Through A Glass Darkly': Assessing the ‘New’ War against Corruption in Nigeria

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It is no longer news that corruption is endemic in Nigeria. Neither is it news that the ‘democratic’ government of President Obasanjo is waging an unprecedented war against corruption. What is, however, controversial is the extent to which the ‘new’ war has succeeded in addressing this scourge. This article engages this crucial question and submits that while the legal and institutional anchorages of the war offer a good point of departure, they remain grossly inadequate. This largely explains why the war has been underproductive and caught in a deepening crisis of legitimacy. What is required is the nourishing and re-envisioning of such frameworks, coupled with strong political will, to challenge the structures of power that currently generate and sustain the system and establish a truly democratic developmental state.

Introduction

Nigeria, like most other African states, is a country of crisis and contradiction. This crisis is multi-dimensional and deep-rooted. It entails the leadership question, succession and legitimacy crisis, economic under-development, political violence/communal clashes, crisis of democratisation and several other sources of threats to national security. In a way, these dimensions of the crisis approximate to the crisis of governance, and underscore the failure of the Nigerian state, since these factors tend to cripple the government, as an institution of the state, in the expression of its will. Though endowed with abundant natural resources of high quality, the majority of Nigeria’s population lives below poverty line, with some in absolute poverty. The nation’s external debt profile has, over the years, become a major source of worry not only to the governed, but also to the government and its external creditors. The spate of ethno-religious conflicts has assumed the dimension of a scourge. Even the conflict management capacity often attributed to a democratic system and the adjustment mechanisms offered by federalism would appear to have become irrelevant to the Nigerian...
situation. All these issues point to the complexity and depth of the crisis and contradiction of the Nigerian state.

At the heart of these crises is the problem of corruption in its multi-dimensionality. Nigeria suffers a great deficit of political capital such as political will, legitimacy, credibility of basic policies through popular participation, empowerment, accountability and control; as well as in the promotion of fairness, equity and justice. This is as a result of the endemic nature of corruption within the system. It is such that scholars and commentators alike now talk about the political culture of corruption in Nigeria. Corruption has become so alarming and systemic that it has assumed the dimension of an epidemic in the country. Indeed, the extent of corruption in Nigeria is now so entrenched and systemic that it would certainly qualify the country to form part of a category of countries, which Jeremy Pope classifies as “those whose national integrity system have effectively collapsed”. This is correct, to the extent that even in international comparative ranking, Nigeria has always ranked among the league of the three most corrupt countries, and at times topping the list. This has had serious implications for the country, especially in terms of contradictions of development and image crisis.

It was therefore not surprising when President Obasanjo came to power in 1999 and declared his intention to combat corruption. As such, several mechanisms have been devised legally and institutionally. Efforts have also been made to apply these frameworks in a manner unprecedented, such that serving top government functionaries have been sacrificed. This is what I refer to as the ‘new’ war against corruption. It raises some pertinent questions: Has the government eventually found the needed political will to persecute the war? Why did President Obasanjo suddenly evince new political will to fight corruption in March 2005? To what extent can the current system be sustained? What are its possibilities and limitations in winning the war? The basic concern of this article is to provide critical insights into addressing these questions. The aim is to develop a common vision and a more comprehensive approach towards fighting corruption, which would be far more broadly appealing than the current reductionist approach. Such an approach must be one that enhances and nourishes the possibilities of re-envisioning institutions and systems, including challenges to structures of power that maintain the current system. That is, an integrated focus on the prevention of corruption for sustainable democracy and development.

Following this introduction, the article begins with an interest in deciphering corruption in Nigeria, which is then followed by a brief review of past initiatives at fighting corruption in the country. The core of the work is delivered through an attempt to conceptualise and evaluate the ‘new’ war against corruption in Nigeria, which is subsequently summarised in the conclusion and prospective recommendations.

Deciphering Corruption in Nigeria

First and foremost, is one able to decipher the scourge of corruption in Nigeria? This question is important against the backdrop of the fact that corruption has practically become a way of life – so much so that one finds it difficult to differentiate between what is, and what is not corruption. Such simple and clear incidents of bribery and embezzlement of public funds have now come to be seen as part of the survival strategies of individuals and groups and
should therefore be viewed from a functional perspective. *Tell*, a leading weekly magazine in Nigeria, observes in an editorial that:

An unusual and disturbing trend is emerging in which behaviour openly suggestive of large-scale corruption in the polity are not out rightly condemned but treated with utmost cynicism, and defended with self-serving arguments, even by very senior citizens often considered as the fathers of the nation.7

To decipher corruption in Nigeria therefore largely depends on the analyst, his/her orientation and political leanings.

