

## THE EFFECT OF CORRUPTION ON NIGERIAN NATION

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### ABSTRACT

*In one of her most abusive political expressions, Mrs. Hilary Clinton stated this: you can put half of Trump supporters into what I call the basket of deplorable. Not done with her insults which she later recanted. Mrs. Clinton added the rest of Trump supporters are people who are looking for change in any form. In Nigeria, however, we are not in any political campaign now, but two major existential themes confront the general public namely: the biting economic recession and the pervasive corruption in the three arms of government, via Judiciary, legislature and executive. Vice President Yemi Osinbajo is the latest high profile public office holder to confirm that corruption has since taken root in the three arms zone. Similarly, in a book that has elicited controversy, Americans writer, Mr. John N. Paden, wrote: (Buhari's) passion for change and national unity were evident in his espousal of basic democratic practices, and the need for the country's leaders hip to be responsible to the concerns of the Nigerian people. This question is president because so far at least, neither Buhari nor a single member of his corps of spokes persons has given any indication that the president intends to include his administration and his party as a theatre of operations in the war against corruption. As a matter of fact, please note, dear reader and compatriot that exposure of super-scale corruption within Buhari's administration and the ruling, APC has come without Buhari's knowledge, promoting or blessing. To this observation, add the fact*

*that SGF's Babachir Lawal's accusers are not embittered and disgruntled PDP desperados; they are the chieftains of the APC senate leadership caucus who themselves stand accused of corrupt greed and graft of the highest order by the simple logic of addition as an objective mathematical process, what you get from this additive moral algorithm is the bracing recognition that as far as the president's war on corruption is concerned, Buhari's Nigeria is the rest of us minus his administration and his party.*

## INTRODUCTION

The current prosecution of some judges, for alleged corrupt practices and the ongoing trial of some politicians and public functionaries in the immediate past administration on allegations of diverting some funds meant for arms procurement, has left Nigerians and the world in no doubt that president Muhammadu Buhari's anti corruption war is on course.

Any observer following the activity of the ICPC can easily recall that the recovery of looted public assets, including money and property worth billions of naira, has been a consistent achievement of the commission in its interventions over the year. Another achievement is the high success rate of its prosecution of suspects in the corruption cases it has handed. Virtually, all its cases decided so far in the courts ended in the conviction of the suspects. This feat is largely credited to its painstaking investigation process and diligent prosecution.

However, the commission is simultaneously pursuing a more ambitious plan to weed out corruption from the body politic of the nation by the institutionalization of the anti corruption fight in every segment of the society. This tall but achievable dream was launched some years ago by a former chairman of the commission, Mr. Ekpo Nta, has now carried it far. The focus of the initiative is to prevent corrupt acts from even taking place at all or to expose them before they could be perpetrated full blown.

The preventive option is a way of reinforcing the anti corruption war by enlisting the support and participation of every section of the centenary and it is considered by the United Nations convention on corruption (UNCAC) as the most innovative and proactive way of fighting corruption down to the roots within and across national borders. This is the area where the ICPC is uniquely making the difference in the fight against corruption in Nigeria. It is anchored on three main strategies. They include advocacy against corruption, building of formidable coalitions of various segment of the society to fight it in both public and private sectors and strengthening of institutions to withstand and rebut corruption.

The second corruption prevention strategy operated by the commission is engagement in various groups of stakeholders in different sectors for concrete actions against corruption through active collaboration and partnership with the commission. The endeavour which is steadily building a formidable coalition against corruption in every sector and facet of the Nigerian society is being prosecuted on many platforms.

They include the integrity first initiative which is collaboration with the business community to fight corruption and the national anti-corruption coalition which is a partnership with civil society organizations (CSOs) against corruption. Others are the local government integrity initiative to institutionalize the fight against corruption in local government administration, the religious leaders' forum which is carrying anti-corruption outreaches to the churches and mosques and the National Assembly forum which so far has

been used to prosecute the integrity campaign in both the National Assembly and in 30 State Assemblies.

### Definitions of Corruption

**Corruption:** is refers to the misuse of resources or power for private gain. Transparency International defines corruption as the abuse of entrusted power for private gain (Kolstad, 2008). The UN convention against corrupt (UNCAC) does not prescribe a single definition.

### Forms of Corruption

**Table: categories of corruption**

CATEGORIES OF CORRUPTION	DESCRIPTION
Bribery	The act of dishonesty persuading to act in one's favour by a payment or other advantages (taxes, services, donations etc), the use of bribe can be lead to collusion (eg inspection under reporting offences in exchanges for bribe, and or extortion (eg bribe extracted against the threat of over reporting.
Embezzlement	To steal, misdirect or misappropriate funds or assets placed in one's trust or under one's control from a legal point of view, embezzlement need not necessarily be or involve corruption.
Facilitation payment	A small payment also called a speed or grease payment made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.
Fraud	The act of intentionally and dishonesty deceiving someone in order to gain an unfair or illegal advantage (financially political or otherwise)
Collusion	An arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of a party.
Extortion	The act of impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of

	a party.
Patronage clientelism and nepotism	Patronage at its core means the support given by a patron. In government, it refers to the practice of appointing people directly.

