

Corruption in Nigeria: Challenges and Effect

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Abstract: Corruption is not a recent or modern phenomenon, although, it has assumed a frightening dimension in recent times. It has existed from time immemorial. The Holy Bible's account shows that because of its evil impact on the society specific injunctions were prescribed against its practice(s). Thus, with respect to the appointment of judges in the Israel of old, the Holy Bible states thus: "Appoint judges and officials for each of your tribes in every town your Lord God is giving you, and they shall judge the people fairly. Do not pervert the course of justice or show partiality. Do not accept bribe for a bribe blinds the eyes of the wise and twist the words of the righteous. Follow justice and justice alone, so that you may possess the land your God is giving you" Thus, the erudite authors, had posited rightly in our view, that corruption has been ubiquitous in complex societies from ancient Egypt, Israel, Rome and Greece down to the present civilizations, which including Nigeria. Although, corruption had always existed in one form or the other in Nigeria in the olden days, it was not so wide spread and pronounced as it is today. This paper examines the effects and challenges of corruption in Nigeria. The challenge of the offence of corruption in Nigeria is not for lack of legislation to check the endemic ailment, but rather, it is the lack of political will to faithfully apply and enforce the provision of the laws against culprit. There are several anti-corruption legislations in Nigeria to check its menaces. For clarity purposes, they include, the 1999 Constitution of the Federal Republic of Nigeria as amended, the Criminal Code, the Penal Code (these two are the first major penal statutes in Nigeria); the Money Laundering (Prohibition) Act, Public Complaint Commission Act, Code of Conduct Bureau and Tribunal Act, the Economic and Financial Crimes Commission (EFCC) Act, Corrupt Practices and Other Related Offences Act (CPROA), etc. Moreover, Nigeria has also ratified the United Nations Convention against Corruption which was concluded in Mexico City in the year 2003. Thus, it is safe to state that corruption thrives in Nigeria, not for want of necessary legal framework to check the menace but for want of political will by her leaders to cause the laws to be enforced without fear or favour, ill will or affection. The paper brings to light that corruption distorts the composition of government expenditure, increases the cost of doing business in Nigeria thereby lowers incentives to private investment and above all it displaces merit and excellence and ensures the enthronement of mediocrity in government. The paper also argues in detail that corruption is not a recent or modern phenomenon. It has existed from time immemorial.

Keywords: Corruption, Challenges and Effects.

I. Introduction

It is common today to lay blame of corruption in high and low places on the failure or inability of the government to meet the social, political and economic needs of its citizens. Corruption is regarded as one of the greatest and most cruel crimes the World has ever known, due to the attendant multiplier adverse impact it has on the people and the socio-economic development of any society. Those who are suffering the most from its grip and poison are the least to fight it: as their health and wellbeing, and their future has been stolen away Nuhu Ribadu (2009).

It is worrisome that corruption has continued to consume the bulk of Nigeria's resources in spite of the plethora of laws and all the rhetoric on the war against the evil practice. Annual budgets have grown from Millions to Billions and now Trillions of Naira, but this has not in any way translated to growth and development, nor reflected positively in the people's quality of life Nigerian Tribune (2012). The paradox is that the more moneys flow into the coffers of government, the higher the level of poverty engendered by corruption. It has been stated that;

"poverty in Nigeria rising with almost 100 million people living on less than \$(one US dollar) a day despite strong growth...the percentage of Nigerians living in absolute poverty – those who can afford only the bare essentials of food, shelter and clothing rose to 60.9 percent in 2010 compared with 54.9 percent in 2004" Yemi Kale (2012).

Applying the United Nations definition of a poor person in dollar terms, the commentator opined that 51.6 percent Nigerians were living below U.S. \$1 per day in 2004 but it increased to 6.12 per day in 2010 Yemi Kale (2012).

II. What is Corruption

It is now generally acknowledged that there is no universal definition of corruption and that the quest for definitions rarely produces unanimity among writers Osipitan and Oyewo (1999). The lack of unanimity in definition may not be unconnected with the hydra-headed nature of the ignoble practice-corruption. Be that as it may, a few examples of its attempted definitions may suffice.