**What is Corruption?**

It is important to begin with clarifying the concept of corruption. Corruption connotes “any form of behaviour that generate private self-serving gains, which are not sanctioned by law, or the prevailing norms of society”.8 It is, according to Onigu Otite, “the perversion of integrity or state of affairs through bribery, favour, or moral depravity”.9 In this process, at least two parties would be found to have acted in a manner that changed the structure of society or the behaviour of functionaries in order to produce a dishonest, unfaithful or defiled situation.10 Okoosi-Simbine simply defines corruption as the abuse of public office for private gains.11 What these definitions suggest is that an act can be regarded as corrupt if it negates societal values. It is therefore the perversion of societal values for personal benefit, with attendant negative effects on the state and society at large.

It is important to note that corruption is a multi-dimensional phenomenon, whose dimensions have been identified as being entrenched, political and bureaucratic.12 Corruption can be said to be entrenched when it is well organised and embedded, in the political and economic contexts that both reveal its effects and help sustain it. Political corruption, on the other hand, connotes a situation where politics and policy-making are characterised by abusive patronage, official intimidation of opposition groups, exchange of money for utility franchise and other electoral fraud. Or, as Klaveren defines it, “a method of exploitation by which a constituent part of public sphere is exploited as if it were a part of the market sphere”.13 Bureaucratic corruption, however, deals with a situation whereby bureaucratic functionaries take bribes from public clients and practice extortion on a regular basis.

In the Nigerian context, corruption manifests itself in diverse forms. Olopoenia has identified these to include bribery with its Nigerian variant; nepotism; mismanagement; the use of contrived security threats to the state or the larger society to obtain the approval of extra-budgetary allocation for the personal enrichment of public officers charged with the maintenance of public order; the exploitation of privileged relationships with key public sector managers, for the purpose of acquiring competitors and business assets; auto-corruption; extortion, and employment patronage.14 To these, President Olusegun Obasanjo has added:

a. use of one’s office for pecuniary advantage;
b. gratification;
c. influence peddling;
d. insincerity in advice with the aim of gaining advantage;
e. putting in less than a full day’s work for a full day’s pay; and
The Colonial Origin of Corruption

To really grapple with the dynamics of corruption in Nigeria, one must begin with its colonial history. For, as Jibrin Ibrahim has rightly pointed out, “the structural evolution of the polity”, with its excessive centralisation, concentration and personalisation of power, “provided for a culture of unbridled corruption and fettered democracy”. By all standards, colonialism in Nigeria was built on corruption. Because of the colonialists’ corrupt disposition to exploit the state for their exclusive benefit, they liquidated social structures against corruption associated with pre-colonial Africa and replaced and/or transformed them to suit their own purposes. This process led to the emergence of ‘two publics in Africa’ such that while the primordial public was built on a system of accountability and control, based on moral principles, the civic public became a contested terrain for private accumulation based on amoral principles.

This marked the beginning of official corruption in Nigeria and the manifestation of a privatised state. A state is said to be privatised when “it is appropriated to the service of private interests by the dominant faction of the elite”. For the colonialists to draw legitimacy to this action, they first had to gain the support of the traditional rulers, who were used as tools under the indirect rule system, and later, sway public servants, who “came to be, and imbibed, corrupt practices from the colonial regime”. The failure of the political elites, who took over from the colonialists in attempting to address the roots of these problems, and particularly the inability to transform and endogenise the imported social structures, complicated the matter in the post-independent period.

Corruption in Contemporary Nigeria

Ever since the emergence of the elites, subsequent to colonial rule, corruption has continued to grow in leaps and bounds in the country. The collapse of all the previous republics, the aborted First, Second and Third Republics, all had something to do with corruption. Presently, one of the major threats to the fledgling Fourth Republic is endemic corruption. As old as the country itself, corruption emerged as a serious issue during the oil boom of the 1970s. The oil boom era “raised the stakes for the control of power at the centre, and corruption, in the guise of populist economic policies, became an explicit instrument of personal political agenda”. The situation further deteriorated during the Second Republic under Alhaji Shehu Shagari. During this period, the state did not only become ‘prebendal’, but also predatory. These were manifested by the fact that the offices of the state were allocated and then exploited as benefits by the office holder. Again, such a practice was legitimated by a set of political norms, according to which the appropriation of such offices is not just an act of individual greed or ambition, but concurrently the satisfaction of the short-term objectives of a sub-set of the general population.