**Sources: Johnson (2014 [P; OBS, case studies]) World bank (2011a [P; OBS, qualitative and quantitative case study data]).**

The commonly used distinction between political corruption and bureaucratic corruption is also helpful (Andvig and Fielstad, 2011). It involves politicians, government, ministers, senior civil servants and other elected, nominated or appointed senior public office holders. Political corruption is the abuse of office by those who decide on laws and regulations and the basic allocation of resources in a society (i.e those who make the rules of the game) political corruption may include: tailoring laws and regulations to the advantage of private sector agents in exchange for bribes, granting large public contracts to specific firms or embezzling funds from the treasury. The term grand corruption is often used to describe such acts, reflecting the scale of corruption and the considerable sums of money involved.

Bureaucratic corruption occurs during the implementation of public policies. It involves appointed bureaucrats and public administration staff at the central or local level. It entails corrupt act among those who implement the rules designed or introduced by top officials. Corruption may include transactions between bureaucrats and with private agents. (eg contracted services; make speed providers) such agents may demand extra payment for provision of government services, make speed money payment to expedite bureaucratic procedures or pay bribes to allow actions that violate rules and regulations.

Corruption also includes interactions within the public bureaucracy. Such as the payment or taking bribes or kickbacks to obtain posts or secure promotions, or the mutual exchange of favours. This type of corruption is often referred to as party corruption, reflecting the small payments often involved – although in aggregate the sum may be larger.

Political corruption and bureaucratic corruption are related. There is evidence that corruption at the top of a bureaucracy increases corruption than at lower levels (Chand and Moere, 1999).

Corruption is closely linked to the generation of economics rents and rent-seeking. This refers to actors securing above normal returns from an asset, not by adding value to it through investment but rather through manipulating the social and political environment. The establishment of monopoly is a classic example of this. The asset then becomes inherently more valuable. Rent-seeking involves corruption whereby the payment of bribes is necessarily to manipulate the environment so as to benefit a particular actor.

There are particular challenges related to the measurement of corruption. This owes to the clandestine nature of corruption and the reliance of corruption measures on perception based data which themselves are determined by understandings of corruption that vary across countries and societies.

ICPC also operates the National Anti-Corruption Volunteer Corps (NAVC) in all local government areas of the federation and they monitor both the public and private sectors.

More significantly, the commission operates what would be called anti-corruption warriors in the various ministries, departments and agencies (MDAS) of government at various levels. Perhaps, the most ambitious, engagement with stakeholders that is very dear to the commission is its bid to inculcate hatred for corruption of any kind in the mindset of the up and coming Nigerians from their formative years to adulthood. In this regard, the commission has set up anti-corruption clubs in secondary schools. It also operates Students Anti-Corruption Vanguard (SAVs) in tertiary institution across the country.

In addition, the commission with the National Educational Research and Development Council (NERDC), developed a curriculum to teach integrity values of honesty, discipline, fairness, contentment and patriotism in secondary schools. At the tertiary level, the commission is also collaborating with some universities in this regard. One of them, the University of Calabar, has approved a general studies course in corruption studies which is a compulsory course for all students. The commission also collaborates with the National Youth Service Corps (NYSC) through seminars at the orientation camps to prepare fresh graduates for integrity challenges of employment.

The third major strategy of the preventive option is the strengthening of institutions and establishments, especially the ones prone to corruption; to prevent them from being manipulated to commit corrupt acts. In this regard, the commission has carried out system study reviews on many institutions to check areas of leakages facilitating corruption and strengthen in-built mechanisms for compliance with due process and another regulation. For instance, this has proved to be very effective in the aviation sector and has curbed corruption at the nation's airports.

In realization of the need for anti-corruption fighters to have requisite knowledge and skills to prosecute the war successfully, the commission runs a world class anti-corruption academy. The anti-corruption academy of Nigeria (ACAN) training programmes have empowered various categories of the commission's staff with modern up to date knowledge and skills in anti-corruption fighting, including forensic science.

The scourge of corruption may appear to be a monumental threat in Nigeria today. However, as these systematic and structural measures being put in place by the ICPC increasingly find expression in the minds and practices of the citizenry, the decline of corruption and its eventual rejection by the Nigerian society is just a matter of time.

### **Factors That Facilitate Corruption**

Corruption is a phenomenon with many faces. It is characterized by a range of economic political administrative, social and cultural factors, both domestic and international in nature. Corruption is not an innate form of behaviour, but rather a symptom of wider dynamics.

It results from interactions, opportunities strengths and weakness in socio political systems. It opens up and closes down spaces for individuals, organizations and institutions that populate civil society, the state, the public sector and private sector. It is above all the result of dynamic relationship between multiple actors.

### **CONCEPTUALIZING CORRUPTION**

Principal-agent and collective action approaches heavily influenced by the work of Rose-Acekerman (1978 Analysis) and Robert Klitgaard (1988) Principal agent theory defines corruption as a series of interactions and relationships that exist within and outside public bodies. It also emphasizes the rational choices that take place in individual incidents of

corrupt behaviour. Until very recently, the predominant theoretical approach to corruption was based on a principal agent model. More recently, literature that analyses corruption from collective action perspective has begun to appear, emphasizing the collective or even systematic rather than purely individual nature of corrupt behaviour.

As discussed below, the two approaches tend to emphasize different dynamics of corruption and the incenses that drive it. However, the question is not about choosing one or the other conceptual interpretation of corruption, but rather about identifying the contexts/setting, where each of these perspectives is likely to be analytically most useful in relation to exploring corruption. (Marquette and Peiffer, 2014).

