Journal of African Political Economy and Development | ISSN 2518-847X | Volume 3 | December 2018

Innovative anti-corruption measures and institution building in Nigeria

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Abstract

One of the major factors stymying anti-corruption war in Nigeria is institutional weakness. However, anti-corruption war witnessed the establishment and implementation of innovative measures towards addressing this critical area in recent time. These include the Presidential Advisory Committee on Anti-Corruption (PACAC), National Prosecution Coordination Committee (NPCC), Administration of Criminal Justice Act (ACJA), Treasury Single Account (TSA), Freedom of Information Bill (FoIB) and Whistleblower policy. While ACJA is to ensure speedy delivery of judgment by removing some technical impediments, TSA has succeeded in streamlining all government accounts into a single account, thereby blocking leakages and illicit access to government funds. So far, TSA has saved the Nigerian government over 4.6 trillion Naira (US$146 million). Whistleblower policy has also led to the recovery of about US$160 million and 8 billion Naira (USD$252 million) in looted funds. The FoIB empowers the citizens to scrutinize government activities. Added to these is the rejigging and energization of the hitherto enervated anti-corruption agencies. Expectedly, issues bordering on the institutionalization of anti-corruption fight have attracted the attention of scholars with insightful analyses. However, there has to date been little systematic evaluation of the newly introduced innovative anti-corruption measures within the framework of the existing institutions deploying to fight corruption. This article investigates the effectiveness or otherwise of innovative measures within the institutional framework. Using qualitative method, this article finds evidence that sustainability and perdurability of anti-corruption fight remain a challenge as the fight is built around and personified by individuals occupying the office at one time or the other.

Keywords: Corruption, Anti-corruption Measures, Institutions, Development, Nigeria.

1. Introduction

Analysis of corruption in Nigeria should begin by making incursion into how and why people engage in corrupt practices. This is because despite the awareness of the destructive tendencies of corruption, it remains ubiquitous in the socio-political and economic life of the Nigerian society. Acts of diversion of public resources, business and investment capital, and foreign aid contribute to a reckless enervation of the country's public institutions and the degradation of basic services (Hoffmann & Patel, 2017). Its enmeshment in Nigeria somewhat foists on its public perception a toga of innocuous pathogen, yet, its sting is so harmful, so much that it has rendered the Nigerian state weak, soft and incapable of delivering the simplest social services to its teeming population (Arowolo & Akinola, 2018; Arowolo, 2015; Enweremadu, 2010).

The problem of corruption is arguably one of the most debated issues in the world. In the last three decades, international focus has been on the challenges of corruption, which have remained a serious and significant global issue throughout the millennia. In recent times, the international community has recognized its damaging effect by codifying fight against corruption as one of the high points of the 2030 Agenda for Sustainable Development (Hoffmann & Patel, 2017; NBS, 2017). Corruption is the bane of any society aspiring for socio-political stability and economic sufficiency. It stifles entrepreneurship, hinders innovation, contaminates professionalism, erodes the values of hard work and degrades honesty. This is why it is regarded as the bane of development of any society harbouring it (Hoffmann & Patel, 2017; NBS, 2017; Arowolo, 2015). Literatures abound on the different possible causes of the flagrant graft that exists in Nigeria (Arowolo & Akinola, 2018; Omorotionmwan, 2017; Arowolo, 2015; Egharevba and Chiazor, 2012; Ogbeidi, 2012; Ogundiya, 2009; Enweremadu, 2010). Some blame greed and ostentatious lifestyles as a potential root cause of corruption, while others believe it is a function of customs and attitudes of the society, and yet some others feel it is a product of political environment that has been hijacked by the rich and the powerful, which has become subject of negotiations among the highest bidders (Omorotionmwan, 2017; Ogundiya, 2009). Despite the variations on the causes of corruption in Nigeria, there is a general consensus that it is a problem that has to be rooted out.

The 2017 corruption survey report released by the National Bureau of Statistics (NBS) revealed that corruption in Nigeria cuts across every segment of her national life and it is voted by Nigerians that were surveyed as the third most important problem after high cost of living and unemployment, the two being

the consequences of corruption itself. In this vein therefore, corruption is the most important problem currently facing Nigeria (NBS, 2017). According to the survey titled: "corruption in Nigeria: bribery: public experience and response" The 2017 National Corruption Survey revealed that 46.4 per cent of Nigerian citizens paid bribes to police officers, 33 per cent paid bribes to prosecutors, 31.5 per cent to Judges and magistrates and 26.5 per cent paid bribes to custom officers (NBS, 2017). These data figures validate the claim that corruption in Nigeria is pervasive and does not exclude any area of her national life.

