

The Challenges Of Curbing Corruption In A Democracy: The Nigeria Experience

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Abstract: At fifty-eight (58) years of independence, Nigeria like most under-developed or developing countries is faced with several political, economic and socio-cultural challenges. Prominent among these challenges is the role of corruption in the nation-building. The fundamental question on 'how to curb this menace' remain unanswered. There is consensus that the measures taken by various governments to curb corruption and other related offences are unprogressive and stagnant. Critics posit that there is constant interference on the processes and agencies that bear the responsibilities of curbing corruption in the country. The perpetrators intention is to benefit family members, political party, religion and ethnic group of affiliation. This paper adopted Max Webber (1958) bureaucratic organizational model and the political approach, sociological approach and cultural approach on corruption. The paper critically examined and analyzed the challenges of curbing corruption in the Nigerian democracy and recommends that there should be a legislation to give financial and political autonomy to the anti-graft agencies. While the establishment of the anti-corruption agencies is commendable, the financing of the agencies is not commendable noting the magnitude of the task.

The paper further recommended the establishment of special courts on corruption across the federation with appointment of judges to be done by Nigeria Bar Association and National Judiciary commission.

Keywords: Democracy, Corruption, Institutions, Law, Conviction, Government

I. INTRODUCTION

Corruption has become a frequently use rhetoric in present Nigeria democratic dispensation. The concept is used by politician, the masses and all shade of the citizenry. Nigeria like most underdeveloped or developing nations is faced with several political, economic and socio-cultural challenges. Many of these challenges have been attributed to many factors. Prominent among the narratives by various shades of opinion is the role corruption plays in engendering these challenges. Many people use the word corruption to mean different things depending on the meaning they intent to convey. The problem of complexity in the use of the concept of corruption among the Nigerian populace was made evident in the responses to the use of the term by a former president, Goodluck Jonathan. The former president claimed that stealing is not corruption but rather should be seen as theft. He

argued that corruption is ambiguous. The statement was greeted with disapproval from several sections of the society with varying opinions on the subject placed on the front burner with the intent to having a lucid understanding or firm grip of the concept.

One major task that confronts us in this work is the need to have a clear, workable definition of corruption. Different authors and scholars have conceptualized it variously. Mahir (2010) posited that most definitions of the concept are influenced by the cultural background of the viewer. Corroborating this point is Tanzler (2007), who asserted that "corruption is primarily a problem of definition that differs from time to time, from place to place, and even between social groups of a single society". The culturally stigmatized use of the concepts has made it relatively applicable in different societies. On its relative use, Johnson (1985) suggests that while bribery is regarded with great aversion, in

some countries it is considered to be a norm. Going forward, having established the culture laden state of corruption, it is now imperative to outline the various definitions on the concept of corruption with the intent to having a harmonized position which will serve as workable definition for us.

The World Bank (1997) defines corruption as the abuse of public office for private gain. At the base of this definition are issues bordering on what constitute as public office and private gain. Though what is constitute public office may generally be known; but private gain is not obvious as it could individual, place and time. In this instance, the public office holder is not expected to use his/her office for private gain. Within the Nigerian context, public office holders are known to act in certain questionable way and create justification for their actions especially if it is skewed toward perceived personal interest.

Subsequent definitions by other scholars on the concept of corruption have often followed the attempt at explaining behaviours of public office holders and how such behaviours are aimed at private gain.

According to Sen (1999), corruption is a perversion or a change from good to bad and essentially involves the violation of established rules for personal gain and profit. Idike (2003), views it as a behavior which deviates from the formal duties of public role because of private gain or expectation of private gain. In the view of transparency international (TI), corruption is the abuse of entrusted power for private gain.

One of the obvious limitation of the above definitions is the tagging of corruption to public office holders and the ignoring of private and public corruption as categories of classifications of corruption. Mahir (2010) classified corruption under several categories. One of such categories is the private and public corruption; He suggested that, private corruption occurs in the private business and it is usually between corporate agents and stake holders. This implies that someone who runs a private business is not void of corruption. He viewed public corruption as the use or sale of government property for personal gain.

It is imperative to have an all-inclusive, workable definition that will be best suitable for examining corruption in Nigeria democracy. Such must include or consider Nigeria based perception to the phenomenon of corruption and must seek to erase the aforementioned limitation. For the purpose of this paper, we may choose to define corruption as any behavior that violates laid down code of conduct, constituted or normative by public and private office holders which amounts as betrayal of public trust and is aimed at satisfying certain parochial interest at the detriment of a larger section of the population and the organization.