### **Principal Agent**

A principal-agent problem exists when one party to a relationship (The principal) requires a service of another party (the agent) but the principal lacks the necessary information that arises because the agent has more or better information than the principal, creates a power balance between the two and makes it difficult for the principal to ensure the agent's compliance (Booth, 2012).

The theoretical perspective has been widely used to understand corruption across geographies and sectors (eg the police, customs, procurement, service delivery) (Klitgaard, 1988) Rose – Ackermann, 1978). In an analysis of how corruption has been conceptualized in variety of disciplines, for example, Marquette and Peiffer (2014), note that all of the 115 studies looking at corruption's impact on economic growth in Ugur and Dasgupta's meta-analysis (2011) "adhered to an explicitly stated principal agent approach to corruption, or their account was closely related to that approach" moreover, Persson et al, 2013, empirical analysis of anti-corruption programmes reflect a principal agent understanding of corruption rather than any other alternative view.

According to this history, conflict exists between principals on the one hand (who are typically assumed to embody the public interest) and agents on the other (who are assumed to have preference for corrupt transactions in so far as the benefits of such transactions outweigh the costs). Corruption thus occurs when a principal is unable to monitor an agent effectively and the agent betrays the principal's interest in the pursuit of his or her own self interest. (Persson et al, 2013). So, for instance, public servants or elected officials (who in this case would both be the agents) may be able to abuse their public offices to secure private rents in exchange for public (the principals in this case) cannot hold them to account of elected officials as the principals may have difficulty ensuring adequate oversight over the behaviour and actions of civil servants (the agents), who may engage in acts of corruption that the principals (i.e the elected officials) cannot control (Marquette and Peiffer, 2014).

This principal agent theory sees corruption exclusively as an agent problem, with the principal unable to play an effective monitoring or oversight role, mostly as a result of lack of information (Andrig and Fjeidstad, 2001) Mungiuippidi, 2006. The understanding of corruption, donor thinking and have focused largely on efforts to reduce the discretion of agents and to alter their individual incentives and motivational (Olken and Pande, 2013). A crucial assumption embedded in this kind of thinking is that principals are principled (Klitgaard, 1988). That is to say, they (be they elected officials or ordinary citizens) are by their very nature interested in holding agents to account and in controlling corruption, and they would be able to do so effectively if only they had sufficient information at hand.

However, a number of analysis have noted, this cannot always be taken for granted. Drawing n qualitative fieldwork from Kenya and Uganda, for example, Persson et al. 2013, argue anti-corruption programmes based on the principal agent model do not take into account that in highly corrupt environments, there may be a lack of principled principles. This is also one of the key analytical insight and empirical find emerging from Booth and Cammack's (2013), comparative research across different countries in Africa, this kind of evidence suggests that, in cases where corruption is systematic, and where there are low levels of social and political trust, it may be more useful to think of corruption in terms of a collective action problem rather than as a principal agent one (Booth, 2012).

### **Collective Action**

Collective action approaches to corruption are still an emerging body of work. In both conceptual and empirical terms from a collective action perspective, all stakeholder including rulers, bureaucrats and citizens alike-are self maximizes, and the way they behave to maximize their interests in highly dependent on shared expectations about the behaviour of others (Ostrom, 1998). As Persson et 2013, argue in their study analyzing incentives for corruption in Kenya and Uganda, the rewards and costs of corruption depend on how many other individuals will be sort to behave in corrupt ways because the cost of acting in more principled manner far outweigh the benefits, at least at the individual level. The evidence suggests this hold true even assuming there is perfect information and even if everyone condemns corruption and realizes a less corrupt outcome would be more beneficial for society at large (ibid). in short, from a collective action perspective, the key calculation about the costs and benefits of corruption derives from the first to opt-out of corruption in a given setting or context. The problem of corruption is thus rooted in the fact that, where corruption is pervasive, principals are also corrupt and they do not necessarily act in the interest of the society as a whole but rather pursue particularistic interests. (Mungiu-Pippidi, 2011).

Again, though the choice should not be for one conceptualization of corruption over the literature is that what is needed is a better understanding of the complementarities between these two approaches and the conditions under which each can contribute to a better understanding of corruption dynamics and incentives.

### **Corruption in the Public Sector**

#### **Bureaucratic incentives**

A body of work looking at corruption in a public sector focuses on the invent individual bureaucrats have to engage in corruption, and the consequences of such behaviour (Olken and Pande, 2013 one special crucial incentive. This literature explores relates to compensation and wage levels in the public sector: the evidence on this remains fixed was found Van Rijckeghem and Weder (2001) cross country regression between wage levels and corruption. Other studies, however, have cast doubt on the strength of this relationship and the direction of causality (eg corruption could be a factor leading to reduced salaries rather than the other way round because in corrupt countries, civil servants may be assumed to earn different income from corruption and as a result salaries are kept low) (Rose-Ackermen and Soreide, 2012).

In addition, there are measurement indicator issues with observing corruption and a clear need for innovation on how to monitor and evaluate anti-corruption interventions.