The pervasiveness of corruption in Nigeria makes its conceptualisation and operationalisation a matter of expediency for the purpose of coming to grips with the salient issues that are raised hereafter. Corruption as a concept seems difficult to define. Different scholars have operationalised the subject-matter (Arowolo & Akinola, 2018; Eigen, 2017; Kaufamann, 2001; Ladipo, 2000; Lipset & Lenz, 2000). Ladipo (2000) defines corruption as the misuse of office for unofficial ends. He adds that, the act is not limited to bribery, but also include extortion, influence peddling, nepotism, fraud, the use of "speed up" (money paid to government officials to speed up their consideration of a business matter falling within their jurisdiction), and embezzlement. Eigen (2017) and the World Bank (1997) define corruption as the use or misuse of entrusted power for private gain. According to Eigen (2017), corruption takes many forms, from bribes to extortion to patronage. Corruption flourishes where there are few or weak institutional checks on power, in a situation where decision making is obscure civil society is weak and is itself overwhelmed by perversion of the norms, and where poverty is widespread. Corruption has real political, economic, and social costs. It is an obstacle to democracy and the rule of law. It keeps and makes countries poor because it diverts public funds and drives away foreign investment. The manifestation of endemic corrupt practices causes citizens' apathy and mutual distrust between the government and the governed.

Lipset and Lenz (2000) define corruption as an effort to secure wealth or power through illegal means. Kaufmann (2001) avers that corruption is the abuse of public power for private benefit. Operationalising corruption, Kaufmann conceives acts of corruption to include bribery and extortions, which necessarily involve at least two parties and other malfeasances that a public official cannot carry out alone including fraud and embezzlement. According to him, corruption manifests in governmental activities through the "appropriation of public assets for private use and embezzlement of public funds by politicians and high-level officials." Corruption as used in this study is the abuse of public office, trust,

or authority by conferring undue benefits (economic, political, administrative and social) on oneself or third party contrary to statutory provisions and code of ethics for public servants such as offering and or collecting bribes, inflation of contract sum, over invoicing of supplies, tampering with payment vouchers, nepotism, unofficial use of public assets, electoral malpractices etc (Arowolo & Akinola, 2018).

Scholars have dwelt on the conceptualisation of corruption and have come up with a lot of postulations on the causes, effects, manifestations and consequences of corruption, but what perhaps has been glossed over is the subjection of new innovative measures to scholarly scrutiny with a view to finding out if those measures newly introduced and established have impacted on the war against corruption in Nigeria. In order to achieve this, the study raises the following questions: how do the newly introduced innovative anti-corruption measures enhance anti-corruption institution-building in Nigeria? How effective are those measures? What are the challenges and the prospects?

2.Theoretical analysis of innovative anti-corruption measures in Nigeria

Theoretical analysis of innovative measures of anti-corruption in Nigeria is presumed on the fundamental thesis of institutional theory. The theory provides explanations for approaches adopted and deployed towards fighting corruption in Nigeria and factors that encouraged corruption, including reasons for its virulent entrenchment. Institutional theory has been used by scholars and researchers to explain the historical relevance of institutions, how they are influenced by the environment and how they, in turn, influence the environment, how behaviours are shaped in conformity to the dictates of the established institutional norms and how they handle diversionary pressures against the discharge of their core mandate (Lawrence & Shadnam, 2008; Scott, 2008; March & Olsen, 1996; Hall & Taylor, 1996; Kato, 1995; DiMaggio & Powell, 1983). Institutions, perceived as enduring rules, practices and structures, set conditions on actions that are fundamental to explaining the socio-political world thereby creating identity for itself (Lawrence & Shadnam, 2008). It was Max Weber and Émile Durkheim who first attempted at theorizing what institutions were and how they influenced action and structure. The upsurge in the attention devoted to what later became known as neo-institutional theory could be attributed to the work of Meyer and Rowan (1977) and DiMaggio and Powell's (1983). Institutional theory attempts analysing structures of rules, norms, and routines as authoritative guidelines for social behaviour (Peters, 2008). It investigates how these frameworks are created, diffused, adopted, and adapted over space and time (Peters, 2008).