The Oxford Advance Learner's Dictionary Sally Wehmeier (2005), defined it thus:

(1) (of the people willing to use their powers to do dishonest or illegal things in return for money or to get an advantage e.g. taking of bribe; and (2) (of behaviour) i.e. dishonest or immoral – to have a bad effect on somebody and make them behave in immoral or dishonest way. It includes dishonest or illegal behaviour, especially of people in authority. Dealing on the issue, Dimowo and Daudu (2010) stated that the word corrupts', denotes the impairment of a public officials duty by bribery. They went on, and stated that it is an act of gross impropriety.

Another author, Oniga Otite (1982) defines corruption as the perversion of integrity or state of affairs through bribery, favour or moral depravity.

Under the Criminal Code (2004), the definition of the offence of corruption revolves around the word, "corruptly" without specifically defining what amounts to "corruptly".

However, in *Biobaku V. Police NLR (1951)*, Bairamian J., gave the meaning of "Corruptly" and the intendment of Section 98 of the Criminal Code as:

"...the receiving or offering of some benefits, rewards or inducement to sway or deflect a person employed in the public service from the honest and impartial discharge of his duties; in other words, as a bribe for corruption or its price".

This definition of "corruptly" as defined by Bairamian J, was further expanded by an erudite scholar Adeyemi (2001), to cover situation of giving, offering or receiving gratification or bribe, or some other form of benefits like sexual favours, admission into clubs and societies and the conferment of Chieftaincy titles to mention a few.

On its parts, the World Bank defines corruption as:

The abuse of public office for private gains when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and negotiation, the theft of State assets or the diversion of State resources (Ayua 2011).

It is our humble view that the above definition to a large extent captures what corruption entails.

Thus, the Corrupt Practices and other Related Offence Act, CPROA (2003), prescribed that corruption includes bribery, fraud, influence peddling and other related offences. Specifically the Act under its Section 7 listed eleven (11) acts or omissions which amount to corruption as follows, Offence of accepting gratification; offence of giving or accepting gratification through an agent (Acceptor or giver of gratification to be guilty notwithstanding that the purpose was not carried out or matter not in relation to principal's affairs or business); fraudulent acquisition of property, offences committed through postal system; deliberate frustration of investigation by the Commission, making of false statements in return, gratification by and through agents; bribery of public officer; using office or position for gratification; bribery in relation to auctions and bribery by giving assistance etc with regards to contracts.

To Usman (2001) corruption means much more than public officers taking bribes, and gratification, committing fraud and stealing funds and assets entrusted to their care. It also includes the deliberate violations for gainful ends, of standards of conduct legally, professionally and even ethically established in private and public affairs.

Where as, Kayode Eso (2003), chose to adopt the definition of corruption given by Bishop Hugh Latimer, over four hundred years ago, where the clergyman said of it as follows:

"...a princely kind of thieving. They will be waged by the rich, either to give sentences against the poor, or to put off the poor man's cause. This is the noble theft of Princes and Magistrates. Let them leave their colouring and call them by their Christian name – bribes".

The learned jurist went on and stated that the description is as apt today as it was when the definition was given. According to the Jurist (of blessed memory), Corruption does not consist of only monetary gain. Its price especially in a society like ours, could range from money to position or even a juxtaposition (but not, it is usually a combination of the two) within the corridors of powers Kayode Eso (2003).

Osipitan and Oyewo (1999), criticizes the trend in the definitions of corruption which restricts it to only bilateral corruption i.e. bribery, thereby excluding unilateral corruption by public officers, who utilize insiders knowledge to award contract to themselves or to companies owned or controlled by them.

Thus, in his other work, Osipitan (2011). enumerated the types of corruption to include; collusive corruption (Omatseye Sam) where there is the planned co-operation of the giver and taker; extortion corruption, where there is forced extraction of bribes or other forms from vulnerable victims by those in authority, and

anticipatory corruptions, which takes the form of bribe or presentation of gifts in anticipation of favourable actions on the part of the recipient of the gift.