The above definition besides serving as our caption for the concept of corruption in this paper also provides an answer for the question of victim and victimless corruption. For every corrupt behaviour, the victims are usually the masses and the organization. This implies that, when politicians steal, divert, launder, embezzle or act in certain favourable ways toward their acquaintances, party members and members of their ethnic or religious group, the consequences of such actions are borne by a large trunk of the population and institutions that are constantly degraded.

The concept of democracy has understood by various scholars and its application varies from one state to another. Two democratic societies may not practice democracy in same way. Some democracies are seen to be more advanced than others. America democracy is termed advanced, while Nigeria democracy which turns nineteen (19) years on 29th May, 2018 is termed nascent. Our preliminary understanding of the concept of democracy can be helped by the definition by Abraham Lincoln. Abraham Lincoln defined democracy as a government of the people, by the people and for the people. Scholars have provided further definition of the concept. Arifowose (2005) defined democracy as essentially a method of organizing society politically.

Democracy as a system of government differs from one place to the other. Despite the variances of existing democracies, certain attributes or characteristics mark or distinguishes democracy from other forms of government; Ifeanacho (2012), outlined some of the major principles that separates democracy from other forms of government. This are

- ✓ Government by consent
- ✓ Public accountability
- ✓ Majority rule
- ✓ Recognition of minority right
- ✓ Constitutional government
- ✓ Freedom of association
- ✓ Existence of opposition
- ✓ Upholding of civil liberty

Similarly, John Kennedy (2014), suggested five basic elements without which no community can call itself truly democratic. These elements are:

- ✓ Equality
- ✓ Sovereignty of the people
- ✓ Respect for human life
- ✓ The rule of law
- ✓ Liberty of law

In the subsequent paragraphs, we shall selectively discuss four or five of the principles outlined by the authors with the intention of understanding the state of democracy in Nigeria.

The principle of equality according to John Kennedy (2014), describes the idea of one man one vote irrespective of his/her socio-economic status. It also explains the right in chances of citizens to hold political offices and such right is not exclusive to certain class of citizen. This appears not to be the case in Nigeria democracy. Only a small section of the society has been recycling themselves in political offices. Many eligible and young people who would have like to hold a political office are forced to observe from the sideline as they lack the means to compete with older politicians. The “not too young” to run bill recently signed into law paves the way for younger persons to aspire for political office, but the concern is if such will have the financial strength to compete as nomination forms of frontline political parties run into millions of Naira. Another issue that challenges or negates equality in Nigeria democratic space is the continued marginalization of women in politics. Women hold quite an insignificant place in political appointment and elective office. A section of the society may argue that the culture of ethnic andreligious groups does not support the perception of women in politics, but the 13% (thirteen percent) affirmative action

for women have been ignored only to be used as part of electioneering rhetoric.

The principle of public accountability as outlined by Ifeanchu (2012) is almost inconsequential in Nigeria democracy. Do politicians feel they owe some explanation to the electorates? Can politicians be held responsible for their actions and inactions? Not until lately, due to the electoral reforms, many politicians see the role of the electorates as inconsequential in the electioneering process. The masses play little or no role in formulation of policies and are aloof to how budget is spent. As a result, politicians embezzle state funds not expecting that they would be held accountable to the masses.

The tenet of the rule of law is important to the survival of any democracy. To what extent do public office holder follow constitutional means or how committed are public office holders in obeying court rulings. The answers to the above questions will give us clue into understanding the extent rule of law is followed in Nigeria democracy. There have been several cases of abuse of court process and ruling parties have to bend the rules to favour their members leading to the weakening of several institutions including the judiciary.

A viable opposition in a democracy is also very important. The level to which the ruling party tolerates opposition is restricted. The winner "takes it all" culture among Nigeria politicians is the reason the oppositions are constantly decimated by the ruling party. It is obvious that cases of corruption involving opposition members are usually taken seriously and on the contrary corruption cases of members of the ruling party are treated with levity. This may also inform the reason most politicians from the opposition decamped to the ruling party in order to avoid harassment or prosecution. The outcome of the 2015 general election which was keenly contested between the All Progressive Congress (APC), formerly in the opposition and Peoples Democratic Party (PDP) formerly ruling party was followed with massive defection from the former ruling party into the party that won the election with some getting political appointment within weeks of decamping to the ruling party. One of the undoing of the party system within the Nigerian democracy is the monetization of politics. The smaller parties only watch from the sideline because they do not have the financial power to compete with the bigger parties. In Nigeria, the act of political mobilization and participation requires a lot of money as a result parties without "money bag politicians" may not be able to play active part in electioneering process. In the view of the big parties (APC, PDP), election is seen as war and a contest that must not be lost as such state resources and apparatus are used for the advantage of the ruling party.

