption institutions is grossly insignificant. This is because Hong Kong which has a population of 6.5 million had a budget of \$79 million in 2003 while Nigeria only had less than \$4 million or N500 million Naira for a population of 145 million people. This amount is too meagre and hinders the anti-graft institutions from carrying out their responsibility effectively.

Nevertheless, Adagba (2012) and Idris (2011) are of the opinion that paucity of funds would seriously affect these institutions in training their staff to meet the organisational expectations and challenges. Moreover, lack of training and capacity building are detrimental to their career prospects in the organisation. The staff of the said institutions should be trained to enable them to perform effectively (Idris, 2011). On the issue of logistics and offices, Bello-Imam (2015) figured that inadequate funds have caused ICPC to open only 36 offices across Nigerian states. It has also hindered them from moving anywhere in the country to carry out their respective mandate.

**What are the possible solutions?** In this respect, the informants have suggested that the government should have political will in combating corruption for both public and private sector management. This would enable them to offer autonomy to all anti-graft institutions and provide them with sufficient funds to discharge their mandate objectively. In fact, political interference should be completely discarded to ensure autonomy and funding of the anti-corruption institutions for the proper combat against debasement across the states

without any fear. Indeed, if these suggestions and modifications are done, it will enhance the administration of criminal justice, probity and public accountability and in turn it would lead to national development. This is in line with the assertion of Adagba (2012), Idris (2011), Shehu (2015) and Mikail (2016) that they should discard all sorts of political interferences so as to offer autonomy to anti-graft institutions, provide adequate funding to man the activities of the agencies, and handle corrupt cases in higher court among others. These measures would aid the strategies for combating corruption.

## 6. CONCLUSION

This paper explores the issues in combating corrupt practices. In this regard, there were some strategies which were initiated by the fourth democratic dispensation thus involving anti-grafts institutions (EFCC, ICPC and their Components) with some veritable mandate in fighting corrupt practices in the Nigerian democratic dispensation. However, they are facing some challenges which prevent them from executing their duties effectively. These impediments include political interference, lack of autonomy, and paucity of funds among others. The researchers contend that when these challenges are addressed properly, accountability and good governance can be achieved.

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