2020

**AFE BABALOLA UNIVERSITY, ADO EKITI**

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**MATRIC NO: 19/SCI07/002**

**COURSE: COMMUNICATION IN ENGLISH II**

**COURSE CODE:**

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Corruption and Abuse of Office in Nigeria.

***“The evil of corruption reaches into every corner of the world. It lies at the heart of the most urgent problems we face — from economic uncertainty, to endemic poverty, to the ever-present threat of radicalisation and extremism.”***

***— David Cameron, Former Prime Minister of the United Kingdom*** ***at the Anti-Corruption Summit in London back in 2016***

**Abstract**

This paper will be discussing the issue of corruption and abuse of office in Nigeria. It will discuss the origin and root cause of corruption in Nigeria, how it affects all facets of the country including its economy, development and its standing amongst other countries. The criminal repercussions of the offence of corruption will also be addressed as well the importance of allotting punishment on all those guilty of the offence of corruption and abuse of power in the line with the legal theory of deterrence and incapacitation. *La pièce de résistance*, the paper will then answer the question as to whether it is possible to have an ideal society absent of corruption and abuse of power in Nigeria. The paper will be making use of the criminal code, penal code and criminal law of Lagos state to support its accretions.

**Introduction**

Corruption and abuse of power is a phenomenon common to all nations of the world. This involves some advantage inconsistent with official duty and the rights of others[[1]](#footnote-1) and conferring improper benefits contrary to legal and moral norms, and which undermines the authorities’ capacity to secure the welfare of all citizens. Unfortunately, this has become a plague on the auspicious state of Nigeria and has grown beyond the control of existing and past governments.

**Origin and root cause**

In precolonial Nigeria what is now rampant in the society of Nigeria today was nowhere to be found as the country was ran strongly on ethical values sometimes packaged in spiritual terms, and had strong systems of checks and balances imbedded in their culture *(e.g. Oyo-mesi the king making body, acted as a check against the abuse of power by the Alaafin (the Oba) or the King of Oyo.)* but with the end result of ensuring social justice and compliance. However, this was not the case with the coming of colonialization as the British rule introduced systemic corruption on a grand scale. The repudiation of indigenous values, standards, checks and balances and the pretensions of superimposing western structures destabilized the well-run bureaucratic machinery previously in existence across pre-colonial Nigeria. Indirect rule turned leadership in Africa into a corrupted enterprise where instead of holding power in trust for the people, the rulers held power in trust for the colonial authorities. Government became an antagonistic platform for forcefully extracting obedience from the people. Similarly, the citizens played the part of paying bribe in order to avoid harsh punishment. More so, the immediate military regime was no exception as post-colonial police and military were designed to inflict terror on innocent citizens, and citizens had internalized the art of buying their way off unwarranted harassment therefore not only affecting the integrity of the government and enforcement bodies but also that of the citizens as well as consequently weaving a web of corruption and abuse of power. And so, one can say that the root cause of corruption in Nigeria is an internal one deeply based in the systematic and bureaucratic machinery of the country as well as in the culture and natural behavior of the typical Nigerian citizen in order to secure survival in such harsh conditions and so the solution in not only in the government but the citizen.

**Effect of corruption and abuse of power on the people of Nigeria, the economy, development and international image of Nigeria**

Corruption is a tumor that has eaten deeply into the fabric of Nigeria polity. The general global perception about graft in Nigeria is that it is generally acknowledged that corrupt practices are endemic and systemic in both public and private sectors of Nigeria. From the forgoing it is evident that corruption undermines the country’s integrity and security. It also poses serious developmental challenge being responsible for the poverty of the populace. Public resources meant for the development of all ends up in few hands, the nation pays the price. This has resulted to absence of social amenities such as portable water, electricity and good roads. The populace becomes demoralized and become willing tools to be used as sabotages to the state. It has led to the extinction of institutions of national significance and pride such as Nigerian Airways, National Shipping Lines, Steel Rolling Mills, Nigerian Telecommunication Limited, car assembly plants etc.

Nigeria suffers more than most societies from an appalling international image created by its inability to deal with bribery and corruption. For example, the 1996 study of corruption by the ***Transparency International and Goettingen University*** ranked Nigeria as the most corrupt nation among the 54 nations on the study ***(Oyebode, 1999***). Also, in the 1998 ***Transparency International Corruption Perception Index (CPI)*** survey of 89 countries, Nigeria was ranked 81. Worse still, in the 2001 ***Corruption Perception Index (CPI)*** survey of 85 countries, the image of Nigeria slipped further down, as the ***Transparency International Corruption Index*** 2001, ranked Nigeria 90 out of the 91 countries studied (second most corrupt nation in the world), with Bangladesh coming first. This affects the international image of the country and causes other foreign nations to stigmatize and isolate it.

More so, this puts the citizens in a state of pseudo poverty as was wisely said by Costello (Nov/Dec, 2001) at a European Commission (EC) meeting in support of Nigeria’s anti-poverty efforts. *“Nigeria has enough money to tackle its poverty challenges. If the government can win this (its) battle against corruption and mismanagement, the money will start to turn into functioning schools, health services and water supply, thus laying the foundation to eradicate poverty*” (Dike, 2005)

**Criminal repercussions and theory of deterrence and incapacitation**

Under the Nigerian criminal law, the act of corruption and abuse of power constitutes an offence. Acts such as bribery, fraud, embezzlement, extortion; fraudulent false accounting, forgery of official documents etc. are considered as offences. For example, ***Sections 98, 98A, 98B, and 98C of the Criminal Code*** deals with all cases of bribery therefor making it an offence to offer a bribe and accept a bribe on behalf of oneself or any other on account of anything done or to be done afterwards or omitted, or any favour or disfavour already shown to any person by the public officer in the discharge of his official duties. This provision is *pari materia* with that of***section 115 of the Penal Code.*** More so, any public officer is guilty of official corruption and is liable to imprisonment for seven years. The importance of allotting such punishments to individuals as well as government officials guilty of such act is one which cannot be over emphasized. This is not just to incapacitate such persons and isolate them from the society in order to purge the society of such infectious acts but also to deter potential assailants.

**Recommended solutions**

First and foremost, in order to change the corrupt ways of the country the citizens themselves need to be orientated and need to generally refrain from all aspects of corruption; even on a small scale. They must learn to respect the rule of law as well as the systematized mandate in bureaucracy. As was rightly said by G. Edward Griffin “*to oppose corruption in government is the highest obligation of patriotism.”*

Secondly, the enforcement system against corruption needs to be strengthened such as ***Economics and Financial Crime Commission (EFCC****)* to fight money laundering, the ***Independent National Electoral Commission (INEC)*** for election-related corruption, and the ***independent Corrupt Practices Commission (ICPC)*** to be the proper watch dogs for such practices.

Thirdly, alleviate the scourge of corruption, Nigeria must hold politicians accountable for their actions, and have effective judiciary and law enforcement to monitor the financial statements of foreign and local cooperations.

**Conclusion**

The question that has pondered on the minds of many is whether Nigeria can truly be redeemed and have an ideal society devoid of corruption. For one, it is impossible to completely remove such a phenomenon as all utopias are dystopias. Corruption still plagues some of the most developed countries, however it can be reduced to a minimalistic state as such countries. This can only be possible if the transparency becomes a culture amongst the members of the government and the people yearn to live in a corrupt less society and so refrain from it themselves; only then can the state of Nigeria change.

* **References:  
  Black’s Law dictionary**
* **Criminal code, Penal code**
* **Criminal law in Nigeria, by Okonkwo and Naish**

1. Black’s Law Dictionary [↑](#footnote-ref-1)