Thus, issue is reflected in a World Bank strategy on governance and anti-corruption (World Bank, 2007), which concluded that low pay can contribute to corruption within a public administration, particularly when total remuneration fails to pay a living wage, as is often the case in many Africa countries. However, changes in compensation levels can only work if they are part of a package to reform public servants behaviour. Other elements are essential to reducing corrupt practices.

An important message emerging from the literature is the crucial need for greater use of comprehensive reforms to combat corruption.

Other bureaucratic incentive and structure include methods of selection of civil servants, relevance of civil services jobs to the tasks at hand and internal monitoring and discipline mechanisms including punishment for the corrupt and incentives better performance (Khan, 2000), Investigating the impact of merit-based recruitment on corruption in 35 countries across the developing world, Evans and Rauch (2000) for instance, find higher values on the merit-based recruitment index are associated with lower levels of corruption. However, whether reform improves actual performance remains uncertain.

Simplified regulations (eg to obtain a permit or other legal document from the state such as a driver's license) are said to lead to decreased opportunity for corruption which can result in increased numbers of new business and wage employment. Setting up structures to encourage competition between bureaucrats have to compete with one another for bribe revenue derived from the issuing of permits and other legal documents, those on the other side of this exchange will in principle search for the cheapest bribe associated with obtaining with obtaining a required service (Kiselev, 2012). However, there is still little rigorous evidence testing these ideas, and further research is needed to offer a greater steer on the role bureaucratic incentive and structures can play in reducing corruption.

### **States and Markets**

From a macro economic perspective, an important argument advanced in the literature is that economic systems where the state is heavily interventionist are also more prone to corruption. The logic is that involvement of the state in the economy, especially where checks and balances and wider accountability mechanisms are lacking, allows individual politicians and bureaucrats to manipulate market as a means of generating profits through non competitive mechanisms. They use such mechanisms not only to enrich themselves but also to build basis of patronage and political support. Countries across Africa and Latin America through the early 1990's provided numerous examples of this form of corruption (Bates, 1981). Incomplete or ongoing processes of economic liberalization have also provided new opportunity for the appropriation of public resources and accumulation of wealth. Van de walle (2006), describe this as a partial reform syndrome in Africa: Economics crises has forced elites to accept the inevitability of structural reform, but its implementation has been uneven at best manipulated by leaders who have understood that it would provide them with new kinds of rents, as well as with discretion over the evolution of rents within the economy. The privatizations throughout Eastern Europe and former soviet union, and later Africa and Latin America, which often degenerated into: are also a good example of this dynamic (Fritz and Rocha Menocal, 2007) (Tangri and Mwenda, 2001).

However, it is also essential to keep in mind that state intervention as such has not always resulted in types of corruption that are detrimental to development. The experience

in Asia includes the so-called East Asian Tigers. (including South Korea, Taiwan and Singapore) and more recently China and Vietnam, stand in stark contrast with those of African and Latin American countries pursuing state-led development (Evans 1995), has also argued in some instances, corruption can be market-enhancing and enable social transformation in developing countries. So understanding its different types is essential.

In addition, countries that have similar types to formal regulations may experience markedly different levels of corruption depending on the wider context, including, for instance, the way regulation operates in practice and the kind of discretionary power bureaucrats enjoy in their actual implementation (Duvanova, 2011). In settings where formal institutions are weak, formal regulation remains uneven or partial in its application, and this in turn breeds corruption. However, in many organizations for economic co-operation and development (OECD) countries, where the quality of institutions is high, extensive and complex regulation has not necessarily been associated with increased corruption (see below for more on the linkages between corruption and governance/institutions) (Kolsted *et al*, 2008). In short, formal regulations underpinned by strong institutions need not facilitate corruption, and may help reduce it, formal regulations underpinned by weak institutions may simply exacerbate corruption.

### **Implication of Fraud to Development in Nigeria**

Citizens have the right to exercise their franchise by being free to vote and be voted for in an election without coercion or intimidation. Sustainable democracy on the other hand aims at the welfare of all. It believes in a change in government through constitutional methods and not violence.

In the paper, several implications of electoral fraud to sustainable democracy were noted, which include the following. Whenever a government becomes a product of electoral fraud, the people's welfare tends to be disregarded due to the fact that the source of its power does not flow from the people. This is manifesting in various states and local government in Nigeria (Innocent and Enyeribe, 2014).

Each time an election is rigged, the citizen's choices of candidates are invariably annulled and therefore the government that emerges does not represent and protect the interest of the people. Government that takes over power through a fraudulent electoral process cannot claim to be democratic or legitimate. This development can lead to apathy, leadership crises, assassination, poor political culture etc (Oddih, 2007).

Any government sustained by violence cannot be said to be democratic. Umaru (2008) also stated that: The bloodshed and assassinations that had taken place before and during the 2003 election should be understood as part and parcel of calculated measures to influence voter's behaviour during election, and to pre-determined election results. In this context, the wicked assassination of Chief Bola Ige and Hon. Olagboja contributed to a fundamental change in the control of power structure in Osun State and the entire south west as reflected in the outcome of the controversial 2003 elections results with regard to the political fortunes of the AD and the PDP. Similarly, the brutal assassination of the River State ANPP Chieftain, Chief Marshal Harryson, and March 5, 2007 was undoubtedly to influence elections in particular direction in River State.