Constitutional government according to Ifeanchu (2012) is also a key principle or tenet of democracy. The level of adherence to the constitutional provision goes a long way in determining the advancement of democracy in that society. As part of the constitution, are Statutes, Acts, and Bills establishing several institutions and agencies. These institutions are required to drive democratic practices. Ideally, democratic institutions are expected to maintain a good level of autonomy and are required to entrench democratic principles. This process is called democratization.

The focus of this paper is to investigate, if the attempt at curbing corruption in Nigeria budding democracy has been successful and also highlights some challenges faced by democratization institutions in the war against corruption.

II. THEORETICAL PERSPECTIVE

This paper adopted the bureaucratic organizational model by Max Webber (1958) and the political approach, sociological approach and cultural approach on corruption. The use of this model is predicated on the fact that the function of curbing corruption in a democracy is vested on institutions. These institutions are established by law which defines the extent of their powers, establishing rules and procedures, and to enjoy autonomy. Max Webber listed three types of authority under this model; they are, the charismatic, traditional, and the legal-rational authority. The first two are synonymous with ancient societies, while the latter is associated with modern societies. Farazmand (2009) posited that the webberian ideal bureaucratic organization is characterized by unity of command, clear line of hierarchy, division of labour and specialization, record keeping and merit system for recruitment and promotion and rules and regulation. Furthermore, he identifies the legal-rational and patrimonial as two types of bureaucratic. He viewed the legal-rational bureaucratic as institutions that are legally structured to achieve public goals rather than for private gain while the patrimonial bureaucracy is what is commonly practices in traditional societies. The former fits more into our explanation for curing corruption in a democracy as the legal-rational model of bureaucracy forms a framework on which anti-corruption institutions should run in a democracy.

Certain analytical approaches on the subject of corruption are also relevant to our study. These are the political, sociological and cultural approaches.

The political approach requires that irrational political system is a real cause of corruption. It also argued that the over-centralization of power is also a causative factor of corruption. Wade (1997) suggested that over-centralized top-down structure was responsible for corruption in India.

The sociological approach sees inequality as a major causative factor of corruption. Uslander (2005) outline the three ways inequality breeds corruption: (1) leading ordinary citizens to see the system as stacked against them (2) creating a sense of dependency of ordinary citizens and a sense of pessimisms for the future which in turn undermining the moral dictates of treating your neighbours honestly (3) By distorting the key institutions of fairness in society, the court, which ordinary citizens see as their protector against evil-doers, especially those with more influence than they have.

The cultural approach argues that certain cultures promote corruption. Tanzi (1995) suggested that firms in some countries are inclined to some forms of relationship that may engender corruption. In some cultures, in Nigeria personal relations, and relationship with members of one's ethnic group is of great value and such relationship could influence people when they hold public office.

Therefore, corruption in Nigeria can be attributed to the ongoing degradation of democratic institutions which leads to

the weakening of such and the failure of the political elites to entrench fairness, justice and equality as democratic principles.

III. DEMOCRATIZATION

Ifeanacho (2012), argued that democratization does not simply implies to democracy for the organization of political parties and elections. He posited that “democratization is more appropriately viewed as the institutionalization of democratic principles as part of everyday culture in a society”.

He captured it thus: “It finds expression in the channeling of behavioral patterns towards facts of community life from religion through the economy, marriage, family to politics. These institutions legitimize the activities of those who exercise authority. If these institutions are absent militarism might be misconstrued for democratization” – Ifeanacho (2012).

Similarly, Alumona (2010), suggested that democratization is a process that occurs over a period of time, where the state and the entire society significantly adopt democratic values in governance.

Understanding the state of democratization in Nigeria is very much relevant to explain the process of curbing corruption. Moshood Saka (2010) observes that democratization of Nigerian democracy is faced by many structured challenges. He argued that these challenges are historically linked to internal politics where democratic government often informed by major political actions for the process of institutional design among the political agents in federation of Nigeria. He further suggested that challenges of democratization and political development could be explained in the crisis that faced the first, second and third republics in which the military was a key player.

In Similar vein, Huntington (1991) had argued that a country’s political background in authoritarianism plays a role in her democratization process. This implies that, a look at the governments after independence will give us some understanding of the state entrenchment of democratic values in Nigeria.