It is evident from the examples above that there is no unanimity among scholars in the definition of the term, corruption. What is however not in doubt is that the scholars are unanimous in their conclusions that corruption is evil, anti-people and anti-development. Hence, it is now commonly regarded as an economic crime because it impacts negatively on all facets of a country's economic growth and development Dimowo and Daudu (2010).

In spite of its prevalence in the Nigerian society and its harmful effect to the economic and social wellbeing of the people, it is by nature of low report ability Adeyemi (1999). In other words, there is dearth of reported cases on corruption in Nigeria.

This is attributed largely due to the fact that both the offender and the victim are criminally responsible for the crime unless the victim reports the offence without complying or complies in concert with law enforcement officials for the sole aim of arresting and prosecuting the offender. Thus, unless there is a complaint with legally admissible evidence, neither the Police nor the office of the Attorney-General can initiate proceedings in respect thereof Ani (2011).

In sum, corruption is not just about bribery, it includes mismanagement, incompetence, abuse of office, and inability to establish justice and uphold the rule of law Nuhu Ribadu (2009).

III. Anti Corruption Legislation in Nigeria

The challenge of the offence of corruption in Nigeria is not for lack of legislation to check the endemic ailment, but rather, it is the lack of political will to faithfully apply and enforce the provisions of the laws against culprit. This point was lucidly dealt with by Nuhu Ribadu (2009), when in lamenting what happened to the culprits in the famous Halliburton /KBR and the Siemen scandals in Nigeria, he said: "in Nigeria, the alleged culprits are going about their daily lives and even ruing government by default...what is lacking is the culture of enforcement. Enforcement blossom only where there is necessary political will and this political will must be strong at the very top. It must be emphasized that there is no place in the World where anti-corruption efforts and laws will succeed without political will. Without this will, the pressure on enforcement agents smothers their efforts and is destined to destroy the very agency saddled with the responsibility to lead the war against corruption"

As rightly opined by Ekpu Ambrose (2004), there are several anti-corruption legislations in Nigeria to check its menaces.

For clarity purposes, they include, the CFRN (1999), the CC (2004), the PC (2004) (these two are the first major penal statutes in Nigeria); the MLPA (2004), PCCA (2004), CCBTA (2004), the (EFCC) Act (2004), (CPROA) (2004), etc.

It is pertinent to emphasize that there are some other anti-corruption legislations directed specifically at certain persons or establishments such as the Civil Service Commission and other statutory bodies (Removal of Certain Persons from office) Act (2004), Recovery of Public Property (Special tribunals) Decree No. 3 of 1984, (2004) and the National Orientation Agency Act, No. 100 of 1993 (2004).

Moreover, Nigeria has also ratified the United Nations Convention against Corruption which was concluded in Mexico City in the year 2003 Dimowo F. And Daudu S.O., (2010-2012). Thus, it is safe to state that corruption strives in Nigeria, not for want of necessary legal framework to check the menace but for want of political will by her leaders to cause the laws to be enforced without fear or favour, ill will or affection.

However, it is remarkable to underscore the point that currently it is safe to say that the main anti-corruption laws in operation in Nigeria are the Corrupt Practices and other Related Offences Act (CPORA) and the Economic and Financial Crimes Commission (EFCC).

Specifically, the Economic and Financial Crimes Commission Act, under the provisions of its Section 6 thereof has the responsibility among other things, for the investigation of all financial crimes including advance fee fraud, money laundering, counterfeiting, illegal charge, transfers, future market fraud, fraudulent encashment of negotiable instruments, computer, credit card fraud, contract scam. etc.

It is pertinent to emphasize that the Economic and Financial Crimes Commission is the Coordinating agency for the enforcement of the provisions of the following Ani C.C. (2011).

- a) The money laundering Act
- b) The Advance fee fraud and other related offences Act,
- c) The failed Banks/ Recovery of Debt and Financial Malpractices in Banks) Act, as amended.
- d) The Banks and other financial institution Act, 1991 as amended
- e) Miscellaneous offences Act, and
- f) Any other law or regulation relating to economic and financial crimes, including the Criminal Code and the Penal Code.