Finally, sustainable democracy has to do with establishing a government based on free choice candidates by the electorate. When an electoral system does not allow the electorate to freely make choice of candidates, the system can only gain political power

through monetary inducement, inflicting physical and psychological violence on the electorate. Such a system is equivalent to mill dictatorship since they both deny the people's freedom of democratic expression. Umaru (2003), further noted that anyone who supports the formulation of government produced by electoral fraud supports the nurturing of dictatorship, authoritarianism and not democracy.

### **Some of the Rigging Methods Used During Election in Nigeria**

For record purposes, the national conscience party (NCP) finds it necessary to itemize some of the despicable methods utilized by some politicians and subverting the popular will of the Nigerian people. These include the following:

1. Recognition of non-existing polling units by INEC and allocation of voting materials to same.
2. Bribing of INEC officials, the police and security agents will irresistible amounts to perpetrate election rigging.
3. Division of electoral materials, private offices, residence and places of traditional rulers for manipulation and falsification.
4. Concealment or non-release of voter's register loaded with false names later used as ghost.
5. Voters register used at polling units not numbered this permitting arbitrary addition of names to the register.
6. Unannounced and sudden change of location of polling stations and collation centres.
7. Pre-stuffing of ballot boxes with fake ballot paper before the day of the election.
8. Stuffing of illegal ballot boxes with illegal papers.
9. Sale of pre-stuffed ballot boxes to candidates.
10. Replacement or exchange of official ballot boxes with unofficial ballot boxes containing unofficial thumb-printed ballot papers (throwig ballot boxes into the water in revering areas and replacing with freshly stuffed ballot boxes from illegal quarters).
11. Addition of unofficial ballot boxes containing already thumb-printing ballot papers.
12. Falsification of results and forgery of figures both at polling units and collation centers.
13. Multiple voting to which INEC officials and the police are indifferent.
14. Use of under-aged children as voters to which INEC officials and the police are indifferent.
15. Use of special ethylated spirit to clean off the so-called indelible ink of fingernails to facilitate multiple voting.
16. Use of Vaseline on the fingernails before the so-called indelible ink is applied by polling officers in order to enable easy cleansing and facilitates multiple voting.
17. Thumb printing of ballot papers by INEC officials.
18. Thumb printing of ballot papers by some security agents.
19. Thumb printing of ballot papers by some domestic monitors.
20. Accumulation and use of illegal acquired voting cards to vote on election days.
21. Use of party agents a surveyor's of voter's cards to facilitate impersonation and multiple voting.
22. Dressing up party agents in police uniforms to intimidate opponent at polling and collation centres.
23. Use of armed thugs to harass and intimidate opponent and rival party agents.

24. Use of police and security operatives to intimidate party agents of rival parties to depart from polling centre.
25. Use of armed thugs, police and security operative to terrorize opponents and rival party agents.
26. Party members of ruling parties bearing INEC tags on polling days to facilitate movement from polling station from one location centre to another with a view to rigging elections.
27. Printing and use of fake election results sheets with same numbers as authentic results sheets.
28. Forcing some party agents at gun, point to sign forged election results.
29. Canvassing for votes at pooling centres with impunity.
30. Members of the ruling parties claiming falsely to be party agents for rival political parties so as to give cover to the rigging of election results.
31. Intimidating and compelling visitor, in some instance at gunpoint to vote for particular parties.
32. Ruling parties compromising agents of newly registered parties by offering the bribe.
33. Exposure of voters to the full glare of party agents in the process of voting which denied voters of privacy and negated the legal requirement of secret balloting.
34. Posting of false results by INEC on its website for internet consumption that had bearing with results emanating from polling centres.
35. Change of candidates for election few days before election and in some cases after election.
36. Sales of mandate to highest bidder.
37. Use of different fingers to make imprints on ballot papers in order to prevent easy discovery of multiple voting.
38. Agents of ruling parties forcefully seizing ballot paper from voter known to have voted against favoured party and deliberate invalidation of same by making additional finger prints.
39. Use of looted public money to bribe voters.
40. Distributing of foodstuffs and soup ingredients to induce voters.
41. Refusal to count and discarding of ballot papers. Identified as thumb print for political parties that are not favoured (Umaru, A. 2003).

### **Stages of Electoral Fraud**

Electoral frauds committed prior to the conduct of election include:

- ❖ Appointment of electoral officers who are loyal to the power that be.
- ❖ Malpractices during registration of voters exercise in the form of falsifying registration documents and voter's card.
- ❖ Inflating names of voters in areas to be one's stronghold while registering in opponents constituencies.
- ❖ Multiple registrations.
- ❖ Disqualification of candidates in opposition.
- ❖ Denial of freedom of movement and threat to life of opponent and in some extreme cases assassination (Nmaa 1985 in Kia, 2013).
- ❖ Denial of opponents, the right to express their feelings through restructuring the use of media houses.

### **Electoral Frauds Committed During Election**

Collaboration between politicians and officers of electoral commission (presiding officers, supervisory presiding officers, ward returning officers and polling clerks) under the influence of material inducement such as money and promise of appointment into positions of trust in government. They stock the ballot boxes with illegal voters cards (Okolie, 2009).

### **Post-Election Fraud**

Falsification of election results from various centres at the collection centre and declaration of fake results by electoral officers.