There are seven known versions of institutionalism (Peters, 2008; Powell, 1983; Meyer & Rowan, 1977). They include: sociological institutionalism; state as institution; international regime as institution; normative; rational choice; empirical institutionalism; and, historical institutionalism (Rittenberger, 1993; Knoke, Pappi & Tsujinaka, 1996; Kickert, Klijn & Koopenjaan, 1997). But for the purpose of this study, normative and rational choice approaches are advanced. Normative approach advocated by March and Olsen (1984; 1989; 1996) is one of the best ways to understand political behavior through a "logic of appropriateness" that individuals acquire through their membership in institutions (Peters, 2008). March and Olsen (1984) argue that people functioning within institutions are compelled to behave in a certain way concomitant with the general normative standards of the institutions. Individuals then acquire behavioural standards having been acquainted with normative behaviour of the institution. The rational choice institutionalism perceives institutions as the combination of rules and incentives, and the members of the institutions behave in response to those basic components of institutional structure. It is the rules and incentives that create norms for the institution.

It is expedient for the institution to institutionalize in order to entrench its normative and rational values. Institutional theory speaks of institutionalization- a process of entrenching values that promote the norms and rational values of the institutions- as a process of internal development of the institutions and a positive change in the value and structures characteristic of the institution. Selznick (1957) argued that institutionalization involves infusing a structure with value. The structures must be animated by the appropriate values for the purpose of institutionalizing. According to the rational choice version of institutional approach, it is this institutionalization that is aimed at strengthening the institution. The institutionalization thesis is that institutions must relentlessly strive towards being institutionalized in order to be able to enforce its own rule and have capacity to carry out its core mandate. (Peters, 2008; Verheijen, 1999).

Institutional values, as espoused by Huntington (1968), include: autonomy; adaptability; complexity; and, coherence. It is against these four values that the effectiveness of anti-corruption institutions in Nigeria is to be measured. Two other important dimensions have since been added in defining institutionalization in contemporary public sector structures. They include: congruence and exclusivity (Goetz & Peters, 1999; Polsby, 1968; Ragsdale & Theis, 1998). These dimensions provide the understanding of the transformation that structures must make in order to survive, and to be able to influence their members and their

environment. Autonomy represents a concern with the capacity of institutions to make and implement their own decisions, this is correct to the extent that they are not dependent upon another institution in the discharge of its core mandate. The second one is adaptability, which explains the degree to which the institution can cope with its environment; it explains the extent to which an institution can adapt to environmental changes, or more importantly (talking of autonomy) capable of molding or influencing its environment.

Complexity is the third one and it demonstrates the capacity of the institution to discipline and shape internal structures to fulfill its mandate and be able to cope with the environment. Coherence, which is the fourth one, dwells on the capacity of the institution to manage its own responsibility and statutory functions and to develop procedures to process tasks in an efficient and effective manner. This also deals with the capacity of the institution to make decisions bothering on its core mandate and beliefs and to check the rate of diversionary traffic. The fifth one is congruence and it reflects social relations within political institutions. The institution must be able to align social relations with expectations of the institution. The sixth, which is the last one, is exclusivity. This is about the monopoly of existence. The more there is competition between institutions, the less the survival chances. So capacity and survival are tied to level of competition. Frictions in responsibilities need to be reduced as much as feasible.

These six values may help in the difficult task of measuring the degree of institutionalization of various institutions established to fight corruption in Nigeria, and hence measuring their capacity to perform or their level of performance. Performance of the institution is a function of its dependent or independent status. If institutions are independent variables, then they are being thought of as autonomous institutions, having capacity to take decisions without exogenous interference. The perception of institutions as dependent variables is associated with the reality that the institution exists within a particular environment. This is more of a realist view as it conceptualises the relationship between the political environment and institutions. In a democratic setting, institutions must also be closely connected with the environment and respond to the legitimate pressures coming from outside.

Nigeria has since adopted institutional approach towards fighting corruption. Some of the institutions specifically created to fight corruption include: Independent Corrupt Practices and other related offences Commission (ICPC), Economic and Financial Crimes Commission (EFCC), Code of Conduct Bureau and the Nigeria Police. Close observation of these institutions shows that they are

not autonomous and are dependent on the political leadership. The institutional theory as used here clearly explains the enervation of the anti-corruption institutions in Nigeria and their subjection to the apron of the ruling political class. There is little or no institutionalization as both EFCC and ICPC (which are the core corruption-fighting institutions) have been found in the past to be willing tools in the hands of ruling elite. Weak institutions birth and encourage grafts and this explains the pervasive nature of corruption in Nigeria.