The second coming of the military to the political scene of Nigeria in 1983 marked another era of corruption in the country. This was particularly so under the Generals Babangida and Abacha regimes, where the system was not only prebendal, but also praetorian. A praetorian system is one that “is corrupt and an unstable regime of coups, cliques and conspiracies tempered only by occasional political
dictatorship”. Its major features include indiscipline, mercinerism, self-seeking, greed and avarice, sale of public office and prebendalism. Praetorianism is therefore the military equivalent of the corrupt society. In a comparative assessment of the corruption index of the two regimes, it has been noted that:

The crucial difference between the Babangida and Abacha self-succession projects is that while Babangida’s did not fundamentally threaten the existence of Nigeria as a corporate entity and thus, the continued prosperity of the power elite, Abacha’s attempt to transform himself into a civilian president unleashed the very centrifugal forces that Nigeria’s ruling elite had been trying to put into a safe and secure bottle since the end of the civil war in January 1970.

The return of the country to a path of democracy in 1999, despite advances in the fight against corruption, has not been able to scale down the rampant levels of corruption. Rather, it has soared and assumed the dimension of a scourge, as no arm or level of government is exonerable. The wanton manifestation of corruption under the Fourth Republic includes the falsification of age and academic qualifications by Salisu Buhari, the first Speaker of the House of Representatives (HORs); and the first Senate President, Senator Evan(s) Enwerem having been found guilty over similar allegations; financial recklessness on the part of Senator Chuba Okadigbo, the successor of Enwerem as Senate President, culminating in the removal of all these political figures from office. Senator Adolphus Wabara, Senate President during the second term of the Fourth Republic, was also deposed for corrupt dealings involving the Minister of Education, Professor Fabian Osuji. As Emmanuel Ojo appropriately described it, “the legislative arm is almost synonymous with impropriety and corruption.”

The executive arm has also been enmeshed in rather dubious deals, which further negatively impacts on the country, as it has direct access to and controls the nation’s treasury. At last count, at least four ministers of cabinet rank were removed for alleged acts of corruption, namely Husseini Akwanga (Labour); Sunday Afolabi (Internal Affairs); Fabian Osuji (Education); and Mobolaji Osomo (Housing and Urban Planning). At the state level, the situation is no different. Governors Diepreye Alamieyeseigha and Rasheed Ladoja have been impeached, while Joshua Dariye was also standing trial, all for corruption. The situation at the local government level has been particularly bewildering in that the governing style at that level has been said to “engender so much cynicism” that the federal government is being warned that “this may be a particularly different front for the war against corruption.”

What the foregoing revelation suggests is that corruption has really become endemic and systemic in the country. Any attempt at curbing it must therefore rise above any lip service approach.

A Review of Past Anti-Corruption Initiatives

The country has never been in want as regards policy measures to combat corruption. For instance, the Penal Code (applicable in the North) and the Criminal Code (in the South) were part of the earliest legal instruments designed to deal with cases of official corruption by public officers in Nigeria. But as it turned out, “not a single case of corruption is known to have been prosecuted in the regular or superior
court of record", under these laws. Successive military regimes as well as their civilian counterparts have experimented with several alternatives. Mustapha Akanbi, the first ICPC Chairman, lists some of these measures to include the Public Officers (Investigation of Assets) Decree No 5 of 1966, meant to address and eradicate corruption, as a part of the nine-point programme of General Gowon's regime. This programme also includes the Corrupt Practices Decree of 1975, under which public office holders were tried for abuse of office by a three-man panel headed by Dr Adegbite, which was tasked with investigating their assets. The 1979 Constitutional provision for a Code of Conduct for Public Officers; a Code of Conduct Bureau for the enforcement of such prescribed behaviour, and a Code of Conduct Tribunal and the Ethical Revolution, were initiated by the Shagari Administration, where a Minister of cabinet rank was put in charge of 'National Guidance' to address the state of corruption in Nigeria.

Other notable measures that have been adopted in the war against corruption in Nigeria include the 'War Against Indiscipline', launched by the Buhari and Idiagbon regime, under which fraudulent and corrupt people were brought to book; a National Committee on Corruption and Other Economic Crimes in Nigeria drafted the Corrupt Practices and Economic Crime Decree in 1990. The Decree provided for a wide scope of economic crimes, and pertained to a wide range of public officers who were accordingly obligated to declare their assets, and an Independent Commission against Corruption. However, this framework only reached the draft stage. The Indiscipline, Corrupt Practices and Economic Crime (Prohibition) Decree of 1994, the Failed Bank Decree and Tribunal, as well as the Advance Fee Fraud and Other Related Offences Act Decree of 1996, all constituted the anti-corruption policy frameworks of the Abacha regime.