Thus in **Ibori v. Federal Republic of Nigeria NWLR (2009)**, the Court of Appeal Kaduna Division, held that the Economic and Financial Crimes Commission is charged with the responsibility of co-ordinating the various institutions involved in the fight against money laundering and enforcement of all laws dealing with economic and financial crimes in Nigeria, Section 19(1) of the EFCC (2004) Act confers jurisdiction on the Federal High Court or the High Court of a State to try all such economic and financial crimes. It is noteworthy that under section 46 of the EFCC Act, economic and financial crimes means, the non-violent criminal and illicit activity committed, the objectives of earning wealth illegally either individually or in group or organized manner, thereby violating existing legislation governing economic activities of government and its administration and includes any form of fraud, narcotics, drug, trafficking, money laundering, embezzlement, bribery, looting and any form of corrupt practices, illegal arms deal, smuggling, bunkering and illegal mining, tax evasion, foreign exchange, malpractice including counterfeiting of currency, theft of intellectual property and piracy. Open market abuse, dumping of toxic wastes and prohibited goods, etc, EFCC (2004).

IV. Historical And Current Perspective

Corruption is not a recent or modern phenomenon, although, it has assumed a frightening dimension in recent times. It has existed from time immemorial. The Holy Bible's account shows that because of its evil impact on the society specific injunctions were prescribed against its practice(s). Thus, with respect to the appointment of judges in the Israel of old, the Holy Bible states thus:

"Appoint judges and officials for each of your tribes in every town your Lord God is giving you, and they shall judge the people fairly. Do not pervert the course of justice or show partiality. Do not accept bribe for a bribe blinds the eyes of the wise and twist the words of the righteous. Follow justice and justice alone, so that you may possess the land your God is giving you" KJV (2004).

Thus, the erudite authors, had posited rightly in our view, that corruption has been ubiquitous in complex societies from ancient Egypt, Israel, Rome and Greece down to the present civilizations Lopset S.M. and Lenz G.S. (2000), which including Nigeria. Although, corruption had always existed in one form or the other in Nigeria in the olden days, it was not so wide spread and pronounced as it is today. However, as pointed out above, it could be argued that corruption is not a native of Nigeria.

Thus in those days, it was possible for the ordinary folk, the farmer to place his products, e.g. yams for sale by the road side, outside his farm, without anybody to keep an eye there upon, and he knew the products were safe. In the evening he would go back there collect the money that had been left for those of his products which passers – by had in his absence, purchased and he would also collect the remainder Kayode Eso, (2003).

This assertion was ably substantiated by the comment of Chief Emeka Anyaoku (the then Secretary-General of the Common Wealth) in Harare, when he said:

"in those days, if a farmer who was used to producing during harvest time, only twelve lines of yams suddenly came out with one hundred, all the villagers would ask him how he had suddenly come to affluence, and deep eyebrows would be raised against him, until he had satisfactorily explained the sudden and honest attainment of wealth" Kayode Eso, (2003).

It has been suggested that a high degree of corruption began to be noticed in Nigeria with the emergence of the Colonial Masters and their administration. This of course, contradicts the commonly held belief in some quarters that 'corruption' is an African phenomenon. The Guardian (2005).

However, for many years now, corruption and corrupt practices become a major cankerworm that has eaten deep into every fabric of the Nigeria society transcending both public and private sectors Ani C.C. (2011). The categories of corruption are numerous, diverse and wide spread. It can be perceived in all areas of human endeavour and due to its encompassing nature; it has a very devastating effect on Nigeria economy and social development Ani C.C. (2011). No wonder the World Bank has identified it as the single greatest obstacle to economic and social development. <http://worldbank.org>. (2010)

To further quote Chief Emeka Anyaoku:

"In these days, the '..... riches' are never questioned as to the source of their wealth. The presumption is in fact that the source is dirty, but notwithstanding, he is accepted fully into the society and he is requested to make, and he is adulated when he makes some 'charitable contribution'. Indeed, the religious houses look upon him with prayerful admiration and tap his well-known dirty source, for their work, while divine protection is invoked upon him Kayode Eso, (2003).