Congruence as a form of institutional value defines the complex interactions between and within political institutions and the implementation of anti-corruption measures. The Nigerian case presents a situation of antithesis to the principle of congruence, as there is evidence of individualization (lack of synergisation between the anti-corruption institutions to harmoniously work together) and personalization (the synonym of leadership character with organisational character) of the anti-corruption institutions by the very individuals occupying the offices at one time or the other, causing institutional friction and rivalry. This is against the principle of congruence of institutional theory to ensure strong institutions. Institutional theory is blemished by its very inability or failure to address the complex sociological environment within which anti-corruption institutions exist but it is apt in its robust analysis of the entrenched values from which institutions derive their distinct identity, strengths and norms, but which anti-corruption institutions in Nigeria patently lack. The question then is: why are the anti-corruption institutions in Nigeria not autonomous? Why do those institutions reflect idiosyncrasies of their leaderships? Why are their prevalent cases of institutional frictions? The answers to these questions are found in the thesis of institutional theory.

3. Recent strides

The Buhari-led government introduced and implemented some innovative anti-corruption measures and enlivened some existing but inertial ones. There were some anti-corruption measures enacted by the Jonathan administration but whose implementation was either perpetually jettisioned or willfully put in abeyance. They include: Treasury Single Account (TSA), Bank Verification Number (BVN) and Whistle Blower Policy (WBP), but these policies were not largely implemented. This is evident of the lack of political will of the Jonathan administration to fight corruption head-on.

Treasury Single Account

Treasury Single Account (TSA) is a financial policy deployed by several countries

all over the world, including inter alia, France, the United Kingdom, Sweden, United States of America, New Zealand, Peru, India, Indonesia, Guinea Bisau, the Central African Republic, Republic of Congo, to efficiently manage and control government's cash resources (Pattanayak, and Fainboim, 2010). In Nigeria, TSA is known as a public accounting system using a single account, or a set of linked accounts by government to ensure all revenue receipts and payments are done through a Consolidated Revenue Account (CRA) at the Central Bank of Nigeria (CBN). TSA was introduced by the federal government of Nigeria in 2012 but its full implementation commenced under Buhari administration to consolidate all inflows from all agencies of government into a single account at the Central Bank of Nigeria (Okwe *et al*, 2015; Pattanayak, and Fainboim, 2010).

The benefits accruing from TSA are immense, they include: reduction in borrowing costs; reduction in the proliferation of bank accounts operated by ministries, departments and agencies (MDAs); allowing government monitor the financial activities of over 900 MDAs from one single platform; instilling fiscal discipline; eliminating corruption associated with MDAs banking relationships with commercial banks; ensuring timely reconciliation of MDA accounts; providing better information on the cash resources available to government at any point in time and the financing gaps that need to be met; promoting financial accountability among governmental organs; payment of salaries without the need to upload salary schedules from separate software to the e-Payment platform; and, checking incidence of idle cash lying over extended periods in bank accounts held by spending MDAs (Udo, 2016; Vanguard, 2016a). Commercial banks in Nigeria remitted over 2 trillion naira worth of idle and active governments deposits with full implementation of this policy in 2016. Through Remita (the integrated electronic payments and collections platform designed and developed by a company called SystemSpecs), TSA initiative has enabled the Federal Government of Nigeria to take full control of over 3 trillion Naira ($15 billion) of its cash assets as at the end of the first quarter of 2016 (Malami, 2016; Udo, 2016).

Whistle-Blowing Policy

Whistle-blowing policy is an approach or strategy, designed by the Federal Ministry of Finance to encourage anyone with information about a violation of financial regulations, mismanagement of public funds and assets, financial malpractice, fraud and theft to report it. According to the government, the aim of the whistleblowing policy is to increase exposure of financial crimes; support the fight against financial crimes and corruption; improve level of public

confidence in public entities and enhance transparency and accountability in the management of public funds (FGN/FMN, 2017). Since the launch of the policy, the Economic and Financial Crimes Commission (EFCC) has recovered a number of slush funds stashed away in the most unimaginable places. Through the help of a whistleblower, the EFCC discovered $9.8m and £74, 000 in a building owned by a former group managing director of the Nigeria National Petroleum Corporation (NNPC). Also, it made a flurry of other cash discoveries, including the notable $43m, £27, 000 and N23m stashed away in a vulgar but famished house at Ikoyi, Lagos (Bulusson, 2017; Gabriel, 2017).