Beyond these, other noticeable policy measures to combat corruption in Nigeria included the Mass Mobilization for Social and Economic Recovery (MAMSER) established to sensitize Nigerians about the evils of corruption, and the National Drug Law Enforcement Agency (NDLEA) founded to wage war on illegal drug deals both by the Babangida regime. Other frameworks included the War against Indiscipline and Corruption (WAIC) and the National Orientation Agency (NOA) of the Abacha regime, which were saddled with similar responsibilities of socialisation and popular sensitisation and mobilisation of Nigerians towards positive social change.

With these enabling laws and institutions, one finds it difficult to understand why corruption persists in Nigeria, as to have become so menacing in its threats to the survival of the entire system. A more worrisome dimension is the complexity that has come to characterise the war against it. In this connection, President Olusegun Obasanjo, the chief warrior in the new war laments:

"Corruption is a hydra-headed monster and unlike a conventional war, you don't know the enemy. It is a war that is worse than other wars."

A plausible explanation for the persistence and resilience of corruption in Nigeria, despite these policy initiatives can be located in the colonial origin of the Nigerian state and the predatory character of its post-independence variant and elites. For, these factors have enabled the privatisation of the Nigerian state. This is manifested by the excessive subjection of the state to extensive rent-seeking, that is “an omnipresent policy to obtain private benefit from public
action and resources”.36 This has had negative consequences such as the stagnation and decline in the economy, resulting in a further pauperisation of the masses. It has also created some form of benefit for the tiny minority that dominates the structure of the society at all times – the ruling elite. To sustain this structure of rule, the elite must act to frustrate any genuine initiative aimed at reversing the trend. Wayne Nafziger expresses this very powerfully:

These elites may not benefit from avoiding political decay through nurturing free entry and the rule of law and reducing corruption and exploitation. Instead, political leaders may gain more from extensive unproductive, profit seeking activities in a political system they control than from long-term efforts to build a well functioning state in which economic progress and democratic institutions flourish.37

This observation readily captures the Nigerian situation and illustrates to a very large extent why successive efforts at checkmating corruption have been largely feckless and unproductive. Yet, another dimension relates to the legal and institutional contradictions inherent in the anti-corruption frameworks. Most noticeable is the lack of autonomy of anti-corruption bodies, political interference from the state, poor funding, and ambiguities in legal provisions that enable those under investigation to obtain arbitrary court injunctions.

Assessing the ‘New’ War Against Corruption

The cost of corruption is profound. Generally this includes stress on some of the values of state and society like freedom, openness, accountability, equity and justice. It also places pressure on other central institutional responsibilities, such as economic growth and development. Under the circumstances, the government becomes severely incapacitated in discharging its responsibilities effectively. This is manifested in the form of inefficient allocation of resources, disequilibrium in social equity and a general deterioration of governance and social institutions.38 The overarching implications, particularly in the Nigerian context, are the citizens’ loss of confidence in government and the concomitant crisis and contradiction of democratisation, governance and development.39

These facts must have dawned on President Obasanjo when he assumed office as the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria on 29 May 1999. During his inaugural speech, he singled out corruption as the strongest bane of Nigeria's development. He consequently promised to tackle the problem of corruption head-on, such that “it w[ould] no longer be business as usual”.40 Pursuant to this publicly declared war on corruption, steps were taken in that direction. These include the promulgation of the Corrupt Practices and Other Related Offences Act, 2000, culminating in the establishment of the Independent Corrupt Practices and Other Related Offences Commission (ICPC); the Economic and Financial Crime Commission (EFCC), the Due Process etc.

Evidently, putting in place these legal and institutional instruments for curbing corruption looks promising, as it demonstrates, in a way, the government’s resolve to combat the problem. These instruments will certainly strengthen the struggle. But one must quickly add that policies only become relevant if they are effectively implemented. This can be achieved via a very strong political will on the part of the government on the one hand, and the correct attitudinal dispositions and
behaviour on the part of the people with respect to holding firm anti-corruption values, on the other. In the absence of these, neither formal policy direction, nor any amount of propaganda, is likely to turn the situation around. It is only when political leaders are motivated and firmly resolved to win the war at all costs, ably supported by the society both attitudinally and behaviourally, that victory is possible.