When the APC and the presidency hinged their very existence on anti-corruption crusade, it all looked amusing to the informed. It reminded one of how and why coups had failed Africa generally, and Nigeria in particular. Coups have neither brought stability nor economic fortunes to the Nigeria state. As every Nigerians for instance, acknowledges Nigeria today is more divided than at any other time save, perhaps, while some of us were Biafrans and rest of them poor, poor pitiful Nigerians. Today again, it is trite knowledge that our existence under the colonial masters and the first republic were our golden eras that is to say our paradise is alas in our past. And a signpost to this is that under APC and Buhari, the dollar is being auctioned at about 500 times a naira. Just a few years ago, a naira was the better of the dollar.

So what went wrong? The answer is ignorance; a coup maker is defined more by ardour than brains. And to worsen matters, it is an ardour that armed with aggression and will to sacrifice other people's blood. So, the coup makers pass off their alleged passion for doing good as the skill-set needed to do good. And to top up the decision, the coup maker grades himself a high end nationalist. But facts on the ground, both as outcome of his actions and his choice of co-conspirators and SMC/AFR/Cabinet members reveal him as the worst, even if a closeted partisan. That is to say from Major Nzeogwu, the generals Ironsi to Gowon up to Abubarka, there is not one, repeat not one Nigerian coup maker, who is not by practice even of not by profession a socialist, a partisan of religion, tribe or region.

Perhaps, it is in the DNAS of coup the point clear. A partisan, cannot play out a national or universal agenda. So, coups failed for the reasons that coup makers are generally ignorant, anti-cognitive lot. And worse, coup makers would not even in their delusion know that they are partisans. One and all that is, they are fashionably ignorant that their game playing the nation while their mission is in being sectionalists.

And the present fight against corruption is like a coup makers dream, beautiful dream but nightmarish reality like the coup makers, the drivers of the anti-corruption sags start with circular self-definitions. They first presume, not even that they are not corrupt, but that they can't be corrupt. So then, their innocence is a fixed constant, it is the others who are hell, who can be guilty.

This stance makes their fight against corruption unscientific. It is almost person-based, personalities-cut drama. Now, for this anti-corruption saga to affirm its coup maker's heritage if is established that the APC and the presidency are actually northern, anti-national coalition in outcome, personal selection and praxis.

Now, the update on corruption is that the self-righteousness of any parties, any man can be corrupt or corrupted. Corruption is not genetic and is not to be found in only cross-eyed persons. Corruption is a social ill. Like we said in our book, corruption in Africa: resolution through new diagnosis, whenever one aggregates power, one aggregates

corruption. So, whoever you are, you will become more corrupt as you accumulate greater power, net-powers literally, power corrupts, absolute power co-opts absolutely.

### **THE WAR AGAINST CORRUPTION**

The current prosecution of some judges, for alleged corrupt practices and the ongoing trial of some politicians and public functionaries in the immediate past administration on allegations of diverting some funds meant for arms procurement, has left Nigerians and the world in no doubt, the president Muhammadu Buhari's anti-corruption war is no course, many Nigerians are pleased by those actions especially the one which touches a section of the public service hitherto thought to be shielded by the system from external scrutiny coming on the heels of this development was the disclosure by the independent corrupt practices and other related offence commission (ICPC), of a massive corruption ring around some ministries, departments and agencies (MDS's) of the federal government and the recovery of over 100 exotic vehicles including armored bullet proof sport utility vehicles (SUV), worth over ₦450 million.

Any observer following the activities of ICPC can easily recall that the recovery of looted public assets including money and property worth billions of naira, has been a consistent achievement of the commission in its interventions over the years. Another achievement, the high success rate of its prosecution of suspects in the corruption cases it has handled. Virtually, all its cases decided so far in the courts ended in the conviction of the suspects. This feat is largely credited to its painstaking investigation process and diligent prosecution.

However, the commission is simultaneously pursuing a more ambitious plan to weed out corruption from the body politics of the nation by the institutionalization of the anti-corruption fight in every segment of the society. This tall but achievable dream was launched some years ago by a former chairman of the commission Justice Emmanuel Ayoola (Rtd). His successor, the focus of the initiative is to prevent corrupt acts from even taking place at all or to expose them before they could be perpetrated full blown.

The preventive option is a way of reinforcing the anti-corruption war by enlisting the support and participation of every section of the citizenry and it is considered by the United Nations Convention on Corruption (UNCAC) as the most innovative and proactive way of fighting corruption down to the roots within and across national borders. This is the area where the ICPC is uniquely making the difference in the fight against corruption in Nigeria. It is anchored on three main strategies, they include advocacy against corruption, building of formidable coalitions of various segments of the society to fight it in both public and private sectors and strengthening of institutions to withstand and rebut corruption.

Advocacy against all forms of corruption is one of the key strategies of the commission's operations and it is one of its core mandates. Through conferences, seminars, workshops, town hall meetings and other relevant forums, the commission has consistently sought to create public awareness on what constitutes corruption in our day to day living ranging from the big issues of looting, embezzlement, misappropriation and abuse of position to issues of gratification often taken for granted as normal favours, or perks of position and issues of dishonesty for gain often explained away in such terms as everybody does it.

In this regard, the commission has been able to sensitize, enlighten and educate various groups of stakeholders on the dangerous implications of such corrupt acts on the society and why people are against acts of corruption that many often claim ignorance of.