A whistleblower is entitled to a reward of about 2.5 per cent – 5 per cent of the amount recovered if he/she provided the Government with information that directly led to the voluntary return of stolen or concealed public funds or assets; provided the information, which Government does not already have and which it could not have obtained from any other publicly available source. The whistleblower would only get rewarded if the money is recovered on account of the information supplied by him/her (FGN/FMN, 2017). The visible shortcoming of the whistleblowing policy is that it has no legal framework defining its operations and guaranteeing its effective implementation. There is also absence of legal provision protecting whistleblowers from victimisation and vesting them with the right to seek redress in the likely event of victimization. Although the policy provided for a reward for whistleblowers, such is not backed by or provided for in, any known law (Bulusson, 2017; Gabriel, 2017).

A whistleblower will not be criminally liable and would not be subjected to disciplinary action of any kind for supplying information which turns out to be untrue if, at the time of supplying such information, s/he had reasonable belief that the information provided was substantially true beyond reasonable doubt and if his concerns were raised in public spirit and good faith. However, if it is discovered that a whistleblower intentionally supplies false and misleading information or makes malicious claims, s/he stands the risk of being prosecuted after an investigation is conducted (FGN/MFN, 2017; Gabriel, 2017).

Bank Verification Number

Bank Verification Number (BVN) was introduced by the Central Bank of Nigeria on February 14, 2014. BVN is the registration of customers in the financial system using biometric technology. Biometric technology is a process of recording a person's unique physical traits such as fingerprints and facial features. This record can then be used to correctly identify the person in his/

her subsequent dealings with the bank. Once a person's biometrics has been properly captured, the person is given a Bank Verification Number (BVN), which is unique and distinct from person to person. No two individuals have the same biometric information and traits. According to the CBN, the objective of the BVN initiative is to protect bank customers from fraud, reduce fraud and further strengthen the Nigerian banking system (Nweze, 2017).

The original intention of BVN initiative was to ensure the safety of depositors' funds; avoiding losses through the compromise of personal identification numbers; preventing identity theft; checking fraud; and catering for illiterate persons in the banking system (Nweze, 2017). With the coming of Buhari Administration however, the purpose of BVN initiative became broadened to include fight against corruption; the Buhari administration saw it as one of the measures through which pilfering from the public tilt could be checked (Arowolo & Akinola, 2017). It is one of the veritable measures of fighting corruption in government. This is correct to the extent that Justice Nnamdi Dimgba of the Federal High Court in Abuja has granted a request by Attorney General of the Federation, Abubakar Malami, for a temporary forfeiture of all funds held in bank accounts not linked to BVNs. Also, to be forfeited are funds in accounts whose ownership could not be ascertained. The order, which was handed down on October 21, 2017, also directed all the nineteen Deposit Money Banks (DMBs) operating in the country to release to Nigerian government names of accounts not yet connected to BVN; account numbers; their outstanding balances; domiciling locations; and domiciliary accounts without BVN and where they are domiciled (Vanguard, 2017).

Administration of Criminal Justice Act

The Administration of Criminal Justice Act, 2015 (ACJA) is a remarkable departure from the previous laws in that it ensures speedy dispensation of justice. The Act, which was signed into law in May 2015, comprises four hundred and ninety five sections, which were divided into forty-nine parts, covering administration of criminal justice and other related matters in all federal courts in Nigeria (LawPavilion, 2016; FGN, 2015). ACJA harmonized the hitherto Criminal Procedure Act of the south and the Criminal Procedure Act of the northern states. This harmonization preserves the existing criminal procedures while introducing new provisions which enhance the efficiency of the justice system and help fill the lacuna observed in the previous disjointed laws spanning several decades. ACJA is overtly apt in ensuring that the system of administration of criminal justice in Nigeria promotes efficient management

of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, the defendant, and the victim (LawPavilion, 2016; FGN, 2015). Before the enactment of the law, corruption cases used to take as long as ten years, and in most cases, all corruption cases bordering on Politically Exposed Persons (PEPs) have remained inconclusive as a result of endless adjournments. ACJA therefore is a response to anti-corruption fight and the need to speedily prosecute corrupt individuals to serve as deterrent to others and ensure sanity in governance (Arowolo & Akinola, 2018).