Government regime	Democratic / authoritarianism	Duration	Basis	Comment
Civil rule	Democratic	1959 – 1966	Coup	Political crisis
Military	Authoritarian	1966 – 1966	Coup	Counter coup
Military	Authoritarian	1966 – 1975	Coup	Counter coup
Military	Authoritarian	1975 – 1979	Election	Transition
Civil rule	Democracy	1979 – 1983	Coup d’tat	Political crisis
Military	Authoritarian	1983 – 1985	Coup	Counter coup
Military	Authoritarian	1985 – 1993	Election	Political crisis
Military	Authoritarian	Six months	NIL	Palace coup
Military	Authoritarian	1993 – 1999	Election	Transition
Civil	Democracy	1999 – 2007	Election	Crisis/corruption
Civil	Democracy	2007 – 2011	Election	Crisis/corruption
Civil	Democracy	2011–Till date	Election	

Source: Moshood Saka (2010)

Table 1

The point to note is that, Nigerian democracy have been interrupted on some occasions by the authoritarian regimes and many of the actors of those regimes are presently key players in the present day Nigeria government. Some of these include: Olusegun Obasanjo (A former democratic president), Gen. Gbadamosi Babagida, Gen. Muhammadu Buhari, Gen. T. Y. Danjuma, Gen. Yakubu Gowon, Gen. Abdusalam Abubakar, Atiku Abubakar (An aspirant for 2019 election), David Mark (Former Senate President) and many other former and present government appointees, party leaders, former governors too numerous to mention. Bearing the foregoing fate, it will not be bogus to claim or assume that Nigerian democracy has some colouration of authoritarianism and has not achieved a significant level of democratization.

It is within this embryonic democratic state that we seek to discuss the challenges of curbing corruption.

IV. CURBING CORRUPTION IN NIGERIAN DEMOCRACY

The Nigeria type of democracy as stated earlier is not a fully democratized democracy. There have not been a full entrenchment of democratic institution and could be termed as an embryonic democracy. It is within the purview of this democracy that corruption is defined as any behavior that violates laid down codes of conduct, constituted or normative by public and private office holders which amount to betrayal of public trust and is aimed at satisfying certain parochial interest at the detriment of a larger section of the society and organization.

Our investigation and analysis was restricted to the fourth republic or contemporary Nigeria democracy which started on 29th May, 1999.

Presidents	Term of service	Political Party
Olusegun Obasanjo	29 th May 1999 – 29 th May 2007	PDP
Umaru Yar’Adua	29 th May 2007 – 5 th May 2010	PDP
Goodluck Jonathan	6 th May 2010 – 27 th May 2015	PDP
Muhammadu Buhari	29 th May 2015	APC

Table 2

During the period under review, two agencies have been prominent for curbing corruption in Nigeria. The Economic and Financial Crimes Commission (EFCC) and Independent Corrupt Practices Commission (ICPC).

V. THE INDEPENDENT CORRUPT PRACTICES COMMISSION (ICPC)

The ICPC became the first institutionalized effort at curbing corruption in the fourth republic. The Act of september 29, 2000 empowers the agency to curb corrupt practices and other related offences. The agency formally begins operation on 29th Sept 2001, with Hon. Justice M. Akanbi as Chairman.

The ICPC’s Act definition of corruption, includes bribery, fraud and other related offences. It also defines gratification, under section 8, to mean money, donation, gift, loan, fee,

reward, valuable security, property or interest in property being property of any description whether moveable or immovable, or any other similar advantage, given or promised to any person with intent to influence such a person in the performance or non-performance of his duties.

Section (6) of the corrupt practices and other offences Act stipulated the duties and responsibilities of the commission to investigate complaint and prosecute offenders. Highlighted in this section is the power of ICPC to examine the practices, system, and procedures of public bodies and where in the opinion of the commission, such practices, systems or procedures aid or facilitate fraud or corruption. It is also within its purview to advise and assist public or other agencies on ways by which corruption may be eliminated and the commission is also required to educate the public against bribery, corruption and other related offences.

The extent to which the commission is able to minimize corruption is a question of how effective it has been able to perform its responsibility in a democracy where institutions are not given their full autonomy and are often used as tools to suppressing opposing political interest.

A review of the performance of ICPC between October, 2000 to July, 2005 indicates the ICPC did not make significant progress in curbing corruption.

Index performance of ICPC (July 2005)

	Oct. 2000 Sept. 2001	Oct. 2001 Sept. 2002	Oct. 2002 Sept. 2003	Oct. 2003 Sept. 2004	Oct. 2004 July 2005	Total
Total petition received	264	365	367	451	399	1846
Petitions approved for investigation	20	185	439 ⁺	327	209	1180
Investigation concluded	11	19	17	16	17	80
Filed in court	4	10	13	8	14	49
Convictions won	0	0	1	0	0	1

Source ICPC (2006) in ASC – Vol. 1

+ Some petitions from previous years included
Table 3

Taking clue from the above table, ICPC received 1846 petitions in 5 years and could only complete investigation of 80(4.3%) with 49(2.7%) ending in court for prosecution. This points to the slow pace at which corruption is fought. It is arguable that some cases did not find their way to court as result of interference from certain political interest. At July, 2005 about 5 years of establishment only 2 persons were said to have been convicted, which is 0.05% of the petitions received during the period. Certain underlining factors may also not be ruled out, some of which shall be highlighted in subsequent paragraphs.