In his 29 May 1999 inaugural speech, President Olusegun Obasanjo alluded to these facts when he averred:

Corruption, the greatest bane of society today, will be tacked head-on at all levels … No society can achieve anything near its full potential if it allows corruption to become full blown cancer as it has become in Nigeria.41

Perhaps it was this resolve that hastened the drafting of the Corrupt Practices and Other Related Offences Bill, 2000 by the Obasanjo’s administration. The passage of the Bill into an Act led to the establishment of the Independent Corrupt Practices and Other Related Offences Commission (ICPC), whose pioneer Chairman was Rtd Justice Mustapha Akanbi. At the inauguration of the Commission on 29 September 2000, President Obasanjo again lamented:

With corruption, there can be no sustainable development or political stability. By breeding and feeding on inefficiency, corruption invariably strangles the system of social organisation. In fact, corruption is the antithesis of development and progress.42

These concerns more or less explain the extensive powers conferred on the Commission. The duties of the ICPC are spelled out in Section 6(a-f) of the Act. They are as follows:

1. Where reasonable grounds exist for suggesting that any person has conspired to commit or has attempted to commit or has committed an offence under this Act or any other law prohibiting corruption, to receive and investigate any report of the conspiracy to commit, attempt to commit the commission of such offences and, in appropriate cases, to prosecute the offenders;
2. To examine the practice, systems and procedures of public bodies and where in the opinion of the Commission, such practices, systems or procedure and or facilitate fraud or corruption, to direct and supervise a review of them;
3. To instruct, advise and assist any officer, agency or parastatals on ways by which fraud or corruption may be eliminated or minimised by such officer, agency or parastatal;
4. To advise heads of public bodies of changes in practices, systems or procedure compatible with the effective discharge of the duties of the public bodies as the Commission thinks fit to reduce the likelihood or incidence of bribery, corruption, and related offences;
5. To educate the public on and against bribery, corruption and related offences;
6. To enlist and foster public support in combating corruption.43

Justice Akanbi of the ICPC summarised these functions thus: “Enforcement (Investigation and Prosecution); Preventive (Control of the systems, practices and procedure of Government Departments, Ministries and Parastatals); Public Enlightenment and Education (fostering support against corruption).”44

Apart from the ICPC, Obasanjo’s government also instituted other initiatives to fight
corruption. These include the EFCC, which was tasked with handling economic and financial crimes. The Due Process Mechanism was also introduced in the handling of government contracts and businesses. Hence, there was a displayed optimism among Nigerians that the new war against corruption may yield the desired result. But with time, the optimism gradually began to wane, if not disappear entirely, due to the inability of these bodies, particularly the ICPC, to reach a major breakthrough. It was alleged, and quite correctly, that the ICPC has not pushed any case beyond the level of investigation and even in the few cases of litigation, has not been able to secure the conviction of any corrupt officer. As public criticisms heightened, with its attendant public dispiritedness in the government ‘propaganda’ about the war against corruption, President Obasanjo had to come on board to be personally involved. This direct and personal involvement of the president in the fight against corruption, in manners unprecedented, is what I have called the ‘new’ war against corruption.

So far, the new war has seen to the dismissal and removal of several public officers, from 2005 to date. The first major hit was against the Inspector General of Police, Tafa Balogun, who was accused of corrupt enrichment and money laundering valued at N13 billion (about $10 million). This was allegedly made possible partly because he appointed his Chief Security Officer, Edward Adiele, a Deputy Superintendent of Police, as the sole signatory to the Inspector General of Police (IGP) Imprest Account containing N700 million per month. He was consequently retired compulsorily been arraigned before an Abuja High Court for prosecution, following a 70 count charge. He was eventually convicted and sentenced for six months on eight-count charge on 22 November 2005.

Shortly after the removal of Balogun came another scandal involving the Minister of Education, Professor Fabian Osuji and officers of the Ministry of Education and the National Assembly. In this case, Osuji allegedly offered N55 million to the Senate and House Committees on Education to facilitate a smooth passage of the budget of his Ministry. This is what Antonia Okoosi-Simbine called “the bribe-for-big-budget scandal”. This was said to be at the prompting of the Senate President, Senator Adolphus Wabara. After a thorough investigation to that effect, with reasonable evidence at hand especially the return of the money (N55m) to the EFCC, which handed same to the President, the President in a national broadcast laments the situation and sacked the Minister. Other accomplices in the case were referred to appropriate bodies for disciplinary actions. President Obasanjo lamented: Most disheartening is that the number three man (Senate President) in the government hierarchy in the country is involved in this sordid matter. It is an action that violates all norms of good governance, progressive leadership, integrity and credibility. This tends to vindicate those who made similar allegations in the past.

Consequently, the Minister was immediately dismissed from office on 23 March, 2005, in addition to a commitment to hand him over to the ICPC for prosecution. The Senate President has also since been made to resign his position as Senate President and other members of the “cartel” under investigation. Although Wabara denied any knowledge or involvement in the scam, evidences from the Senate Committee on Ethics and Public Petition point to the contrary. At one of its sessions, Professor Osuji, Ribadu, EFCC chairman, and Adighije, a
Senator, who served as the link between the committees and the Minister, testified against Wabara. Adighije laments: “It is shameful that they can lie like this ... I regret that I tried to mediate between the committees and the Minister”. Osuji also testified that Wabara and panel members demanded for N100m, allegedly meant “to cover the Minister’s failure to do public relations and show appreciation to the committees for past budgets.”