Presidential Advisory Committee on Anti-Corruption

Presidential Advisory Committee on Anti Corruption (PACAC) is an initiative of the Buhari administration constituted to strengthen government's investigative system and to technically advise the government and its anti-corruption institutions in their fight against graft. Some of the achievements of PACAC include: serving as a Think Tank to coordinate the Anti-Corruption struggle and intervening in the administration of criminal justice System in Nigeria with an agenda of reform and effectiveness; coordinating the training of the legislature, judicial members (including judges of different categories) and federal and state prosecutors in the modern way of approaching financial crimes and other corruption cases; helping anti-corruption agencies device clearer strategies for obtaining forfeiture of assets suspected to have been acquired fraudulently, mainly from State Coffers, before prosecuting suspected culprits; tinkering with the existing Laws, such as Money Laundering Act, 2004, the EFCC Act, 2004 and the ICPC Act, 2000, to facilitate speedy trial of corruption cases; organizing workshops for the Management and Protection of Assets; recommending establishment of a Central Asset Management Committee with membership from the anti-corruption agencies and other agencies of government including PACAC; production of manuals and protocols to assist Anti Corruption Agencies (ACAs) in their work (they include the Corruption Case Management Manual, the Plea Bargaining Manual, Sentencing Guidelines in High Profile Cases, the Framework for the Management of Recovered Stolen Assets, etc); drafting of a Bill for the establishment of Special Crimes Court; initiation of the whistle blower policy and Mutual Legal Assistance laws (PACAC, 2017).

National Prosecution Coordination Committee

National Prosecution Coordination Committee (NPCC) is another innovative measure established to aid the anti-corruption fight of the government. It is a technical committee consisting of all lawyers with the mandate of strengthening

the prosecutorial team of the government. NPCC is a 19-man Committee charged with the following responsibilities: ensuring efficient, effective and result-oriented prosecution of high profile criminal cases in the country; ensuring prompt contact and synergy between investigators and the prosecutors of high profile criminal cases; managing information to the public on such cases; ensuring strict compliance to the Administration of Criminal Justice Act (ACJA), 2015; advising the Attorney General of the Federation and Minister of Justice on the exercise of his prosecutorial powers in Section 150 and 174 of the 1999 Constitution; preparing the policy strategy document for the coordination of investigation and prosecution of high profile criminal cases in Nigeria; collating the list of such cases as well as assigning them to prosecution teams; scrutinizing the proof of evidence and charges in high profile criminal cases in the country before arraignment; receiving and analysing reports from the investigation and prosecution teams engaged to handle such cases (Vanguard, 2016b).

Designated Corruption Courts

The executive arm of the federal government had, before now, been accusing the judiciary of frustrating the anti-corruption fight of the federal government by granting unnecessary adjournments and frivolous motions as well as hinging their judgments on technicalities rather than merit of the case, all with a view to ensuring that corrupt individuals evade prosecution. In apparent move to correct the ugly trend, the Chief Justice of Nigeria, CJN, Justice Walter Onnoghen, on Monday, September 18, 2017 directed all Heads of Courts in the country to compile and forward to the National Judicial Council, NJC, comprehensive lists of all corruption and financial crime cases being handled by their various courts (Nnochiri, 2017).

According to the CJN, "inexplicable and seemingly intractable delays", have been the bane of criminal justice administration in the country (Onnoghen, 2017). This, according to him, results in the unfortunate disruption of due process. Consequently, according to the report, Justice Onnoghen ordered all the Heads of Courts to designate at least one court in their various jurisdictions as Special Courts, solely for the purpose of hearing and speedily determining corruption and financial crime cases (Nnochiri, 2017). The special court devoted solely to hear corruption cases will expedite corruption cases and strengthen the fight against corruption, while serving as a deterrent.

Anti-Corruption Cases Trial Monitoring Committee

In addition to setting aside special courts to hear and determine corruption cases,

Anti-Corruption Cases Trial Monitoring Committee has also been constituted. The committee that is headed by Justice Galadima, hass other senior lawyers as its members. The committee is to continually monitor the progress of high-profile criminal cases. According to Onnoghen (2017), "this committee would be saddled with, inter alia, the responsibility of ensuring that both trial and appellate Courts handling corruption and financial crime cases key into and abide by the renewed efforts at ridding Nigeria of corruption". In addition to this, both prosecution and defence counsels indulging in unethical practices of trying to use delay tactics or antics to stall or frustrate criminal trials will be disciplined accordingly. Onnoghen (2017) agrees that judiciary has a significant role to play if Nigeria must defeat corruption and progress as a country.