During a new brief, the chairman of ICPC Mr. EkpoNta, said the commission (ICPC) has secured two convictions since inception 10 years ago (The Nation 11 December, 2012).

A near 13 (Thirteen) years review of the effort of ICPC in curbing corruption may give us a better insight how the institution has thrived in its fight against corruption in the present democratic dispensation.

STATES	NO. FRAUD/CRIMINAL CASES	NO. CONVICTION
FCT	76	8
EDO	15	5
LAGOS	21	5
KOGI	2	1
KADUNA	3	1
OYO	14	3
NASSARAWA	7	3
TARABA	1	1
ONDO	11	5
JOS PLATEAU	6	1
OGUN	4	3
BORNO	6	4
CALABAR	1	0
BAUCHI	7	0
DELTA	12	4
NIGER	3	0
ILORIN		0
GOMBE		0
OWERRI		0
ENUGU	9	1
ANAMBRA	3	1
OSUN	2	0
KWARA	3	1
ADAMAWA	3	0
SOKOTO	1	0
ABIA	7	0
KATSINA	1	0
KEBBI	2	0
AKWA-IBOM	3	0
BENUE	4	0
EBONYI	4	0
ZAMFARA	2	2
IMO	2	0
RIVERS	4	0
CROSS-RIVER	11	0
KANO	1	0
TOTAL	251	49

Source: Author

Table 4

From the table above it is pertinent to state that the role of the ICPC in curbing corruption in a democracy is highly insignificant to the reduction of the menace. In about 15 years of its operation, the commission was only able to have 251 fraud (criminal) cases across the various federating units. In this figure only convictions within the region of 49 was obtained. This is an average of 3.3 convictions in a year. The FCT has the highest numbers of cases followed by Lagos and Edo with 21 and 15 respectively. The FCT also has the highest numbers of conviction and followed by Edo, Lagos and Jos Plateau respectively. States, such as Kwara, Niger, Imo, Abia, Katsina, Kebbi, Akwa-Ibometc did not record any case of conviction.

Based on the above findings, it is not out of place to suggest that, the fight against corruption by the ICPC is indeed a very slow one and shows signs of institutional weakness.

VI. ECONOMIC AND FINANCIAL CRIMES COMMISSION

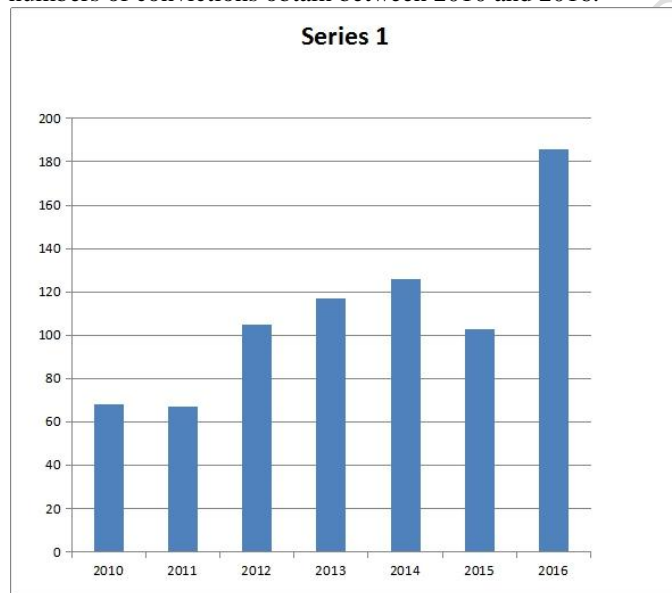
The EFCC was inaugurated on the 11th April, 2003, bringing the number of anti-graft agencies in the fourth republic to two. The agency is responsible for the investigation of all cases that fall within the mandate of the commission. Such cases include infractions that are contrary to the provisions of the commission’s enabling law; as well as a posse of other laws which the commission has direct responsibility for their enforcement. Some of the laws include the money laundering Act 2011, the advance fee fraud and other related offences Act 2006, the failed Banks (recovery of debt and financial malpractices in banks Acts and the miscellaneous offences Act”. Furthermore, its operation department comprises of the following: Advance fee fraud, Bank fraud, Economic governance, counter – terrorism and general investigation.