Credence was further laid to the above, when Prince Bola Ajibola, the then the Attorney General of the Federation in the regime of Gen. Ibrahim Badamosi Babagida, while commenting on measures necessary for instilling merit, ethics and curbing of corruption in the Nigerian society, said:

"Corruption and other forms of economic crimes have since been on the upsurge. The alarming dimension taken by such crimes has not gone unnoticed. Consequently, at seminars, symposia and conferences the issue of corruption has continuously cropped up. In our acquisitive society, many people are rated in terms of what they own and not what they are".

The learned Attorney General went on:

“Social climbing based on illicit wealth is not frowned upon. Public office is regarded as a vehicle for acquiring wealth and unbridled affluence and not a merited avenue for rendering invaluable service to the nation for our collective good” Kayode Eso, (2003).

It need not be gainsaid that a common feature or occurrence today in Nigeria is that wealthy people are celebrated without regard to the sources of their wealth. Instead, they are more often than not rewarded by the award of several honours ranging from chieftaincy titles to academic Decrees and other laurels Dimowo F. And Daudu S.O., (2010-2012).

Presently, corruption is carried on in Nigeria with impunity. Fraud, embezzlements, over invoicing, illegal capital transfer, large scale banking fraud and theft of Nigerian crude oil to mention just a few is now the order of the day. While in the past the sum involve in such corrupt dealings were in “millions”, currently it is now in the “billions” and “trillions” of Naira. For instance, the Pension Reform Task Force was first reported to have uncovered the theft of ₦151 billion by officials of the office of the Head of Service of the Federation. This was followed by another report that 32 public servants and provide sector employees had been arrested for swindling Federal Government retirees of ₦67 billion. The sum of ₦12 billion stolen fund was traced to the account of a former Director while ₦4 billion was found in the account of a Deputy Director. Another Director (a female) stashed ₦2 billion cash in her house along with unspecified amount of foreign currencies. To perpetrate the fraud, the racketeers were collecting pensions for 258,000 instead of 141, 165 pensioners. Nigerian Tribune (2012).

The situation is so alarming that there is hardly a day that the electronic and print media do not contain news of one form of fraud, embezzlements, theft or the like. Apart from the admission of the Federal Government that about 400,000 barrels of crude oil is stolen daily (Iweala Ngozi Okonjo and Jonathan Goodluck Ebele) and the purchase of two (2) Armoured cars for ₦255 million by Nigeria Civil Aviation Authority (NCAA) for the Minister of Aviation which dominated the news for some weeks, there is also a report by the senate Committee that ₦500 billion SURE-P (Subsidy Reinvestment and Empowerment Programme) cash is found missing. So also were another allegation of ₦5.6 billion pension scam against Ex-Oyo State Head of Service (Alhaja Kudirat Adeleke) and 11 others over which the EFCC has preferred charges against them The Nation (2013). This is quite apart from the fraud of about ₦1.7 Trillion Fuel subsidy scam uncovered in the oil industry by the House of Representative Probe Panel of Nigeria National Petroleum Corporation (NNPC) in 2012. Apart from the publication of the names of companies and individuals allegedly involved in the fuel subsidy bazaar, not much in respect of prosecution of the culprits has been carried out till date. It would appear that the matter has since been swept under the carpet except for the charges preferred against very few person and companies among the lot by the EFCC, which cases has not produced any conviction till date.

Also recently, Dr. Ngozi Okonjo-Iweala, Finance Minister and Coordinating Minister of Economy revealed that the Federal Government he saved about ₦119 billion from ghost workers through the integrated Payroll and Personnel Information System (IPPIS) of 215 Ministries, Departments and Agencies (MDAs) with total staff strength of 153, 019 The Nation (2013).

The implication of this is that Nigeria has been losing ₦119 billion to ghost workers before the exercise leading to the discovery. Also, the Minister of Agriculture, Dr. Akinwumi Adesina has confirmed during “Agbeloba” Agro Business Forum, 2013, organized by Ekiti State Government that Nigerian leaders stole ₦776 billion out of ₦873 billion released for fertilizer subsidy between 1980 and 2010 The Nation (2013).