The second corruption prevention strategy operated by the commission is the engagement of various groups of stakeholders in different sectors for concrete actions against corruption through active collaboration and partnership with the commission. This endeavour which is steadily building a formidable coalition against corruption in every sector and facet of the Nigerian society is being prosecuted on many platforms

They include the integrity first initiative which is collaboration with the business community to fight corruption and the national anti-corruption coalition which is a partnership with civil society organizations (CSOS) against corruption. Others are the local government administration, the religious leader's forum which is carrying anti-corruption outreaches to the churches and mosques and the national assembly forum which so far has been used to prosecute the integrity campaign in both the national assembly and in so state assemblies.

ICPC also operates the National Anti-corruption Volunteer Corps (NAVC) in all local government areas of the federation and they monitor both the public and the private sectors. More significantly, the commission operates what could be called anti-corruption warriors in the various ministries, departments and agencies (MDA's) of government at various levels. These are the Anti-corruption and Transparency Monitoring Units (ACTUs) which monitors compliance with regulations and report violations and infractions promptly to appropriate authorities, the whistle blower role of the ACTUs has helped on several occasions to rip corruption in the bud or expose it in the MDAs.

Perhaps, the most ambitious engagement with stakeholders that is very dear to the commission is its bids to inculcate hatred for corruption of any kind in the mindset of the up and coming generations of Nigerians from their formative years to adulthood. In this regard, the commission has set up Anti-corruption clubs in secondary schools. It also operates students Anti-corruption Vanguard (SAVs) in tertiary institutions across the country.

In addition, the commission has in collaboration with the National Educational Research and Development Council (NERDC), developed a curriculum to teach integrity values of honesty, discipline, fairness, contentment and patriotism in secondary school. At the tertiary level, the commission is also collaborating with some universities in this regard. One of them, the university of Calabar has approved a general studies course in corruption for all students. The commission also collaborates with the National Youth Service Corps (NYSC) through seminars at the orientation camps to prepare fresh graduates for integrity challenges of employment. Last month's presidential elections in the United State of America brought out the good, the bad and the ugly about American's democracy. The two leading candidates, Mrs. Hilary Clinton of the Democratic Party and Mr. Donald Trump of the Republican Party, displayed some of the most acrimonious personal insults that remarkably signposted the 2016 electioneering campaigns as perhaps the dirtiest in the political annals of the USA since the 1776 declaration of independence. In one of her most abusive political expressions, Mrs. Hilary Clinton stated thus: You can put half of Trump supporters into what I call the basket of deplorable. Not done with her insults which she later recounted Mrs. Clinton added rest of Trump supporters are people who are cooking for change in any form.

In Nigeria, however, we are not in any political campaign now, but two major existential themes confront the general republic namely: the biting economic recession and

the pervasive corruption in the three arms of government, viz Judiciary, Legislature and Executive.

Vice President Yemi Osinbajo is the latest high profile public office holder to confirm that corruption has since taken root in the three arm zone.

Similarly in a book that has elicited controversy, American writer, Mr. John N. Paden, wrote: (Buhari's) passion for change and national unity were evident in this espousal of basic democratic practices and the need for the country's leadership to be responsible for the concerns of the Nigeria people. For long, the judiciary has been stinking of corruption and many Nigerians have been clamoring for a holistic war against graft. The judiciary is seen as the last hope of the common man, but for over two decades, cases of bribes, for judgments have completely derailed quick and efficient dispensation of justice.

Perhaps, it's on this ground that the directorate of state services (DSS) which is created to prevent terrorism and crimes against the Nigerian state has decidedly qualified bribery and corruption as terrorism. The many bad eggs in the judiciary arms have over the years allowed the executive arm of government to indicate to them how to dispense justice in cases of citizens before them.

Twenty five years ago during the major general Muhammadu Buhari led military rule, the most vociferous critic of the military rule and acclaimed singer, the late Fela Ankulapo Kuti, was railroaded into prisons by the military Junta using the judiciary over trumped up charges of money laundering.

Fast forward to few weeks back when the DSS was deployed to invade the homes of two supreme court justices and some federal high court judges in the wee hours of the morning in what was later described as a 'string' operation in search of alleged bribes paid out by rich litigants which some of the judges were said to have kept in their homes.

However, in one instance, the invasion of justice Nnamdi Dimgba's home in Abuja was done without a valid search warrant. The person in his house at the time of the operation was reportedly beaten mercilessly. Justice Nnamdi Dimgba was reportedly the presiding judge in a matter between a suspect and the DSS, the judge is known to have berated the DSS for flouting valid orders of the court in that particular matter. His home was invaded barely 48 hours after he openly reprimanded the DSS in court and this illegality has completely rendered the invasion a big nullity and a vendetta.

But, speaking seriously about the ever threaten menace of corruption in the judiciary, most judges are seen as bas DSS and the EFCC have gone after some judges are seen as basket of deplorable currently, both the DSS and the EFCC have gone after some judges they accused of bribery and corruption. One of them, Justice Ofili Ajumogobia, a woman, was accused by economic and financial crimes commission of illegally transferring \$900, 000 USD to an offshore account.

Two supreme court justices: Inyang Okoro and Sylvester were among those arrested and thrown into the DSS cells in Abuja and released on administrative bails pending prosecution. Other accused judges are: Muhammad Laden Tsamiya of the appeal court; Innocent A. Umezulike, the dismissed Chief Judges of Enugu State: Justice Ademola A.F.A of the federal high court, Abuja: Justice Kabiru Anita of the Kano state high court: Justice Muazu Pindiga of high court of Gombe.