List of EFCC Chairmen

S/NO	NAME	DURATION
1.	NuhuRibadu	2003 – 2007
2.	Ibrahim Lamorde	2008
3.	Farida Mzambor Waziri	2008 – 2011
4.	Ibrahim Lamorde	2011 – 2015
5.	Ibrahim Magu	2015 – date

Table 5

The chart below is an attempt at understanding how effective the EFCC has been in combating corruption and the numbers of convictions obtain between 2010 and 2016.



Source: Transparency international.

Figure 1

The highest conviction was secured in 2016 (186) and the least was 2011 (67). Within a period of seven years, the EFCC secured 772 convictions. Between 2003 and July 2011, the EFCC was only concerned in investigating nationally, prominent political figures. During the period political elites were investigated under the leadership of NuhuRibadu, Ibrahim Lamorde and Farida Waziri and of the number only four (4) convictions were secured in eight years. These cases

are TafaBalogun vs EFCC, DepreyeAlamieyeseigha vs EFCC, Lucky Igbinedion vs EFCC and Olabode George vs EFCC.

Length of sentence	EFCC CHAIRPERSON	NAME OF FIGURE/PERSON	POSITION	MODE OF CONVICTION
6 months	Charged under NuhuRibadu	TafaBalogun	Former inspector general of police	Plea Bargain
2 years	Charged under NuhuRibadu	DiepreyeAlamieyeseigha	Former governor of Bayelsa State	Plea Bargain
no sentence	Charged under Ibrahim Lamorde	Lucky Igbinedion	Former governor of Edo State	Plea Bargain
2 and half years	Charged under Farida Waziri	Olabode George	PDP Chief, former NPA chairman	Convicted on trial

Analyzing the total conviction secured by the EFCC between 2015 and 2016.

Table 6

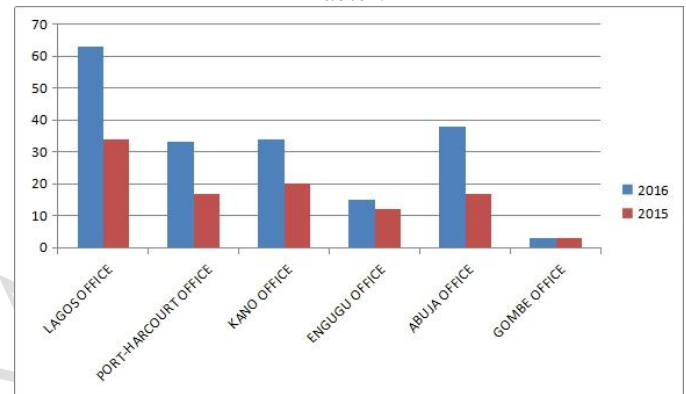
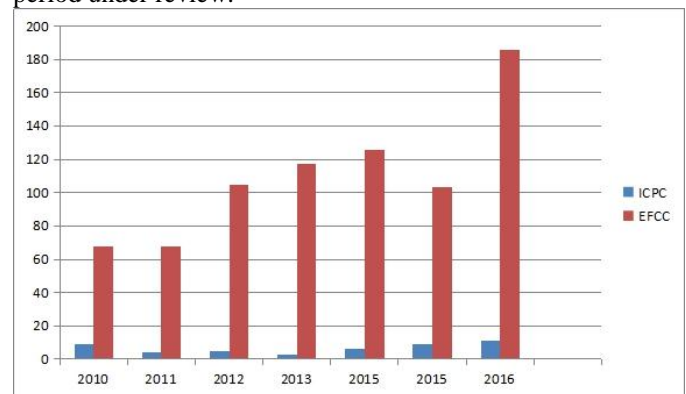


Figure 2

Of the total number of 289 convictions, the Lagos office of the commission secured the highest number of conviction in 2016 as well as highest in 2015. The FCT (Abuja) has the second highest number of convictions in 2016 and second highest in 2015. The Gombe office of the commission has the lowest number of conviction in 2015 and 2016. The Lagos office of the commission secured 33.9% of convictions in 2016 and 33% in 2015. The FCT office of the commission secured 20% of the convictions in 2016 and 16.5% in 2015.

In a seven year review of the operations of the anti-corruption agencies (ICPC and EFCC) between 2010 and 2016, the EFCC have secured more convictions within the period under review.



Source: Transparency International

Figure 3

From the above chart, the EFCC and the ICPC secured combined convictions of 819. The EFCC secured 94% convictions, while ICPC secured 6% convictions with the highest number of convictions secured by the EFCC and ICPC was in 2016 with 186 and 11 respectively.

One of the widely accepted indexes for measuring corruption is through perception. The corruption perception index by the transparency international formed the basis by which success in fight against corruption is measured. The transparency international was established in 1995, and after its inauguration, the organization has been involved in facilitating research into causes and consequences of corruption.