4. How effective?

The results of the recent strides have been a mixture of success and challenges. From the positive aspect, government was able to block the leakages in its contract award and supply process. A lot of money has also been saved through integration of all categories of government employees into the Integrated Payroll and Personnel Information System (IPPIS). This initiative predates Buhari administration, the present government, however, initiated the Presidential Initiative on Continuous Audit, with the responsibility of capturing all MDAs in the IPPIS. Through this initiative, the government has discovered variances in the payroll of the Federal Government's MDA to the tune of N6.4 billion monthly. This exercise has led to the discovery of 43,000 ghost workers so far and as at May 30, 2016, costing government N4.2 billion on monthly basis. (Dikwa, 2016).

The Buhari administration has also displayed resilient approach and has taken some drastic measures towards breaking the yoke of corruption in the country. In October, 2016, for the first time in the history of Nigeria, Department of State Security Service (DSS) raided homes of judges and incriminating materials, including currencies (both local and foreign) were allegedly found in their homes. Buhari-led Federal Government has also sought and secured temporary forfeiture of assets and money belonging to the wife of the former President, Dame Patience Jonathan. A total of $5m was seized, while properties scattered in Abuja, Bayelsa and Portharcourt were also seized. Another dramatic step taken by this administration is the prosecution of Bukola Saraki. Saraki is the sitting Senate President, Nigeria number three man in the hierarchy of governance in the country and he is also a member of All Progressive Congress (APC), the

ruling party, to which the President belongs. This is also the first time such would happen in the country. Irrefutably, the administration has achieved a lot in the fight against corruption and has curbed and blocked leakages through which government loses revenues to corruption.

Despite all these achievements recorded by the Buhari administration through the introduction and establishment of innovative measures earlier engaged, it is however disturbing that corruption still rages on and is still prevalent in all sectors of the economy. The puzzle then is, why is corruption still waxing strong? What were those things that were not done properly? Why do the newly introduced measures seem ineffective? What constitutes impediments? What other measures could be introduced to rollback the obstinate virulence of corruption in the country?

One of the perceived weaknesses in the fight against corruption is the personalization of the anti-corruption crusade; the fight is built around the personality of the president himself and this is reminiscent of weak and enervated anti-corruption institutions. Unfortunately, the president is old and delays in taking decision. This body language of lackluster approach clogs the progress of anti-corruption fight and encourages pilfering of government resources. This is exemplified in the way the president handled the corruption allegation case against his longstanding ally and Secretary to the Government of the Federation (SGF), Babachir David Lawal. It took government several months to implement the report of the panel set up by the president himself to investigate him. The leading anti-corruption institutions like EFCC and ICPC are not empowered to move swiftly to arrest Lawal for the commencement of investigation and prosecution, until it was directed to do so by the president.

Also, the circumstances surrounding the sudden return and reinstatement of Abdulrasheed Maina, ex-chairman of the Presidential Task Force on Pension Reforms, who was allegedly involved in the allegation of diversion of N17billion pension fund is an indication of insincerity in the fight against corruption (Daniel & Joseph, 2017). According to the leaked memo from the office of the Head of Service to the Chief of Staff to the President, Aba Kyari, it was discovered that the Head of Service (HOS) verbally warned the president of the national embarrassment and dent the return and reinstatement of Maina would cause the Buhari administration. The whole saga of Maina's return and reinstatement is shrouded in secrecy (Fabiyi, 2017). The delay in taking decision on allegation of corruption against individuals close to or appointed by the president has deprived the administration the opportunity of proving its critics wrong and endearing

itself into the hearts of many stone-hearted citizens, who are pessimistic about the sincerity of the anti-corruption fight.

Another noted weakness is the alienation of the anti-corruption crusade from the people, for whom corruption is being ostensibly fought. The youth population did not believe in the fight against corruption. The level of youth apathy was so high and this was being demonstrated daily on social media, especially on Facebook. It is glaring that youth population were alienated from the crusade and were not carried along; many of whom were ignorant of the evils of corruption and the benefits of collective fight against it. Defective investigative and prosecutorial system is yet a conspicuous weakness and one of the strong factors militating against the effectiveness and potency of innovative measures. So many high profile cases have been lost as a result of lack of diligent prosecution arising from a wobbled investigation.