It has also been suggested that the volume of private funds stashed in foreign banks by Nigerians currently worth \$90 billion (U.S. dollars). According to the scholars The Nation (2013), a huge share of “private wealth” was financed by kick-backs from foreign loans, embezzlement of public funds and rip-offs of state owned companies. Furthermore, he stated that from 1977 to 2003, the private wealth of Nigeria stacked abroad on off-shore accounts is by far greater than her foreign debts of about \$40 billion (U.S. dollar) The Nation (2013).

The Nigerian situation is a most unpleasant and pathetic one. The Mo Ibrahim Index for African Governance (IIAG) has confirmed Nigeria’s decline in governance. Out of the 52 African countries rated by the Foundation (which assessment was based on governance, Safety and Rule of Law, Participation in Human Rights, Sustainable Economic Opportunity and Human Development), Nigeria occupied the 41st position, thereby falling below the African average of 51.6 percent. Its dismal performance, according to the report, was that Nigeria was ranked 13th out of 16 countries in West Africa The Nation (2013). This report came on the heels of the findings of Transparency International (IT), which had rated Nigeria the 10th most corrupt nation in the world The Nation (2013).

It is therefore safe to posit that Nigeria’s ranking by the two International Organizations is a manifestation of bad governance, poverty, pervasive corruption, economic mismanagement, and human right abuses, insecurity of lives and properties and social injustice being perpetrated by the political elites against the less privilege The Nation (2013).

"We don't need any external agency to tell us that there is massive, widespread all pervasive corruption, which has permeated all levels of government in the country...Corruption is the major cancer threatening the socio-economic and political health of this country" Bernard Briggs (2013).

The above position can easily be justified by the plethora of corruption and fraud related cases which are found in all level of government in Nigeria. For the avoidance of doubt, the following examples of such ugly scenario will suffice, namely, the fuel subsidy scam involving a mind-boggling sum of ₦1.7 trillion, the Police Pension scam involving ₦32.8 billion, and others too numerous to mention.

This is quite apart from corruption in the administration of justice, our electoral processes and employment into public and private sectors. There are hardly any personnel involved in the administration of justice, from the Police, to the Legal Practitioner (both private Practitioners and State Counsel), the non judicial personnel (such as Court registrars, Court Clerks and Bailiffs) and the Presiding Officers (Judges and Magistrates) who is free from the temptation to be corrupt or insulated from corruption tendencies. Ani C.C. (2011) had to a large extent dealt with the circumstances of corruption by the above categories of administration of justice personnel in here work, that it is needless to add that if drastic measures are not taken to stamp it out, the chances are that the ignoble act might escalate to an uncontrollable degree. This is because if the judiciary is not devoid of corruption the propensity for the citizens to have more regards for the law and the judicial process will be lacking. Such will portend great danger to the society and is capable of engendering chaos and anarchy. This is because, according to Justice Arthur Vanderbilt quoted by Abraham H.J. (1975).

"...It is in the courts and not the legislature that citizens primarily feel the keen, cutting edge of the law, if they have respect for the work of the courts, their respect for the law will survive the shortcomings of every other branch of government; but if lose their respect for the work of the courts, their respect for law and order will vanish with it to the great detriment of the society".

Thus recently, Okey Wali, admitted that corruption is the number one problem of Nigeria, whether by embezzlement of public funds, appointments in public and private sectors or by selective justice (prosecution and conviction) Okey Wali (2013) His fear, he said:

"Is not just the impunity with which corruption is practiced or that it is attaining the status of our way of life in the country, but that a corrupt legislature may endure; a corrupt executive may thrive; but a corrupt judiciary will die".

There is also corruption in our electoral process. The issue of electoral malpractices, rigging, snatching of ballot boxes, violence and thugs for purposes of gaining an advantage during the conduct of an election, ballot stuffing and swopping and alteration of figures in result sheets and all other things done or activities carried out illegally to obtain an undue advantage in an election, amounts to corruption. These are still common occurrence in our electoral system. As has been suggested, corruption makes democracy impossible because it subverts the will of the people. A select few with so much money and authority continue to steal elections (votes) and make a mockery of the notion of government by the people and for the people Nuhu. Ribadu, (2009). Nigeria, no doubt is a bad example of electoral theft, although, with the assumption of office of Professor Attahiru Jega, as the Chairman of the Independent National Electoral Commission, there had been some modest improvement in our electoral processes, but it is not yet good enough judging from some recent developments in some elections conducted in the country.