The dust generated by this case has hardly settled down when another case of corruption came. This time around it has to do with compromise and violation of the Due Process mechanism, which this government has taunted so much. The case involved the sale of 207 government houses in Lagos in a manner scornful of the due process. The Minister of Housing and Urban Development, Mrs. Mobolaji Osomo allegedly disposed the houses to his close allies and associates, including top serving government officers. The news embarrassed the President especially as it contains names of his top government functionaries and above all, members of the President's wife family. As he comments in a letter to the Minister:

I must express my great displeasure in very clear terms, about the way you seem to be handling the sale of Federal Government properties in Lagos ... I have a document sent to me anonymously (copy attached) where 207 people had been allocated or offered land/property for sale surreptitiously, some with full payment, some with deposit and some without payment at all.

He further laments:

I also feel personally embarrassed that almost all members of my wife’s family are on that list. As it is, the entire list now be cancelled without fail, the money collected should be refunded and all property will be advertised for sale, except those allocated to Ambassador Ibrahim Gambari and Chief Emeka Anyaoku, which had been approved long before this exercise ...

The Minister has since been removed on 4 April 2005. Money has also been refunded to those affected and the properties returned to the government for fresh public offer.

With these developments in the war against corruption in Nigeria, whereby corrupt officers are not only being removed but made to face ICPC or the EFCC, as the case may be, there is now a seeming palpable fear among the political class. This is more so with the directives of the President that past cases considered as closed be revisited by these bodies. It raises the question of whether Nigeria has finally found the political will, as the missing link in the fight against corruption over the years. Eureka? One must exercise caution in projecting the prospects of the “new” found political will.

Already, the response from some segments of the civil society is not complimentary. The President’s new approach has been largely seen as a kind of publicity stunt, mere “ways for the president to advertise himself to rich nations of the West as beholden to a reformist agenda or to seduce the Nigerian public into a false sense of confidence in the genuineness of his crusade against corruption.” Besides, the charge has also been made that the new approach is unnecessarily too selective. A typical example often made here pertains to the N50m scam, offered as donation to the National Assembly (NA) by the Central Bank of Nigeria (CBN). The CBN allegedly offered the said amount to the NA to facilitate
capacity development and some other sundry uses. According to Professor Charles Soludo, the CBN Governor:

The Central Bank of Nigeria released N500milion to the Senate and House of Representative based on their request for assistance on their public hearing session, capacity building matters like road shows, general publicity and other sundry administrative exigencies.57

This explanation provoked the public as it was seen as the good reason to conceal the real one. This is because; the “donation” coincides with the processing and passage of the CBN Act and the Banks and Other Financial Institutions Acts (BOFIA). The money could probably have been given therefore to facilitate the passage of these Bills.58 Moreover, one of the leading national dailies, The Punch, in an editorial alludes to the fact that the bases advanced by the CBN for given the money fall outside its jurisdiction. As revealed by the paper, the CBN traditionally offers assistance in line with its corporate social responsibility in five major areas: Economic and Financial Data Management and Documentation; Grants to Nigerian Universities and Other Educational Agencies; Library Services; Collaborative Research Projects with relevant agencies; and Sponsorship of Sporting activities in the country. And in each case, such financial gift usually takes the form of project-tied services that are visible and properly defined.59 The reasons adduced for the “gift” to the National Assembly do not fall into any of these categories. As such, Nigerians have expected the sacking of the CBN Governor and others involved in line with the newfound political will as demonstrated in recent times. This was not to be so perhaps, because Professor Soludo is a member of the President’s kitchen cabinet, one of the leading brains behind the economic reform agenda and therefore a member of the “exclusive” club that moves and shakes the country today.