The Corruption Perception Index (CPI) is widely accepted among countries as it helps to raise awareness about corrupt activities in various countries. The Corruption Perception Index (CPI) ranking from the period of inception of the anti-corruption agencies in Nigeria will be informative in accessing the progress made by these agencies in curbing corruption in Nigeria democracy. "The CPI is based on a weighted average survey (It consists of credible sources using diverse sampling frames and different methodologies) of varying sources; such as the Asian Development Bank (ADB), World Bank (IDA and IBRD), African Development Bank (EPIA), Political and Economic Risk Consultancy (PERC), United Nations Economic Commission for Africa (UNECA) and World Economic Forum (WEF), the CPI rankers countries on a scale from zero to hundred; where 100 is low corruption) and 0 is high corruption".

REVIEW OF NIGERIA CORRUPTION RANKING AND CORRUPTION PERSPECTIVE INDEX (CPI) BETWEEN 1996 – 2017.

YEARS	ICPC CONVICTI ONS	EFFCC CONVICTIO N	CPI	RANKI NG POSITI ON	NO. OF COUNT RIES
1996	-	N/A	6.9	54	54
1997	-	N/A	17.6	52	52
1998	-	N/A	19	81	85
1999	-	N/A	16	98	99
2000	-	N/A	6	90	90
2001	-	N/A	10	90	91
2002	0	N/A	16	101	102
2003	2	N/A	14	132	133
2004	0	N/A	16	144	146
2005	0	N/A	19	152	159
2006	7	N/A	22	142	163
2007	4	N/A	22	147	180
2008	6	N/A	27	121	180
2009	7	N/A	25	130	180
2010	9	63	24.00	134	178
2011	4	68	24.49	143	183
2012	5	105	27.00	139	176
2013	5	105	25.00	144	177
2014	6	126	27.00	136	175
2015	9	103	26.00	136	168
2016	11	186	28.00	136	180
2017	N/A	N/A	27.00	148	180

SOURCE: (Author's compilation).

Table 7

There is no data on the total number of convictions secured by EFCC between the period 2003 and 2009 even though claims were made by the commission. As earlier highlighted, within this period the commission mainly focused

on highly placed persons of which four (4) convictions were secured.

Taking a clue from the table above, Nigeria had her lowest CPI in 1996 and 2002, While her best CPI rating was in 2016 with 28/100. In 2016, Nigeria anti-corruption agencies secured the highest number of convictions; the ICPC secured 11 convictions while the EFCC had 186 convictions. The corruption ranking within this period was one of the best; Nigeria was ranked 136 out of 180 countries. On the contrary, the country witnessed one of her worse corruption ranking in 2017; 148 out of 180 countries. The country has not made any progress according to the ratings by transparency international in terms of the CPI and corruption rankings. The fact that Nigeria was recording an upward progression in the corruption ranking such 90, 101, 132, 144 etc even after the number of countries surveyed by the Transparency International increased from 91 to about 180 shows that corruption is growing on a progressive scale. There is also no significant difference in the CPI figures. The difference between the 2010 CPI rating (24.00) and 2017 rating (27.00) is + 3.00. This progress is not significant for any government who claims to be fighting corruption and has two anti-corruption agencies mandated to curb corruption in the public and private sector.

VII. CHALLENGES OF CURBING CORRUPTION

From the forgoing analysis it is clear that the attempt at curbing corruption by the anti-corruption agencies have not recorded significant success. The fight or war against corruption is not adequately fought and have not yielded any significant progress. The failure can be attributed to several factors.

From the work of David Emweremadu (2012); "Anti-corruption agencies and the challenge of capacity", four factors that have hindered the attempt at minimizing corruption can be distilled. These are:

- ✓ Poor funding
- ✓ Insufficient manpower
- ✓ Weak judiciary
- ✓ The political class

The challenge of underfunding of anti-corruption agencies has greatly affected the capacity of these agencies to combat corruption. Data available between October, 2000 and July, 2005 shows that the ICPC has been underfunded and insufficiently staffed.

Years	Budget proposed by ICPC	Amount released	Percentage released	Staff
Oct 2000 Sept 2001	2.558 billion	990 million	38%	137
Oct 2001 Sept 2002	9.027 billion	415 million	46%	261
Oct 2002 Sept 2003	1.652 billion	410 million	24.9%	293
Oct 2003 Sept 2004	943 million	497 million	52.7%	294
Oct 2004 July, 2005	1.208 billion	262 million	21.7%	271

Source: DavidEmweremadu(2012)

Table 8

From the above table, between October, 2000 and September, 2001 only 38% of the fund proposed in the budget was released which is less than average. Similarly, 410 million was released in September, 2003 representing 24.9% of fund proposed in the budget twelve months earlier. This highest fund released in the period reviewed was in September, 2004 (52.7%). Within this period the agency was also understaffed. An agency with the mandate to curbing corruption in a nation with over 150 million people can only boast of about 155 staff which is grossly insufficient to tackle this malaise. This has in no doubt hampered the war against corruption.