For instance the Nigeria Governors' Forum (NGF) held their election in the month of May, 2013 which Governor Rotimi Amaechi won with 19 votes against his opponent – Governor David Jang's 15 votes, but in a move that is against all logic, morality and mathematical calculation, the President, Dr. Goodluck Ebele Jonathan chose to recognize Governor David Jang as the Chairman of the Governor's Forum which had now led to the polarization of the Forum into two factions. This is a low mark to a President, who rode to victory on a seemingly popular majority of lawful votes and one must add that this is a bad harbinger for future elections in Nigeria. It is common knowledge, that unless, you are well connected or connected to somebody that is well connected, getting appointed by the public or private sector is nigh applicable in respect of gaining admission into our higher institutions.

It is on record that as at 2003, almost 100,000 barrels of crude oil was stolen daily and it is to the credit of the then EFCC under the chairmanship of Mallam Nuhu Ribadu with the active support of former President Olusegun Obasanjo, that the theft was reduced to 10,000 barrels per day Nuhu. Ribadu (2009). Unfortunately, this tempo could not be maintained by the government of President Goodluck Ebele Jonathan, as evidenced by the recent outcry by its government officials that the theft of crude oil had gone up to an embarrassing 400,000 barrels per day The Nation (2013). This, we say, without fear of contradiction is a big question mark on our security agents to effectively police our boarders and water ways and the ability of the current Federal Government of Nigeria to effectively perform one of its primarily constitutional responsibilities of security lives and properties.

This state of affairs is inimical, anti growth and development and must not be allowed to continue; otherwise it will eventually destroy the country.

It is the humble view of Akhabue (2014), that

One major problem in the Nigerian polity is the syndrome of “sacred cows”. Those who believe they are part of the “sacred cows” see themselves as above the law or put the other way round, not subject to the law. It is on this score that most highly placed individuals in Nigeria can do anything they wish and get away with it. These highly placed individuals cut across all strata of the polity. They could be in politics or business. The foregoing is what is referred to as the culture of impunity. The government itself is the worst culprit of this culture of impunity. Over the years, since the beginning of the current democratic dispensation, which was started by the former president Olusegun Obasanjo, the practice has been the total disregard to the principles of separation of powers and those of the rule of law.

The special adviser to the outgoing President of the Federal Republic of Nigeria on media and publicity, Dr. Reuben Abati said that the President had no regret over the state pardon he recently granted his political benefactor former Governor of Bayelsa State, Diepreye Alamieyeseigha who was convicted of corruption despite the public outcry that trailed the exercise since it was within the purview of his constitutional powers Akhabue (2014).

Agreed that it was within his power-but considering the public outcry in Nigeria, U.S and other countries in the world particularly those that are funding the anti-graft agencies in Nigeria such as Economic and Financial Crime Commission (EFCC) and Independent Corrupt Practices Other Related Offences Commission (ICPC), it is humbly submitted that he would have had a re-think on the matter or apologies to the world most especially when he is still being hunted for in Britain for money laundering and a letter was written to the Nigerian Government for his extradition Akhabue (2014).

V. Challenges and Effect of Corruption in Nigeria

The effect of corruption in Nigeria is numerous and devastating and cannot be completely and totally be enumerated as some are visible and others may not become clear presently as the impact may only revibrate and be felt in future. However for the avoidance of doubt, the following will suffice.

Dimowo F. And Daudu S.O., (2010-2012) rightly listed ten (10) points as stated here under as the effect of corruption on the Nigeria economy which is hereby adopted namely:

- i. Corruption distorts the composition of government expenditure.
- ii. It reduces real expenditure on operations and maintenance.
- iii. It lowers the quality of public infrastructures and services.
- iv. It reduces government revenue.
- v. It increases the cost of doing business in Nigeria thereby lowers incentives to private investment.
- vi. It influences and undermines the outcome of legal regulatory and electoral process.
- vii. It violates the social economic rights of the poor and vulnerable.
- viii. It displaces merit and excellence and ensures the enthronement of mediocrity in government.
- ix. It discourages richer nations from extending aids to less developed nations.
- x. It equally erodes the moral fabric of the society.