Even the previous actions of the President have also been seen in negative lights. For example, the removal of the Senate President, Adolphus Wabara and the Minister of Education, Professor Fabian Osuji, has been attributed to reasons beyond the corrupt scandal. For example, Wabara’s cup was said to have become full to a point of overflow because of his hard-line posture that tends to be frustrating Obasanjo’s surreptitious move for a third term. The move called for a constitutional overhauling, to which Wabara was central as Senate President. But he had reportedly remained uncompromising. Furthermore, his refusal to allow the declaration of a state of emergency in Anambra state, following the endless face-off between the Governor, Chris Ngige and his estranged godfather, Chris Uba, was said to have angered the president. These were in addition to his role in passing the baton between Senator Ikechukwu Abana and Chief Ben Obi in the Senate. It should be recalled that the former had lost his senatorial seat at the electoral tribunal, necessitating his vacating the seat in favour of the latter. Wabara was expected to have frustrated the execution of the verdict but he failed to do that, which resulted in the ruling party losing a seat in the Senate. The word has already begun to spread that President Obasanjo should be made a ‘life president’ because of his initiated war against corruption.60 Okoosi-Simbine has wondered why the Minister of Education and Senate President should be so treated because of “a case involving such a ‘paltry’ sum”.61 Her position was against the backdrop of previous horrendous shady deals brought to public glare but which the President failed to act.
Beyond these criticisms, there is also the dimension of the approach's negation of due process. The culprits had been tried by a competent court of law before they were pronounced guilty and a penalty allocated. This is a contradiction in terms. Not only does that violate the rule of law, it also has the potential to pre-empt the investigation and trial that would follow.

Of late, especially since May 2006, these criticisms have become far more pronounced and have derived some credibility because of the third-term agenda, which sought to extend President Obasanjo's tenure beyond the statutory two terms of a four-year period each. In the aftermath of the defeat of the amendment bill to that effect, the EFCC in particular would appear to have renewed its onslaught against presumed opponents of the President. Key figures that championed the defeat of the Bill are now being hounded by the EFCC for one form of corruption or the other. It is for this reason that the anti-corruption war is now being closely linked to the politics of succession in 2007, further casting doubts about its sincerity of purpose. Yet the new war against corruption cannot be so discarded with a wave of the hand. It certainly holds some prospects for a better Nigeria, especially if reassessed and adjusted here and there to make it more robust and comprehensive. This is our next concern.

Conclusion: Boosting the War Against Corruption

The Nigerian situation presents us with a paradox. Despite the avalanche of legal and institutional mechanisms in that direction, there has, until recently, been a weakening or absence of political will on the part of the political leadership of the country in practical terms. For, as Maduabuchi Dukor has argued, the problem of corruption in Nigeria is a political problem. For him, corruption in Nigeria is a “manifestation of the lack of political will on the part of the sovereign and the failure of the state to maintain law and order”. Rightly or wrongly, Nigerians are of the view that the seeming failure of the war against corruption in Nigeria, particularly under the nascent democracy, was as a result of the epileptic nature of political will on the part of the leaders – the president. In fact, Nigerians tend to raise a sceptical eyebrow whenever the war against corruption is paraded as one of the outstanding credentials of the government. The ever-present cry for “more”, from various segments of the society, is an eloquent testimony. One basic reason for the carpeting of the government in its new war against corruption is that too few top government officials have been tried and reprimanded. This may not be disconnected with the inherent contradictions in the legal and institutional frameworks for the war, as well as the weak basis of political will epitomised by seeming double standards cited thus far. But recently, there has been a seeming improvement in this regard, notwithstanding its shortcomings. Yet, corruption persists, indicating that political will at the top may not be enough to win the war.

While legal frameworks certainly provide the basis for prosecuting the war, victory certainly goes beyond it. A more rigorous challenge is the effective implementation of such policy and legal frameworks. It is however, important that it is not in all cases that such laws can work, no matter the level of its implementation. In situations where corruption is as a result of the failure of the state to discharge its responsibilities, such as the maintenance of law and order, provision of social services and economic functions, it is doubtful if any
amount of law can stop corruption. What this suggests is that for any war on corruption to be effective, it must be targeted at its roots. A comprehensive study to identify the causes of corruption in Nigeria, in addition to why it has continued to survive and recruit more converts, despite all efforts to combat it, is therefore in order. With a very sound ‘corruption diagnosis’, adequate prescriptive measures can be devised.

Regardless of how effective preventive measures may be, without a strong political will, from both the leaders and the led, these may end up as merely palliative. The government must therefore be willing and able to translate their words into actions, and must be seen to be following through on their promises, not only by the domestic but also the international community. Its approach must be comprehensively designed to cover all levels of governance and sectors of the society. It is only then that the war against corruption can win the confidence of the people at all levels. Civil society organisations too must be energised through popular empowerment schemes that grapple with poverty. Civil society should also be socialised and mobilised about its pivotal role in the area of sensitisation, mobilisation and conscientisation of the populace; and through solidarity and collaborative work with institutions engaged in the fight against corruption. These are central to promoting right attitudinal and behavioural traits on the part of the people toward anti-corruption values. Such change can also engender societal reinforcement of the war against corruption and also limit opportunities that enable the occurrence of corruption.