Things are also not different with the EFCC. The commission boasts of about 2,500 staff strength and a yearly budget of about 15 billion which is not completely released to the commission in the fiscal year. For instance, in 2017 fiscal year, 17.2 billion was allocated to the commission with only 9.3 billion released which is 54.1% of the amount budgeted.

Another challenge confronting the fight against corruption is the weakening of democratic institutions. Beside the degradation of the EFCC and ICPC through poor funding and political interference, the Judiciary has also had its share of the challenges. Within a democratic society, the Judiciary is viewed as one of the most important institution for curbing excesses and entrenching the rule of law. Concerning the weak state of the institution in Nigeria democracy, David Emweremadu (2012), argued that Nigeria courts, especially at the lower levels are notorious for corruption, perversion of justice, snail speed trials and political interference. The consequences of this is that, several court cases will be slowed down and cases even abandoned by the anti-corruption agencies over time and corrupt individual sometimes taking advantage over the apparent loopholes in the laws establishing these agencies goes scout free. This also point to the fact that the legal framework for fighting corruption in Nigeria is weak.

Fourthly, the negative impact of the political class on the process of curbing corruption cannot go unnoticed. There is a constant interference on the judiciary on one hand and the ICPC and EFCC on the other hand. This is a common practice among political elites. David (2012) capture the situation as follow: "any close analysis of the EFCC's record will reveal one glaring anomaly: an apparent difficulty in obtaining conviction of political figures, whether appointed or elected, serving or retired. This in spite of the preponderance of this group in the anti-graft body's investigations. Many people in Nigeria will easily point to the fact that political elites are often wealthy people, who can afford to hire the best lawyers and wage protracted legal battles with anti-corruption agencies. In a judicial system riddled with technical loopholes, it is not difficult to see why these individuals often escape justice"

VIII. RECOMMENDATION

From the forgoing analysis, the following recommendations were made.

- ✓ The legislature should work out a means to give financial and political autonomy to the anti-corruption commissions and the Judiciary
- ✓ Special courts on corruption trial should be established across the thirty-six states with appointment of judges to be done by the Nigeria Bar Association and National Judiciary Commission.
- ✓ The legal framework for fighting corruption by these agencies should be reviewed and also well-funded.

REFERENCES

- [1] Africa check (2014). Is president Jonathan right to claim most corruption is just stealing. Retrieved from <https://africacheck.org>. august 13th.
- [2] Alumona (2010), Politics of Democratizations in Nigeria: are the people involved? Journal of Sustainable Development in Africa. Vol. 12, no. 7 Clarion University of Pennsylvania.
- [3] David Emweremadu (2012), Anti-corruption Campaign in Nigeria, 1999-2007. French Institute for Research in Africa. West Africa politics and Society Series. Vol. 1.
- [4] Farazmand (2009), Bureaucracy and Administration. CRC
- [5] Huntington (1991), The Third Wave. Norman University of Oklahoma Press
- [6] Ifeanacho (2012), The Nigerian Culture: An Institutional Approach. Master Piece Resources, mile 1, Diobu, Portharcourt.
- [7] John Kennedy (2014), Democracy and National Integration; Appraising the Challenges of Nigeria from 2003 to 2011.
- [8] Johnson, H.L. (1985). Bribery in International Markets: Diagnosis, Clarification and Remedy. Journal of business Ethics pg. 447-455
- [9] Mahir. K (2010), The Nature, Causes, Consequences, and Mitigation Of Corruption: a New Paradigm and Role for Accounting. Press, Taylor & Francis Group, Boca Raton.
- [10] Sen (1999), Development as Freedom. New York, Anchor Books.
- [11] Tanzi (1994), Corruption, Governmental Activities and Markets. International Monetary Fund (IMF). Working Paper No. / 94/99
- [12] Tanzler, D. (2007), Cultures of Corruption: an Empirical Approach to the Understanding of Crime. Working Paper No.2 Sixth Framework Programme of The European Commission.
- [13] Uslaner (2004), Trust and Corruption. M. lambsdorf, Tanbe, and Schramm (eds), The New Institutional Economics of Corruption, Routledge, London, 76-92
- [14] Wade (1997), In Corruption in Post Reform China a Social Censure Perspective. Jiang G. 2017, viii, 237 pg. 25.
- [15] World bank (1997). Helping Countries Combat Corruption. The role of the World Bank, Washington, D.C.