Corrupt public service is another impediment of the Buhari innovative anti-corruption measures. The public service is so corrupt so much that it defiles all attempts to reform it. It is now in public space that budget enactment and implementation process was riddled with corrupt insertion of illegal project headings that were not budgeted for; this is known as "budget padding" in Nigeria. So many illegal insertions were found in the 2015, 2016 and 2017 budgets. Even the issue of "ghost worker" syndrome is a creation of the civil servants. They retain names and appointments of those who have been retired or disengaged and even insert fictitious names in the payroll in order to collect their salaries and emoluments. As the real workers are promoted, the "ghost workers" are also promoted as well. The reason why this constitutes impediment is because the civil service is the implementation arm of government; it is the one in charge of, and saddled with, the responsibility of implementing the innovative anti-corruption measures. Due to their corrupt tendencies, they frustrate the process and weaken the potency of the anti-corruption measures. Little wonder anti-corruption fight is experiencing retardation that renders it ineffectual.

Yet, uncooperative stance of the legislature constitutes a serious impediment to the fight against corruption. Legislature is not in tandem with the executive on the fight against corruption and this has constituted a serious setback to the anti-corruption fight of the government. This executive-legislative furore in most cases has led to the foot-dragging of anti-corruption policies and laws requiring legislative nod. For instance, Senate rejection of, and refusal to confirm, Magu, as the head of the EFCC, is a subject of this détente between the two important arms of government. The legislature is threatening of delaying

the passage of 2018 appropriation bill if the executive does not relieve Magu of his appointment (Alli, 2017). As a matter of fact, forty five nominees for various federal Parastatals are being delayed or put in abeyance as a demonstration of the legislative grouse with the executive over Magu (Alli, 2017). These appointments are very important because the agencies are integral to the delivering of public goods and fulfillment of campaign promises of the APC government.

Challenges clogging the innovative anticorruption measures of the Buhari administration are very deep-rooted and require fundamental intervention for permanent solution. This is because the two institutions of Judiciary and Legislature demonstrating bellicosity to the fight against corruption are creations of the constitution and shares co-equal powers with the executive. The implication of this is that, the furore will be difficult to resolve unless and until there is elite consensus and compromise in this regard. Another means of resolving the executive-legislative feud is for the electorate to re-elect few of the legislators that are nationalistic in their worldview and vote out those who are found in the aggrandizement of selfish interests or who work against collective interest of the masses. The mass of the public can also force the legislature to cooperate with the executive in the fight against corruption by occupying the national assembly and prevent them from sitting for days. But this cannot be achieved without proper reorientation of moral and ethical values which requires changing the psychology and the unethical, age-long mind set of the society from bad to good, most especially among the youth population, who now see quick ways of making money as legitimate. Hard-work no longer pays and is not respected by the youth.

There is the need for depersonalization of the fight against corruption through institutionalization of the anti-corruption institutions. Strong institution, not strong personality, can lead to the entrenchment of the innovative anti-corruption measures. Institutions are resilient and outlive the individuals occupying them. In the process of institutionalization, a niche of distinct identity is carved for institutions by which it is identified and for which it is noted as enduring institutional character required to entrench and institutionalize fight against corruption. As it is, the anti-corruption institutions are built around the individual occupying the office of the president at one time or the other. PACAC and NPCC need to firm up their operations by strengthening both investigative and prosecutorial teams. This can be done through regular training of the investigators and the prosecutors in the modern way of handling corruption cases. The public service needs to be rejigged and retooled. This can be achieved

through exposing the civil servants to psychological training. They need to have a renewal of mind; a renewal of perception; and, a renewal of work ethics. Government also needs to take pension reforms seriously. Many of the civil servants, who engage in stealing, do so as a result of uncertainty obscuring their retirement as their predecessors were subjected to excruciating hardship after retirement. Punitive measures should be taken very seriously as punishment of infractions deters proliferation of such acts.

5. Conclusion

The current study analysed the innovative measures of the Buhari administration in the fight against corruption in Nigeria. The study also made intellectual incursion into the factors precipitating the virulent spread of corruption in the country and attempted its theorization. In the analysis of innovative anticorruption measures of the Buhari administration, it was discovered that, despite the progress made by government in the fight against corruption, such efforts are not enduring as the achievements are personality-driven. The paper concludes that personalization is a serious setback to the fight against corruption. It further concludes that in very rare cases, there is a semblance of selective approach in the fight against corruption, as the fight is tilted towards opposition members. Alienation of the anti-corruption crusade from the people, especially the youth, can also retard the progress made. In all, anti-corruption efforts have recorded some successes and challenges, analysis of which was carried out in this paper. Generally, the paper agreed that the Nigerian government is really making positive strides in the anti-corruption fight. The paper recommends ways through which anti-corruption institutions can be fully strengthened in order to deepen and sustain the anti-corruption fight and ensure its institutionalization.

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