Finally, the greatest antidote to corruption is good governance. Whatever the measures put in place, these should be ones that promote good governance, accountability and control. This is the only framework that would allow for a reasonable degree of symbolic coherence between policy frameworks and their implementation. With this in mind, available resources would also need to be effectively managed in response to the critical needs of Nigerian society. These measures would nourish the chances of re-envisioning the institutions and systems, including challenges to structures of power that maintain the current predatory system. This is simply the integrated focus and approach needed for the success of any war against corruption, to create an enabling environment for sustainable democracy and development.

Notes and References

4. Ibid.
6. In 1996 and 1997, Transparency International ranked Nigeria as the most corrupt among the 52 countries ranked. This was of little significance as the country was ruled by the military at the time. But under the nascent democracy, Nigeria ranked as the most corrupt in 2002, the second most corrupt in 2003, and the third most corrupt in 2004. See the report of Transparency International and Amnesty International on the Corruption Perception Index for the various years.

9. President Obasanjo’s inaugural speech – see The Punch, 30 May 1999; ThisDay (Lagos), 30 May 1999, etc.


20. Abdulrauf Olapopoenia, A Political Economy of Corruption and Under-Development, Faculty Lecture Series No 10, Faculty of Social Sciences, University of Ibadan, 7 October 2003.


26. In its editorial of 20 February 2006, Tell notes that corruption is ‘politically destabilizing, and had always been the major reason for military takeovers since 1966’, p 19.


29. A detailed analysis of this can be found in Joseph (Prebendal Politics) 1987.

30. See J Bayo Adekanye, Military Occupation and Social Stratification, Inaugural lecture, University of Ibadan, 1999, p 41.


38. Ibid, p 3.


41. President Obasanjo’s inaugural speech; see, for example, The Punch (Lagos), 30 May 1999; ThisDay (Lagos), 30 May 1999, etc.

42. Ibid.

43. President Obasanjo’s speech at the inauguration of the ICPC, 29 September 2000, Abuja, Nigeria.


49. The comprehensive list of those indicted is as follows: The Education Minister, Professor Fabian Osuji; The Senate President, Adolphus Wabara, Chairman, Senate and House Committees on Education, Ibrahim Abdulrazzaq and Shatu Maitazi. Other Senators include: Azuta Abacha, Badmus Maccido and Emmanuel Olopeke. The list also includes the Executive Secretary of National Universities Commission, Prof Peter Okebukola and the Vice Chancellor, University of Technology, Owerri, Prof Jude Njoku, the Permanent Secretary of the Ministry of Education, PS Abdu, and five Directors in the Ministry. See ‘Education Minister Sacked, Permanent Secretary, Five Directors in the Ministry’. See also, Richard Joseph, Education Minister Sacked, Permanent Secretary, Five Directors in the Ministry. See ‘Education Minister Sacked, Permanent Secretary, Five Directors in the Ministry’.


51. See ‘Wabara Lied Over-Bribery, Adighije,

53. President Obasanjo responding to the scandal; see Sunday Independent, 3 April 2005, pp 1-A2.

54. Ibid. (author’s emphasis). The list of members of the President's wife family involved is as follows: Dr Yemisi Abebe, with property at 12, Ikoyi Avenue to the value of N80m; Dr John Abebe, at 1B, Inn Close at N84.8m; Mrs Tranea Abebe at 7B Maroko Close at N57.6m; Mr Henry Abebe, at 23 Milverton Road, at N158.4m; and High Court Judge Roseline Ukeje at N700m. Others include top functionaries of Obasanjo’s government; Five Governors: Adamu Muazu (Bauchi); Donald Duke (Cross River); Bukola Saraki (Kwara); Peter Odili (Rivers) and Gbenga Daniel (Ogun); Five Ministers: Prof Eyiayo Lambo (Health); Aideseye Ogurilewe (Works); Frank Niveke (Jt) (Special Duties); Chikelu Chukwemeka (Information) and Okonjo Nwala (Finance). It also includes the CBN Governor, Prof. Charles Soludo; the Head of Service; Yayale Ahmed; Funsho Kupolokun, Group Managing Director, NNPC; Sunday Ehindero, Acting IGP; Deputy Chief of Staff at the Presidency; Chief Shola Akanmode, and two Directors with the NTA, Jimmy Atte and Grace Zameye. Affected Senators include Musiliu Obanikoro, Isa Marina, Azuta Mbata, and Adolphus Wabara; and Deputy Speaker, HOR, Austin Opara. See Daily Independent, 23 March 2005, pp 1-A2.


59. Ibid.

60. The Punch, 14 April 2005, p 6.


64. For this view, see Okoosi-Simbine 2005; Omotola 2004.