In addition to the above, it is germane to state that the consequences of corruption also include:

1. It erodes confidence on the government to do justice to all manner of person.
2. It promotes unemployment of qualified and capable persons.
3. It creates the class of the extremely rich and extremely poor.
4. It slows down economic and social-political growth of the country.
5. It has led to the death of countless number of persons e.g. some pensioners have died for want of payment of their pension which has been embezzled by some unscrupulous civil servants. Or deaths from road, water or air accidents due to failure to apply funds meant for maintenance of the road, water or air travel infrastructures, or lack of compliance in the management and maintenance of this important segment of our social infrastructures Dimowo F. And Daudu S.O., (2010-2012).
6. It has inflicted untold hardship and poverty on majority of the populace
7. It has made justice available only to highest bidders.
8. It lowers the reputation of Nigeria and Nigerians in the eyes of other nations and indeed within the community of Nations.
9. It has led to upsurge in crime rate.

Thus, inefficiency, capital flight, inflation, lack of investment, poverty, unemployment, low morality and closure and relocation of industries to other countries has become the order of the day, and direct consequences of corruption.

VI. Conclusion and Recommendations

It is abundantly evidence that Nigeria does not lack legislation against corruption, but it is with the prosecution and enforcement procedure against culprits that problems arise.

It is to the credit of former President Olusegun Obasanjo that during his tenure of office, some high profile government officials were successfully prosecuted. For example Tafa Balogun, former Inspector General of Police and some Ministers of the Federal Republic of Nigeria like Sunday Afolabi (of blessed memory) etc. This is not unconnected with the fact that the ex-President mustered the necessary political will to fight corruption. Although, the regime was criticized and alleged to have only fought such wars on corruption against its perceived enemies. But can it be said that the present government in Nigeria of President Goodluck Ebelle Jonathan has no perceived or real enemies? Or that those involved in corruption presently are the President's friends and so enjoy immunity from prosecution? Why can't he deploy the machinery of government in some way to fight corruption? It is because he lacks the political will to do so beyond mere rhetoric.

Also, the minimal sentence normally imposed by our courts in the few cases where conviction has been secured has also been criticized by public commentators rightly in our view. It is suggested that to deter corruption, maximum punishment under our laws should be imposed where conviction is secured. Nigeria can borrow a leaf from the Court in Ivory Coast which recently sentenced 15 convicts (high government officials) who embezzled hundreds of thousands of dollars from Cocoa and Coffee industries to 20 years imprisonment each and also ordered them to pay fines worth \$138m (£8m) to the government *The Nation* (2013). This is commendable and will no doubt serve as a deterrent to the public at large in that country.

It is further suggested that due to the widespread cases of corruption in Nigeria, the National Assembly should exercise its powers under Section 4 of the 1999 Constitution of the Federal Republic of Nigeria, to enact a Law, for the establishment of Special Courts to be known as Anti-Corruption Tribunals, which shall specialize on dealing only on corruption and other corruption related cases. This is so, because the regular Federal and State High Courts have more than enough of other matters to grapple with. Indeed one is inclined to believe that this may be the reason while many corruption cases in our courts have been pending in some cases for the past 6 – 8 years without reaching conclusion or judgement.

It is also suggested that there should be ethical revolution through awareness / enlightenment campaign by National Orientation Agency, Ministry of information and other anti-graft Agencies with a view to exposing the ills of corruption and corrupt practices. To this end, workshops, seminars, conferences and symposia should be organized at regular intervals to educate the Nigeria populace on the need to always play by the rule. Our courts should display uncommon courage by imposing maximum sentences where conviction is secured in corruption cases.

It is hoped that with the appropriate display of necessary political will by our leaders at every level and all other things being equal corruption if not eradicated will be reduced to a tolerable level.

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