This has however put the National Judiciary Council and the Nigerian Bar Association on collision course because the disputed winner of the presidency of NBA, Alhaji A.B. Mahmoud, has been caught engaging in double speaks on this same matter. He had initially

condemned the invasions which he described as illegal and demanded an unconditional release of the judges, but when the officials of the DSS threatened to deal with the NBA if it stands on its way, the NBA president quickly backslides and recanted urging that accused judges should step down pending their clearance. The statement by the NBA president is interpreted as standing logic on its head. Under the constitution, all accused persons are innocent in the eyes of the law until contrary determination is reached in the competent court of law.

The National Judiciary Council headed by the Chief Justice of Nigeria in a publication some newspapers signed by Mr. Soji Oye, the director of information states as follows:

- NJC maintains its earlier decision that it is not amenable to judicial officers being invited by any institution, including the DSS, without complying with the rule of law and the process. That explains why when the DSS wrote to the NJC by letter Ref. No. LSC. 960/4 dated 11<sup>th</sup> September, 2016, to direct Hon. Justice Muazu Pindiga to appear before it. The Hon. Chief Justice of Nigeria and Chairman of NJC directed the Hon. Chief Judge of Gombe State to ask Hon. Justice Muazu Pindiga to report to DSS, which his Lordship did.
- NJC has never shield nor will it shield any judicial officer who has been investigated by it and found to be guilty of misconduct and or being investigated by the police or EFCC or ICPC for criminal offense or financial crime; or by DSS on a matter bordering on state security, so long as the process is in compliance with the rule of law and due process.

## CONCLUSION

In this concluding piece in a series that began in this column same months ago, I would like to draw the reader's attention to a little detail that might escape notice if didn't draw attention to it and indeed, make a brief elaboration on it. What is this little detail? It is the fact that throughout the previous five essays in the series, I have been repeatedly using the phrase, "Buhari's Nigeria" ordinarily; the import of this phrase would be merely literal or indeed factitious. We are in the period of Muhammadu Buhari's incumbency as the president and commander-in-chief of the Armed forces of Nigeria. This incumbency will, at the very least, last for four years if, as we all hope, he lives and enjoys good health will beyond the current mid-septuagenarian stage of his personal and existential life cycle. Indeed already, very strong and unmistakable signals are being sent out by the president's inner circle of supports that he intends to run for re-election in 2019. If he does and he wins, he would have been in office for eight years.

This reality, this possibility has definitely been on my mind as I have repeatedly used that phrase, "Buhari's Nigerian" in this series. But the matter goes much deeper than that.

## SUMMARY

In the matter of an all-out nationwide war on corruption, we are in "Buhari's Nigeria" because, quite simply but also profoundly, Muhammadu Buhari is like no other previous head of state of our country, with the single exception of Murtala Ramat Muhammad. Without exception, all Nigerians heads of states have declared both their abhorrence of corruption and their determination to curb it substantially, it not root it out completely. But again, with the exceptions only of Muhammad and Buhari, none of the other heads of states ever had any iota of credibility as would be warriors against corruption, least of all Olusegun Obasanjo, who paradoxically has been the most self-righteous head of state of our country. Thus, only Muhammad and Buhari stand out as

credible, inspired and inspiring anti-corruption warriors. But in the matter of the phrase under discussion here and its implication and ramifications for the topic of this series, there are significant differences between the two men. What are these differences? First, Muhammad's rule was far too short to have qualified for a comparable phrase like "Murtala Mohammed Nigeria". In other words, as decisive as Muhammad was his assassination fatefully prevented him from leaving a lasting legacy on the moral character or ethos of our country beyond wisps of anguished nostalgia for and about his brief time in office. Secondly and far more portentously, Muhammad actually never made a formal declaration of war on corruption; in place of a loud and formal declaration he chose action, concrete, decisive and absolutely unambiguous actions. To put it mildly, Buhari, both as military dictator and as elected head of state, has been long, very long, on the formal declaration and short indecisive and ambiguous on the actions front. Thirdly and most significant of all, where Muhammad carried his war against corruption right into the heart of the festering swamps of corruption in his own constituency of the military top brass, Buhari has been remarkable unable and/or unwilling to carry his war on corruption to the inner chambers of the opportunists, cynics and turncoats within his administration and party.

Weak governance is one of the fundamental causes of corruption. The political and economic opportunities available in different political systems, as well as the strength and effectiveness of state, social and economic institutions (Johnston, 2005 [P; OBS Quantitative analysis, case studies]), shape the conditions in which corruption can thrive. In particular, the centralization of power in the executive and in accountability mechanisms that are deficient gives actors (especially elites) too much discretion (see box 3). This is one of the key distinctions Acemoglu and Robinson (2011, (TC and P; BS, regression analysis) identify between extractive and inclusive institutions in their historical analysis of why some states succeed in promoting development over time and others do not.

## RECOMMENDATIONS

- ❖ There should be check and balances among public and private organizations
- ❖ Severe punishment has to be noted out to offenders
- ❖ Educational programmes must be put in place to educate people on the need to avoid corruption
- ❖ People should be empowered through social educational political economic etc.

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